



Environmental Protection and Growth Management Department
PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
 1 N. University Drive, Box 102 · Plantation, FL 33324
 T: 954-357-6666 F: 954-357-6521
 Broward.org/Planning

Review and Approval of Vacation Petition Application

Review	
Date:	<u>10/26/21</u>
To:	County Attorney's Office Attention: Maite Azcoitia, Office of County Attorney
From:	Planning and Development Management Division
Subject:	Vacation Petition No.: <u>2021-V-11</u>
	Petitioner(s): <u>CE Tamarac, LLC</u>
	Agent for Petitioner(s): <u>Shah, Drotos & Associates</u>
Type:	<input checked="" type="checkbox"/> Vacating Plats, or any Portion Thereof (BCCO 5-205) <input checked="" type="checkbox"/> Abandoning Streets, Alleyways, Roads or Other Places Used for Travel (BCAC 27.68) <input type="checkbox"/> Releasing Public Easements and Private Platted Easements or Interests (BCAC 27.69)
Project:	<input checked="" type="checkbox"/> Easement <input checked="" type="checkbox"/> Right-of-Way <input type="checkbox"/> Other
Pursuant to Florida Statute Chapter 177.101 and the above sections of the Broward County Administrative Code and Code of Ordinances, the following determined that the requested vacation petition would not affect the ownership or right of convenient access of persons owning other parts of the subdivision:	
<u>Designated Review Agencies and Organizations</u>	Date: _____

Required Documentation	
<input checked="" type="checkbox"/> Vacation Petition Application	Date Accepted: <u>08/04/21</u>
<input checked="" type="checkbox"/> File Fee (made payable to Broward County Board of County Commissioners and deposited)	
<input checked="" type="checkbox"/> Petitioner Notice of Intent	Dates Published: <u>08/09/2021</u> and <u>08/16/2021</u>
<input checked="" type="checkbox"/> Certificate of Real Estate Taxes Paid [Revenue Collection Division]	Date: <u>08/05/2021</u>
<input checked="" type="checkbox"/> Property Location	<input checked="" type="checkbox"/> Municipality of <u>Tamarac</u> <input checked="" type="checkbox"/> Municipal Service District
<input checked="" type="checkbox"/> Certified Copy of Municipal Resolution	No: <small>R-2019-069 and R- 2021-087</small> Date(s): <u>07/10/2019 and 07/14/2021</u>
<input checked="" type="checkbox"/> Sketch and Legal Description by: <u>Michael D. Sarver, Registration No. 4174</u>	
<input checked="" type="checkbox"/> Location Map (Created by County Surveyor)	
<input type="checkbox"/> Aerial Photograph and Section Map (No longer provided; advise if needed for review)	
<input checked="" type="checkbox"/> Plat, if applicable	<input type="checkbox"/> Certified <input checked="" type="checkbox"/> Copy
<input type="checkbox"/> Written Consent of All Abutting Owners in Plat, if applicable	
<input checked="" type="checkbox"/> Certificate or Opinion of Title by: <u>Kenneth R. Florio, Florida Bar No. 86929</u>	Date: <u>10/06/2021</u>
<input type="checkbox"/> Documentation of all reviewers responding "no objection/no comment"	
<input checked="" type="checkbox"/> Waivers of Objection by Utility Companies	
<input checked="" type="checkbox"/> Draft Resolution to Set Public Hearing	
<input checked="" type="checkbox"/> Draft Resolution of Adopted Vacation	

Approval	
Approved subject to the Office of the County Attorney's receipt, review, and approval of a Title Certificate dated within 45 days prior to the Public Hearing.	
Reviewed and Approved as to Form by: <u>Kristin M. Carter</u>	Digitally signed by Kristin M. Carter Date: 2022.07.25 17:15:57 -04'00'
Print Name: <u>Kristin M. Carter</u>	Date: <u>07/25/2022</u>



Application Number 2021-V-11

Environmental Protection and Growth Management Department
PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
 1 N. University Drive, Box 102 · Plantation, FL 33324 · T: 954-357-6666 F: 954-357-6521 · Broward.org/Planning

