



Application Number 080-MP-02

Resilient Environment Department  
**URBAN PLANNING DIVISION**

1 N. University Drive, Box 102A · Plantation, FL 33324 · T: 954-357-6634 · F: 954-357-6521 · Broward.org/Planning

## Application to Change or Waive Requirements of the Broward County Land Development Code

### INSTRUCTIONS

This form is used to apply for changes or waivers to requirements of development permit applications processed under the Broward County Land Development Code. These include changes or waivers to the following:

#### ROADWAY RELATED

1. Non-Vehicular Access Lines (NVAL Amendment)
2. Roadway Improvements (such as turn lanes, bus bays traffic signals, etc.)
3. Right-of-Way Dedications
4. Sidewalks and Paved Access
5. Design Criteria

#### NON-ROADWAY RELATED

6. Design Criteria
7. Waste Water Disposal/Source of Potable Water
8. Fire Protection
9. Parks and/or School Dedications
10. Impact/Concurrency Fee(s)
11. Environmental Impact Report
12. Other Changes

For your application to be officially accepted for processing and scheduled for a County Commission meeting, you must complete this application in full. The owner/agent certification (on the reverse side of this form) must be signed and notarized with the appropriate documentation attached. Please type this application or print legibly in **black ink**.

### Project Information

Plat/Site Plan Name

**Fruscians Tract**

Plat/Site Number

**080-MP-02**

Plat Book - Page (if recorded)

**175-55**

Owner/Applicant/Petitioner Name

**Humbold 18, LLC**

Address

**19495 Biscayne Blvd, Suite 608**

City

**Aventura**

State

**FL**

Zip

**33180**

Phone

**305-607-7188**

Email

**lauren@humboldrealestate.com**

Agent for Owner/Applicant/Petitioner

**Greenspoon Marder LLP**

Contact Person

**Dennis Mele, Esq.**

Address

**200 East Broward Boulevard, Suite 1800**

City

**Fort Lauderdale**

State

**FL**

Zip

**33301**

Phone

**954-527-2409**

Email

**dennis.mele@gmlaw.com cc: cynthia.pasch@gmlaw.com**

Folio(s)

**494120600010, 494120600011 and 494120600012**

Location

**south** side of **W Oakland Park** at/between/and **west of** and/of **N Pine Island Road**  
north side/corner north street name street name / side/corner street name

**Proposed Changes**

Use this space below to provide the following information and clearly describe the proposed changes you are requesting. If you are requesting changes to a specific staff recommendation(s) listed in a Development Review Report, please specify the staff recommendation number(s). If you are requesting a waiver or variation of a provision of the Land Development Code, please cite the specific section(s).

Staff Recommendation No(s).

**1,4,5,6,8,9 and 10**

Land Development Code citation(s)

Have you contacted anyone in County Government regarding this request?  Yes  No

If yes, indicate name(s), department and date

Narrative explaining proposed changes in detail including the desired result and justification for the request (attach additional sheet if necessary):

The Applicant is requesting an amendment to the nonvehicular access line as depicted on the recorded plat to accommodate the proposed residential development on this platted property. The site plan is currently under review by the City of sunrise and this nonvehicular access line amendment is necessary to expand the driveway on Oakland Park Boulevard. The details of this request are provided in the attached correspondence.

**REQUIRED DOCUMENTATION**

Submit one (1) original and copy of each document listed below.

1. Narrative clearly describing proposed changes. Be sure to include detailed information of opening location, size, etc.
2. Letter from the applicable municipality, dated within six (6) months of this application, stating the city's position on this request.
3. Agreement and Title Opinion for staff review (contact staff for more information).
4. A valid pre-application approval letter from the Florida Department of Transportation, if applicable.
5. Approved or recorded plat. (A survey and site plan may be accepted for single family and duplex applications. Please consult with Urban Planning Division staff.)
6. A check for the application fees (if applicable) made payable to: **Broward County Board of County Commissioners**. Please consult the Development Permit Application Fee Schedule.

