



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:** 06/23/2021

**To:** County Attorney's Office      **Attention:** Maite Azcoitia, Office of County Attorney

**From:** Planning and Development Management Division

**Subject:** Vacation Petition No.: 2021-V-05

Petitioner(s): PR III/Stiles Midtown Broward Apartments Owner, LLC

Agent for Petitioner(s): Doumar Allsworth

Type:             Vacating Plats, or any Portion Thereof (BCCO 5-205)  
                   Abandoning Streets, Alleyways, Roads or Other Places Used for Travel (BCAC 27.68)  
                   Releasing Public Easements and Private Platted Easements or Interests (BCAC 27.69)

Project:         Easement             Right-of-Way             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:

Designated Review Agencies and Organizations                                  Date: \_\_\_\_\_

**Required Documentation**

- Vacation Petition Application      Date Accepted: 04/30/2021
- File Fee (made payable to **Broward County Board of County Commissioners** and deposited)
- Petitioner Notice of Intent      Dates Published: 04/02/2021 and 04/09/2021
- Certificate of Real Estate Taxes Paid [Revenue Collection Division] Date: 01/22/2021
- Property Location    Municipality of City of Plantation       Municipal Service District
- Certified Copy of Municipal Resolution      No: R-12834      Date(s): 10/21/2020
- Sketch and Legal Description by: Gary D. Winningham, PSM: 2961
- Location Map (Created by County Surveyor)
- Aerial Photograph and Section Map (No longer provided; advise if needed for review)
- Plat, if applicable       Certified       Copy
- Written Consent of All Abutting Owners in Plat, if applicable
- Certificate or Opinion of Title by: John D. Voigt, Bar No. 317764      Date: 03/25/2021
- Documentation of all reviewers responding "no objection/no comment"
- Waivers of Objection by Utility Companies
- Draft Resolution to Set Public Hearing
- 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: Alexis I. Marrero Koratich      Digitally signed by Alexis I. Marrero Koratich  
Date: 2021.08.11 13:11:04 -04'00'

Print Name: Alexis I. Marrero Koratich    Date: 8/11/2021



Application Number 017-MP-87

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### Development and Environmental Review Online Application

<b>Project Information</b>			
Owner/Applicant/Petitioner Name PR III/Stiles Midtown Broward Apartments Owner, LLC			
Address 8200 Peters Road	City Plantation	State FL	Zip 33324
Phone	Email		
Agent for Owner/Applicant/Petitioner Doumar Allsworth		Contact Person John Voigt, Esquire	
Address 1177 S.E. 3rd Avenue	City Fort Lauderdale	State FL	Zip 33316
Phone 954-762-3400	Email jdvoigt@aol.com		
Plat/Site Plan Name Jacaranda Parcel 834			
Plat/Site Number		Plat Book - Page (if recorded) Plat Book 133 Page 28	
Folio(s) 5041 16 27 0020			
Location <u>South</u> side of <u>Peters Road</u> at/between/and <u>University Drive</u> and/of <u>Pine Island Road</u> <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)

<b>Application Status</b>			
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 checked="" 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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't Know
<b>If yes, consult Policy 13.01.10 of the Land Use Plan. A compatibility determination may be required.</b>			

<b>Replat Status</b>	
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
<b>If YES, please answer the following questions.</b>	
Project Name of underlying approved and/or recorded plat	Project Number
Is the underlying plat all or partially residential?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know
<b>If YES, please answer the following questions.</b>	
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.	

<b>School Concurrency (Residential Plats, Replats and Site Plan Submissions)</b>	
Does this application contain any residential units? (If "No," skip the remaining questions.)	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/> No
<b>If the answer is "Yes" to any of the questions above</b>	
<b>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.</b>	

Land Use and Zoning		NOT APPLICABLE	
EXISTING		PROPOSED	
Land Use Plan Designation(s) N/A		Land Use Plan Designation(s) N/A	
Zoning District(s)		Zoning District(s)	

Existing Land Use		NOT APPLICABLE			
<p>A credit against impact fees may be given for the site's current or previous use. <b>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.</b> To receive a credit, complete the following table. <b>Note:</b> If buildings have been demolished, which are not shown on the survey required with this application, attach an additional "as built" survey dated <u>within</u> 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.</p>					
Are there any existing structures on the site?			<input type="checkbox"/> Yes <input type="checkbox"/> 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?
N/A	N/A	N/A	YES   NO	YES   NO	HAS   WILL   NO
			YES   NO	YES   NO	HAS   WILL   NO
			YES   NO	YES   NO	HAS   WILL   NO
<p>*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 id defined by the definition in the Land Development Code.</p>					

Proposed Use		NOT APPLICABLE	
RESIDENTIAL USES		NON-RESIDENTIAL USES	
Land Use	Number of Units/Rooms	Land Use	Net Acreage or Gross Floor Area
N/A	N/A	N/A	N/A

**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.

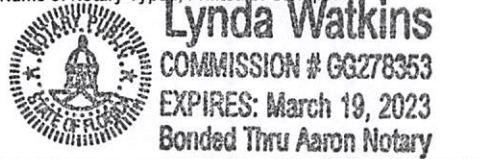
Owner/Agent Signature *Jm...* , Agent Date 3/1/21

**NOTARY PUBLIC**

**STATE OF FLORIDA**  
**COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me by means of  physical presence |  online notarization, this 1 day of March, 2021, who  is personally known to me |  has produced \_\_\_\_\_ as identification.