Development and Environmental Review Online Application

Project Information			
Owner/Applicant/Petitioner Name CE Tamarac, LLC			
Address 2801 SW 31st Ave, Suite 2B		City Coconut Grove	State FL
		Zip 33133	
Phone 305-416-4949		Email jay@edenmultifamily.com	
Agent for Owner/Applicant/Petitioner Shah, Drotos & Associates		Contact Person Matthew Giani, P.E.	
Address 3410 N. Andrews Ave. Ext.		City Pompano Beach	State FL
		Zip 33064	
Phone 954-943-9433		Email mattgiani@shahdrotos.com	
Plat/Site Plan Name Colony West Shopping Plaza			
Plat/Site Number 74-187423		Plat Book - Page (if recorded) PB84, PG25	
Folio(s) 494104220020			
Location NE corner side of W McNab Rd at/between/and N Pine Island Rd and/of			
<small>north side/corner north street name street name / side/corner street name</small>			

Type of Application (this form required for all applications)
 Please check all that apply (use attached **Instructions** for this form).

- Plat (fill out/PRINT *Questionnaire Form, Plat Checklist*)
- Site Plan (fill out/PRINT *Questionnaire Form, Site Plan Checklist*)
- Note Amendment (fill out/PRINT *Questionnaire Form, Note Amendment Checklist*)
- Vacation (fill out/PRINT *Vacation Continuation Form, Vacation Checklist, use Vacation Instructions*)
 - Vacating Plats, or any Portion Thereof (BCCO 5-205)
 - Abandoning Streets, Alleyways, Roads or Other Places Used for Travel (BCAC 27.29)
 - Releasing Public Easements and Private Platted Easements or Interests (BCAC 27.30)
- Vacation (*Notary Continuation Form Affidavit* required, fill out Business Notary if needed)

Application Status			
Has this project been previously submitted?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Don't Know
This is a resubmittal of:	<input type="checkbox"/> Entire Project	<input type="checkbox"/> Portion of Project	<input checked="" type="checkbox"/> N/A
What was the project number assigned by the Planning and Development Division?	Project Number	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Don't Know
Project Name		<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Don't Know
Are the boundaries of the project exactly the same as the previously submitted project?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't Know
Has the flexibility been allocated or is flexibility proposed to be allocated under the County Land Use Plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't Know
If yes, consult Policy 13.01.10 of the Land Use Plan. A compatibility determination may be required.			

Replat Status	
Is this plat a replat of a plat approved and/or recorded after March 20, 1979?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know
If YES, please answer the following questions.	
Project Name of underlying approved and/or recorded plat	Project Number
Is the underlying plat all or partially residential?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know
If YES, please answer the following questions.	
Number and type of units approved in the underlying plat.	
Number and type of units proposed to be deleted by this replat.	
Difference between the total number of units being deleted from the underlying plat and the number of units proposed in this replat.	

School Concurrency (Residential Plats, Replats and Site Plan Submissions)	
Does this application contain any residential units? (If "No," skip the remaining questions.)	<input type="checkbox"/> Yes <input type="checkbox"/> No
If the application is a replat, is the type, number, or bedroom restriction of the residential units changing?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If the application is a replat, are there any new or additional residential units being added to the replat's note restriction?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is this application subject to an approved Declaration of Restrictive Covenants or Tri-Party Agreement entered into with the Broward County School Board?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<u>If the answer is "Yes" to any of the questions above</u>	
RESIDENTIAL APPLICATIONS ONLY: Provide a receipt from the School Board documenting that a Public School Impact Application (PSIA) and fee have been accepted by the School Board for residential projects subject to school concurrency, exempt from school concurrency (exemptions include projects that generate less than one student, age restricted communities, and projects contained within Developments of Regional Impact), or subject to an approved Declaration of Restrictive Covenant or Tri-Party Agreement.	

Land Use and Zoning	
EXISTING	PROPOSED
Land Use Plan Designation(s)	Land Use Plan Designation(s)
Zoning District(s)	Zoning District(s)

Existing Land Use

A credit against impact fees may be given for the site's current or previous use. **No credit will be granted for any demolition occurring more than eighteen (18) months and/or sixty (60) months for mobile homes of Environmental Review of construction plans.** To receive a credit, complete the following table. **Note:** If buildings have been demolished, which are not shown on the survey required with this application, attach an additional "as built" survey dated within eighteen (18) months of this application. Other evidence may be accepted if it clearly documents the use, gross square footage and/or number and type of dwelling units, and date of demolition.