For ROADWAY RELATED items (1 through 5) listed under INSTRUCTIONS on Page 1 of this form, the following additional documents are also required:

1. The proposed site plan (2 original) which shows, at a minimum, the on-site traffic circulation system, adjacent roadway details, and the location of all existing and proposed driveway(s). The site plan must provide relevant dimensions and must be drawn to scale.
2. Signed and sealed drawings (2 original) clearly illustrating the proposed change(s). The drawings must provide relevant dimensions and must be drawn to scale.
3. A valid Pre-Application approval letter from the Florida Department of Transportation is required for all roadway and/or access related applications which abut a Trafficway that is functionally classified as a State Road. This requirement includes the creation or amendment of vehicular access and/or any improvements requiring permits from the State.

For NON-ROADWAY RELATED items (6 through 12) listed under INSTRUCTIONS on Page 1 of this form, please consult with Urban Planning Division staff to determine any additional required documentation.

**All documents listed must also be submitted electronically as a separate pdf on a CD, flash drive, etc.**

**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.

[Signature] \_\_\_\_\_ Date 6/18/23 \_\_\_\_\_  
Owner/Agent Signature Date

**NOTARY PUBLIC**

**STATE OF FLORIDA  
COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me by means of  physical presence |  online notarization, this 8 day of June, 2023, who  is personally known to me |  has produced \_\_\_\_\_ as identification.

KIM NICOLE SANTIAGO \_\_\_\_\_  
Name of Notary Typed, Printed or Stamped Signature of Notary Public - State of Florida



**KIM NICOLE SANTIAGO**  
Comm.: # HH 297419  
Expires: February 23, 2024  
Notary Public - State of Florida

Serial Number (if applicable)

Notary Seal (or Title or Rank)

**For Office Use Only**

Application Type/Title of Request  
NVAL Application

Application Date <u>7/27/23</u>	Acceptance Date <u>7/28/23</u>	Fee <u>\$ 2,410.00</u>
Comments Due <u>8/18/23</u>	Report Due <u>8/30/23</u>	CC Meeting Date <u>TBD</u>

Adjacent City or Cities  
N/A

Plats                       Site Plans                       City Letter                       FDOT Letter

Other: Narrative

Distribute To  
 Engineering                       Traffic Engineering                       Mass Transit

Other:

Comments

Received By  
Dreyo Penalosa



Cynthia A. Pasch, AICP  
PNC Building  
200 East Broward Boulevard, Suite 1800  
Fort Lauderdale, Florida 33301  
Direct Phone: 954.527.6266  
Direct Fax: 954.333.4266  
Email: cynthia.pasch@gmlaw.com

July 26, 2023

Josie P. Sesodia, Director  
Urban Planning Division  
Broward County  
One North University Drive, Suite 102  
Plantation, Florida 33324

Re: Fruscians Tract Plat – 080-MP-02 - Non-vehicular Access Line  
Amendment

Dear Jo:

On behalf of Humboldt 18, LLC (the “Owner”), we are requesting approval of a non-vehicular access line amendment on the Fruscians Tract Plat. The Fruscians Tract Plat consists of three (3) parcels located on the south side of Oakland Park Boulevard identified by Broward County Property Appraiser folio numbers 4941 20 60 0010, 4941 20 60 0011, and 4941 20 60 0012 (“Property”). We are requesting the following modifications to the conditions of plat approval:

#### NONVEHICULAR ACCESS LINE (Staff Recommendation #1)

- 1) Along the ultimate right-of-way for Oakland Park Boulevard except at a ~~26~~ 42-foot opening (the west ~~26~~ 42 feet of a ~~54~~ 67-foot shared opening) located at the east plat limits. This opening is contingent upon the construction of a concrete separator.

Said non-access line shall include the corner chords and extend south along the following:

- A) The west side of the ingress/egress easement for ~~a minimum of~~ 100 feet.
- B) The west plat limits for ~~a minimum of~~ 100 feet.