Name of Notary Typed, Printed, or Stamped Lynda Watkins Signature of Notary Public - State of Florida *[Signature]*



Notary Seal (or Title or Rank) GG278353 Serial Number (if applicable)

**For Office Use Only**

Application Type Vacation Application.

Application Date <u>03/25/21</u>	Acceptance Date <u>4/30/21</u>	Fee <u>1200.</u>
Comments Due <u>May 28, 2021</u>	Report Due <u>6/14/21</u>	CC Meeting Date <u>N/A.</u>

Adjacent City or Cities \_\_\_\_\_

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 017-MP-87

**AFFIDAVIT TO AUTHORIZE PETITIONER'S AGENT**

I/We PR III/Stiles Middtown Broward Apartments Owner, LLC,  
the property owner(s) 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:

5041 16 27 0020

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: Doumar Allsworth  
Address: 1177 S.E. 3rd Avenue  
City, State, Zip: Fort Lauderdale, FL 33316  
Telephone: 954-762-3400  
Contact Person: John Voigt, Esquire

PR III/STILES MIDTOWN BROWARD APARTMENTS OWNER, LLC  
a Delaware limited liability company  
By: PR III/Stiles Middtown Broward Holdings, LLC  
a Delaware limited liability company  
Its: Sole member  
By: Middtown Broward MF, LLC  
a Florida limited liability company  
Its: Authorized Member

Date 3/1/21  
Doumar Allsworth  
John Voigt, Esquire  
Name of Agent

[Signature]  
Signature of Owner

NOTARY PUBLIC [Signature]  
Signature of Agent

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of  physical presence |  online notarization,  
this 1 day of March, 2021, by Jeffrey McDonough  
of Middtown Broward MF, LLC, on behalf of PR III/Stiles Middtown Broward Apartments Owner, LLC  
He/she  is personally known to me |  has produced \_\_\_\_\_ as identification.

Lynda Watkins  
Name of Notary Typed, Printed or Stamped  
**Lynda Watkins**  
COMMISSION # GG278353  
EXPIRES: March 19, 2023  
Bonded Thru Asron Notary  
Notary Seal (or Title or Rank)

[Signature]  
Signature of Notary Public - State of Florida

GG278353  
Serial Number (if applicable)



Application Number 017-MP-87

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the property owner(s) of the property to be vacated in the subject of the Application, being duly sworn, depose(s)  
and say(s):

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5041 16 27 0020
2. That I/we do hereby appoint the following Agent to act on my/our behalf in the processing of the subject of  
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 Address: 1177 S.E. 3rd Avenue  
 City, State, Zip: Fort Lauderdale, FL 33316  
 Telephone: 954-762-3400  
 Contact Person: John Voigt, Esquire

PR III/STILES MIDTOWN BROWARD APARTMENTS OWNER, LLC  
 a Delaware limited liability company  
 By: PR III/Stiles Midtown Broward Holdings, LLC  
 a Delaware limited liability company  
 Its: Sole member  
 By: Midtown Broward MF, LLC  
 a Florida limited liability company  
 Its: Authorized Member

Date 3/1/21  
 Doumar Allsworth  
John Voigt, Esquire  
 Name of Agent

[Signature]  
 Signature of Owner Agent

NOTARY PUBLIC [Signature]  
 Signature of Agent

STATE OF FLORIDA  
 COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of  physical presence  online notarization,  
 this 1 day of March, 2021, by Jeffrey McDonough  
 of Midtown Broward MF, LLC, on behalf of PR III/Stiles Midtown Broward Apartments Owner, LLC  
 He/she  is personally known to me |  has produced \_\_\_\_\_ as identification.

Lynda Watkins  
 Name of Notary Typed, (Printed or Stamp)

[Signature]  
 Signature of Notary Public - State of Florida



**Lynda Watkins**  
 COMMISSION # GG278353  
 EXPIRES: March 19, 2023  
 Bonded Thru Aaron Notary

GG278353  
 Serial Number (if applicable)

Notary Seal (or Title or Rank)



Application Number 017-MP-87

**NOTARY PUBLIC: Business/Government Entity Certification**

This is to certify that I am the authorized acting agent of the business/government entity that is 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 authorized acting agent of the business/government entity.