Are there any existing structures on the site? Yes No

Land Use	Gross Building sq. ft.* or Dwelling Units	Date Last Occupied	EXISTING STRUCTURE(S)		
			Remain the Same?	Change Use?	Has been or will be Demolished?
			YES NO	YES NO	HAS WILL NO
			YES NO	YES NO	HAS WILL NO
			YES NO	YES NO	HAS WILL NO

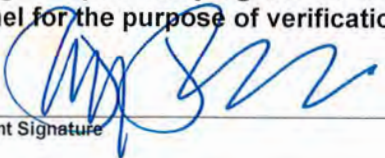
*Gross non-residential square footage includes permanent canopies and overhangs for gas stations, drive-thru facilities, and overhangs designed for outdoor tables at a restaurant. A building is defined by the definition in the Land Development Code.

Proposed Use

RESIDENTIAL USES		NON-RESIDENTIAL USES	
Land Use	Number of Units/Rooms	Land Use	Net Acreage or Gross Floor Area

NOTARY PUBLIC: Owner/Agent Certification

This is to certify that I am the owner/agent of the property described in this application and that all information supplied herein is true and correct to the best of my knowledge. By signing this application, owner/agent specifically agrees to allow access to described property at reasonable times by County personnel for the purpose of verification of information provided by owner/agent.


Owner/Agent Signature

8.4.21
Date

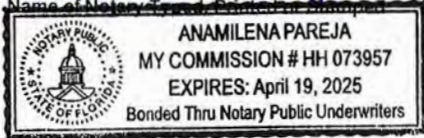
NOTARY PUBLIC

**STATE OF FLORIDA
COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me by means of physical presence | online notarization, this 4 day of August, 2021, who is personally known to me | has produced _____ as identification.

Ana Milena Pareja
Name of Notary Public - District or Municipality


Signature of Notary Public - State of Florida



Notary Seal (or Title or Rank)

Serial Number (if applicable)

For Office Use Only

Application Type

Vacation application

Application Date 08/04/2021	Acceptance Date 10/22/2021	Fee \$ 1,200.00
Comments Due 11/15/2021	Report Due N/A	CC Meeting Date TBD

Adjacent City or Cities
N/A

- Plats
 Surveys
 Site Plans
 Landscaping Plans
 Lighting Plans
 City Letter
 Agreements

Other:

- Distribute To
 Full Review
 Planning Council
 School Board
 Land Use & Permitting
 Health Department
 Zoning Code Services (BMSD only)
 Administrative Review

Other:

Received By
Diego Penaloza



Application Number 2021-V-11

AFFIDAVIT TO AUTHORIZE PETITIONER'S AGENT

I/We, CE Tamarac, LLC, the property owner(s) ("Affiant") of the property to be vacated in the subject of the Application, being duly sworn, depose(s) and say(s):

- 1. That I/we am/are the owner(s) and record title holder(s) of the lands that are to be vacated and abandoned.

My/our folio number(s) is/are as follows:

494104220020

- 2. That I/we do hereby appoint the following Agent to act on my/our behalf in the processing of the subject of the Application to the Broward County Board of County Commissioners.

Name: Shah, Drotos & Associates
Address: 3410 N. Andrews Ave. Ext.
City, State, Zip: Pompano Beach, FL 33064
Telephone: 954-943-9433
Contact Person: Matthew Giani, P.E.

CE Tamarac, LLC
Name of Owner/Petitioner

10/8/21
Date

[Signature]
Signature of Owner/Petitioner (requires notarization)

I, Matthew Giani, hereby accept the appointment as Agent to the above listed owner/petitioner.

Matthew Giani
Name of Agent

10/11/21
Date

[Signature]
Signature of Agent

NOTARY PUBLIC

**STATE OF FLORIDA
COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me by the Affiant by means of

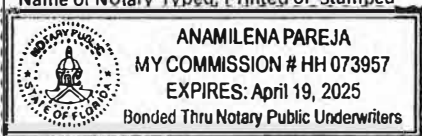
physical presence | online notarization, this 8 day of October, 2021,

by Jay Jacobson, of _____, on behalf of _____.

He/she is personally known to me | has produced _____ as identification.