#### RIGHT-OF-WAY REQUIREMENTS (Easement)

- 4) Right-of-way for a corner chord based on a ~~30~~ 25-foot radius at the

Boca Raton Denver Edison Ft. Lauderdale Las Vegas Los Angeles Miami Naples  
New York Orlando Portland Scottsdale Tallahassee Tampa West Palm Beach

Josie P. Sesodia  
Fruscians Tract Plat – 080-MP-02 - Non-vehicular Access Line Amendment  
July 26, 2023  
Page No. 2

intersection of Oakland Park Boulevard and the west limits of the ingress/egress easement.

#### ACCESS REQUIREMENTS

- 5) The minimum distance from the non-vehicular access line (NVAL) of Oakland Park Boulevard, at any driveway in the ~~26~~ 42-foot opening (the west ~~26~~ 42 feet of a ~~54~~ 67-foot shared opening), to the outer edge of any interior service drive or parking space with direct access to such driveway shall be 100 feet.
- 6) For the two-way driveway in the ~~54~~ 67-foot shared opening: the driveway shall consist of two ingress lanes, each ~~42~~ 10 feet in width, a ~~4~~ 8-foot wide by 100-foot long ~~concrete separator~~ median, and two egress lanes, each ~~44.50~~ 12 feet in width. The minimum entrance radii shall be ~~35~~ 25 feet.

#### ACCESS EASEMENT REQUIREMENTS

- 8) Provide a 11-foot wide by 124-foot deep ingress/egress easement on the ~~26~~ 42-foot opening (the west ~~26~~ 42 feet of a ~~54~~ 67-foot shared opening) on Oakland Park Boulevard, adjacent to the existing 15-foot ingress/egress easement (O.R.B. 10782, Pg. 624, B.C.R.) that lies within this plat's limits. Dimensions may be modified to more closely approximate proposed driveway dimensions. Prior to plat recordation, the design is subject to the review and approval of the Traffic Engineering and Engineering Divisions.

#### TURN LANE IMPROVEMENTS (Secure and Construct)

- 9) An eastbound right turn lane on Oakland Park Boulevard at the ~~26~~ 42-foot opening (the west ~~26~~ 42 feet of a ~~54~~ 67-foot shared opening) with ~~450~~ 176 feet of storage\* and ~~75~~ 50 feet of transition.

\*The length of turn lane storage is measured from the end of taper (transition) to the point of curvature of the driveway radius, or corner chord in the case of intersecting road right-of-way.

- 10) A 4-foot wide x 100-foot long ~~concrete separator~~ median in the ~~26~~ 42-foot opening (the west ~~26~~ 42 feet of a ~~54~~ 67-foot shared opening) on Oakland Park Boulevard. This design is subject to the review and approval of the Engineering and Traffic Engineering Divisions.

Josie P. Sesodia  
Fruscians Tract Plat – 080-MP-02 - Non-vehicular Access Line Amendment  
July 26, 2023  
Page No. 3

Enclosed for your records are a copy of the recorded plat, survey, sketch and description of the nonvehicular access line (existing and proposed), and site plan.

Please let me know if you have any questions or need additional information to process this request for County Commission approval.

Sincerely,

GREENSPOON MARDER LLP

*Cynthia A. Pasch*

Cynthia A. Pasch, AICP



SKETCH AND LEGAL DESCRIPTION  
BY  
**PULICE LAND SURVEYORS, INC.**  
5381 NOB HILL ROAD  
SUNRISE, FLORIDA 33351  
TELEPHONE: (954) 572-1777 • E-MAIL: surveys@pulicelandsurveyors.com  
CERTIFICATE OF AUTHORIZATION LB#3870