[Signature] \_\_\_\_\_ Date 3/25/21 \_\_\_\_\_  
Agent Signature for Business/Government Entity

**NOTARY PUBLIC**

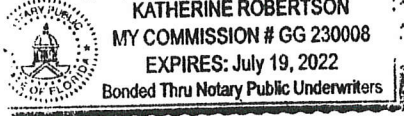
**STATE OF FLORIDA  
COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me by means of  physical presence |  online notarization, this 25<sup>th</sup> day of March, 2021, by John D. Voigt, the Authorized Agent, on behalf of PR III/STILES MIDTOWN BROWARD APARTMENTS OWNER, LLC, a Delaware limited liability company.

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

Katherine Robertson  
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**

\_\_\_\_\_ Date

See attached 2nd page 3  
\_\_\_\_\_ Print Name

\_\_\_\_\_ Signature

**WITNESS**

\_\_\_\_\_ Print Name

\_\_\_\_\_ Signature

**OWNER**  
(if not petitioner)

3/1/21  
\_\_\_\_\_ Date

PR III/STILES MIDTOWN BROWARD  
APARTMENTS OWNER, LLC  
a Delaware limited liability company  
By: PR III/Stiles Midtown Broward  
Holdings, LLC  
a Delaware Limited Liability Company  
Its: Sole member  
By: Midtown Broward MF, LLC  
a Florida limited liability company  
Its Authorized Member

**WITNESS**

Karen G. James  
\_\_\_\_\_ Print Name

\_\_\_\_\_ Signature

\_\_\_\_\_ Signature, Agent:  
Jeff McDonough, VP

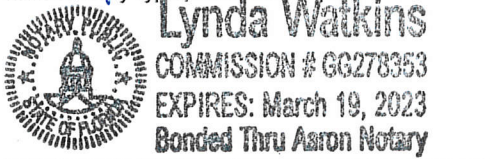
**NOTARY PUBLIC**

**STATE OF FLORIDA  
COUNTY OF BROWARD**

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Lynda Watkins  
\_\_\_\_\_ Name of Notary Typed, Printed or Stamped

\_\_\_\_\_ Signature of Notary Public - State of Florida



GG278353

Notary Seal (or Title or Rank)

Serial Number (if applicable)



**LAW OFFICES**  
**DOUMAR, ALLSWORTH, LAYSTROM, VOIGT,**  
**ADAIR & DISHOWITZ, LLP**

JOHN H. ADAIR, III, P.A.  
EMERSON ALLSWORTH, P.A.  
E. SCOTT ALLSWORTH, P.A.  
MARK E. ALLSWORTH, P.A.  
BENJAMIN R. DISHOWITZ, P.A.  
C. WILLIAM LAYSTROM, JR., P.A.

**1177 SOUTHEAST THIRD AVENUE**  
**FORT LAUDERDALE, FLORIDA 33316-1109**  
**BROWARD (954) 762-3400**  
**TOLL FREE (866) 242-9488**  
**TELEFAX (954) 525-3423**  
**EMAIL: JDVOIGT@AOL.COM**  
**WEBSITE: SFLALAW.COM**

MATTHEW J MYTYCH, P.A.  
JOHN D. VOIGT, P.A.

OF COUNSEL  
JODIE SIEGEL, P.A.  
JEFFREY S. WACHS, P.A.

Re: Broward County Vacation of Easement Application  
Jacaranda Parcel 834 Plat

Owner/Applicant: PRIII/Stiles Midtown Broward Apartments Owner, LLC

Date: March 25, 2021

LETTER OF INTENT

The applicant, PRIII/Stiles Midtown Broward Apartments Owner, LLC, has obtained developmental approval for construction of a multi-family residential development located on the south side of Peters Road at 8200 Peters Road, Plantation, Florida. When all applications were begun, the current owner/applicant was a contract purchaser, so prior applications appear in the name of Temple Kol Ami, who was the contract seller.

The approved project involves the construction of a multi-family development, a parking garage, and associated infrastructure. In order to accommodate this development, the drainage plan required modification. Construction of the South Florida Water Management District system consists of the filling of a 0.17-acre pond in the northeast corner of the site, and installation of a series of inlets and new culverts. The SWM system will capture and convey stormwater runoff from the site to the master system for water quality treatment and attenuation prior to the outfall into the C-2 Canal via existing control structures. In order to accomplish this, a small portion of an existing Drainage Easement shown on the Jacaranda Parcel 834 Plat must be vacated.

On October 21, 2020, the City of Plantation granted the partial vacation of the Drainage Easement. The Resolution of the City of Plantation is included in the application package. A color exhibit that was included in the City of Plantation Staff Report is attached with the vacation area highlighted in orange. Also included with the application are original Sketch and Legals of the easement portion to be vacated.

Respectfully submitted,

DOUMAR ALLSWORTH

By:   
JOHN D. VOIGT