Anamilena Pareja
Name of Notary Typed, Printed or Stamped

[Signature]
Signature of Notary Public - State of Florida



Notary Seal (or Title or Rank)

Serial Number (if applicable)

AUTHENTICITY OF OWNERSHIP

The undersigned Petitioner(s) has/have fully reviewed the instructions concerning the Application for Vacation and Abandonment and understand(s) that the Application must be complete and accurate prior to Broward County acceptance and review. The undersigned hereby petitions the Broward County Board of County Commissioners to vacate and abandon the property described herein. By signing as Petitioner(s), the undersigned certifies authenticity of ownership and, when applicable, authorizes the Agent to be its representative in the Application to Vacate and Abandon process.

PETITIONER

8.4.21
Date

Jay Jacobson

Print Name
[Signature]
Signature

WITNESS

Joanna Cabryja
Print Name
[Signature]
Signature

OWNER

(if not petitioner)

Date

Print Name

Signature

WITNESS

DANA MASSIRMAN
Print Name
[Signature]
Signature

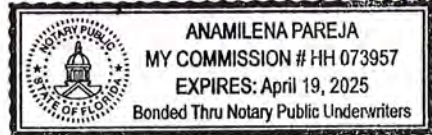
NOTARY PUBLIC

**STATE OF FLORIDA
COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me by means of physical presence | online notarization, this 4 day of August, 2021, by Jay Jacobson, of CE Tamarac LLC, on behalf of _____, He/she is personally known to me | has produced _____ as identification.

Ana Milena Pareja
Name of Notary Typed, Printed or Stamped

[Signature]
Signature of Notary Public – State of Florida



Notary Seal (or Title or Rank)

Serial Number (if applicable)



Department of State / Division of Corporations / Search Records / Search by Entity Name /

Detail by Entity Name

Florida Limited Liability Company
CE TAMARAC, LLC

Filing Information

Document Number L18000255946
FEI/EIN Number 84-2856593
Date Filed 10/31/2018
State FL
Status ACTIVE
Last Event LC AMENDMENT
Event Date Filed 03/25/2021
Event Effective Date NONE

Principal Address

2801 SW 31ST AVENUE
STE 2B
COCONUT GROVE, MD 33133

Changed: 05/14/2020

Mailing Address

2801 SW 31ST AVENUE
STE 2B
COCONUT GROVE, MD 33133

Changed: 05/14/2020

Registered Agent Name & Address

UNITED STATES REGISTERED AGENTS, INC.
9300 S. DADELAND BLVD., SUITE 600
MIAMI, FL 33156

Name Changed: 05/14/2020

Address Changed: 05/14/2020

Authorized Person(s) Detail

Name & Address

Title PRESIDENT

KORHONEN, ESKO
4445 WILLARD AVE
STE 900
CHEVY CHASE, MD 20815

Title VICE PRESIDENT

RICE, LACY
4445 WILLARD AVE
STE 900
CHEVY CHASE, MD 20815

Title VICE PRESIDENT

MARSHALL, ALEX
4445 WILLARD AVE
STE 900
CHEVY CHASE, MD 20815

Title AMBR

TAMARAC CE/FCP JV, LLC
2801 SW 31ST AVENUE
STE 2B
COCONUT GROVE, MD 33133

Title Authorized Member

Jacobson, Jay
2801 SW 31 st Ave, Suite 2B
Miami, FL 33133

Annual Reports

Report Year	Filed Date
2019	03/28/2019
2020	04/29/2020
2021	06/02/2021

Document Images

06/02/2021 -- ANNUAL REPORT	View image in PDF format
03/25/2021 -- LC Amendment	View image in PDF format
05/14/2020 -- LC Amendment	View image in PDF format
04/29/2020 -- ANNUAL REPORT	View image in PDF format
04/06/2020 -- LC Amendment	View image in PDF format
03/28/2019 -- ANNUAL REPORT	View image in PDF format

AUTHENTICITY OF OWNERSHIP

The undersigned Petitioner(s) has/have fully reviewed the instructions concerning the Application for Vacation and Abandonment and understand(s) that the Application must be complete and accurate prior to Broward County acceptance and review. The undersigned hereby petitions the Broward County Board of County Commissioners to vacate and abandon the property described herein. By signing as Petitioner(s), the undersigned certifies authenticity of ownership and, when applicable, authorizes the Agent to be its representative in the Application to Vacate and Abandon process.

PETITIONER

8.4.21
Date

Jay Jacobson

Print Name
[Signature]
Signature

WITNESS

Joanna Cabryja
Print Name
[Signature]
Signature

OWNER

(if not petitioner)

Date

Print Name

Signature

WITNESS

DANA MASSIEMAN
Print Name
[Signature]
Signature

NOTARY PUBLIC

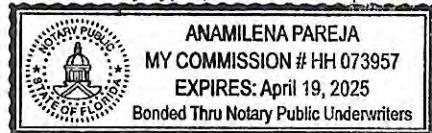
**STATE OF FLORIDA
COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me by means of physical presence | online notarization, this 4 day of August, 2021, by Jay Jacobson of CE Tamarac LLC, on behalf of _____.

He/she is personally known to me | has produced _____ as identification.

Ana Milena Panga
Name of Notary Typed, Printed or Stamped

[Signature]
Signature of Notary Public - State of Florida



Notary Seal (or Title or Rank)

Serial Number (if applicable)

Eden West
Residential Apartment Development

Application for Right-of-Way and Platted Utility
Easement Vacation

August 3rd, 2021

Shah, Drotos & Associates, P.A.
3410 N. Andrews Ave.
Pompano Beach, FL 33064
(954) 943-9433

SDA **SHAH**
SDA **DROTOS**
—
& Associates

Engineering
Surveying
Planning

I. Project Description

CE Tamarac, LLC is currently developing a 212 unit multi-family four-story apartment complex on a 7.01 acre site located on the northeast corner of West McNab Road and North Pine Island Road in the City of Tamarac.

As part of this development, the City of Tamarac has approved Resolution R-2019-69 to vacate 0.86 acres of NW 70th Street, to be used by the developer in part to create a new linear park. This portion of NW 70th Street will transition from a four-lane divided roadway to a two-lane undivided roadway.

This application requests the vacation of two pieces of Broward County right-of-way and the vacation of three platted utility easements on the Colony West Plaza Plat, further described below.

II. Right-of-Way Vacation Request

The vacation of two parcels of land located at the southeast corner of N. Pine Island Road and NW 70th Street is being requested. One parcel was granted to Broward County as part of an Order of Taking, as recorded in ORB 45192, PG 612 of the Broward County Public Records, and totals 215.15 square feet. The second parcel was granted to “The Public”, as recorded in ORB 5897, PG 811, of the Broward County Public Records, and totals 173.1 square feet.

These parcels currently contain a portion of concrete sidewalk along the southern boundary of NW 70th Street, as well as curbing and asphalt pavement for NW 70th Street. Due to the approved City Resolution R-2019-69 to vacate the southern portion of the NW 70th Street right-of-way in this area, the southern two eastbound travel lanes and the adjacent sidewalk located in the subject parcels will be removed. NW 70th Street will be modified from a four-lane divided roadway to a two-lane undivided roadway and a new linear park with a 10’ concrete sidewalk will be constructed adjacent to the roadway.

Therefore, these parcels will no longer be utilized for the NW 70th Street roadway or adjacent sidewalk. This area will now contain landscaping and a portion of the site wall for the new development. No Objection letters from all utility providers servicing this area have been obtained and are included as part of this application. Development plans for these right-of-way modifications have been reviewed and approved by the City of Tamarac Engineering Department, Broward County Highway Construction and Engineering Division, and Broward County Traffic Engineering Division.

III. Platted Utility Easement Vacation Request

The vacation of three existing platted utility easements on the Colony West Shopping Plaza Plat is requested. These easements currently contain sanitary sewer and water utilities owned by the City of Tamarac.

As part of the overall Eden West Apartments development, new sanitary sewer and potable water facilities are proposed for this site, while some of the existing sanitary sewer

and potable water facilities will also remain. To replace these platted utility easements, the developer will be granting the City of Tamarac an Exclusive Easement for all public sanitary sewer and potable water facilities on this site, in accordance with the City of Tamarac Engineering Department requirements. This new easement will cover the existing public sanitary sewer and potable water utilities to remain, and all proposed public sanitary sewer and potable water utilities on this site.

No Objection letters from all utility providers servicing this area have been obtained and are included as part of this application.