**LEGAL DESCRIPTION: (EXISTING NON-VEHICULAR ACCESS LINE)**

ALL OF THAT NON-VEHICULAR ACCESS LINE LYING ALONG THE WEST AND NORTH LINES AND WITHIN PARCEL "A", "**FRUSCIANS TRACT**", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 175, PAGES 55 THRU 58, INCLUSIVE, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHWEST CORNER OF SAID PARCEL "A"; THENCE ALONG THE WEST LINE OF SAID PARCEL "A", ALSO BEING THE EAST LINE OF "**REICO ESTATES FIRST ADDITION**", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 98, PAGE 13, OF SAID PUBLIC RECORDS, THE FOLLOWING TEN (10) CONTINUE COURSES AND DISTANCES: 1) NORTH 01°26'59" WEST 111.48 FEET TO **POINT OF BEGINNING 'A'** AT THE NORTHEAST CORNER OF LOT 1, BLOCK 6 OF SAID "**REICO ESTATES FIRST ADDITION**"; 2) CONTINUE NORTH 01°26'59" WEST 50.00 FEET TO **POINT OF TERMINATION 'A'** AT THE SOUTHEAST CORNER OF LOT 10, BLOCK 5 OF SAID "**REICO ESTATES FIRST ADDITION**"; 3) CONTINUE NORTH 01°26'59" WEST 200.00 FEET TO **POINT OF BEGINNING 'B'** AT THE NORTHEAST CORNER OF LOT 1 OF SAID BLOCK 5; 4) CONTINUE NORTH 01°26'59" WEST 50.00 FEET TO **POINT OF TERMINATION 'B'** AT THE SOUTHEAST CORNER OF LOT 10, BLOCK 4 OF SAID "**REICO ESTATES FIRST ADDITION**"; 5) CONTINUE NORTH 01°26'59" WEST 200.00 FEET TO **POINT OF BEGINNING 'C'** AT THE NORTHEAST CORNER OF LOT 1 OF SAID BLOCK 4; 6) CONTINUE NORTH 01°26'59" WEST 50.00 FEET TO **POINT OF TERMINATION 'C'** AT THE SOUTHEAST CORNER OF LOT 10, BLOCK 3 OF SAID "**REICO ESTATES FIRST ADDITION**"; 7) CONTINUE NORTH 01°26'59" WEST 200.00 FEET TO **POINT OF BEGINNING 'D'** AT THE NORTHEAST CORNER OF LOT 1 OF SAID BLOCK 3; 8) CONTINUE NORTH 01°26'59" WEST 215.45 FEET TO **POINT OF TERMINATION 'D'**; 9) CONTINUE NORTH 01°26'59" WEST 50.00 FEET TO **POINT OF BEGINNING 'E'**; 10) CONTINUE NORTH 01°26'59" WEST 100.00 FEET; THENCE NORTH 46°39'53" EAST 44.67 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL "A", BEING A POINT ON THE ARC OF A CIRCULAR CURVE CONCAVE SOUTHERLY FROM WHICH A RADIAL LINE BEARS SOUTH 04°46'44" WEST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1809.86 FEET, A CENTRAL ANGLE OF 00°25'13", FOR AN ARC DISTANCE OF 13.28 FEET TO A POINT OF TANGENCY; THENCE SOUTH 84°48'02" EAST ALONG SAID NORTH LINE 228.19 FEET; THENCE SOUTH 43°07'33" EAST 46.54 FEET; THENCE SOUTH 01°27'03" EAST 99.53 FEET TO **POINT OF TERMINATION 'E'**.

SAID LANDS LYING AND BEING IN THE CITY OF SUNRISE, BROWARD COUNTY, FLORIDA.

**NOTES:**

1. THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR AN ELECTRONIC SIGNATURE AND ELECTRONIC SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. BEARINGS ARE BASED ON THE NORTH LINE OF PARCEL "A", BEING S84°48'02"E AS SHOWN ON SAID PLAT.
3. THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
4. ALL RECORDED DOCUMENTS ARE PER BROWARD COUNTY PUBLIC RECORDS.

CLIENT: MORGAN GROUP DEVELOPMENT

SCALE: N/A

DRAWN: L.S.

ORDER NO.: 70585B

DATE: 2/23/23

EXISTING NON-VEHICULAR ACCESS LINE

SUNRISE, BROWARD COUNTY, FLORIDA

FOR: CAROLINE AT SUNRISE

SHEET 1 OF 2

**John F  
Pulice**

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 & 2

Digitally signed by John F Pulice

F Pulice

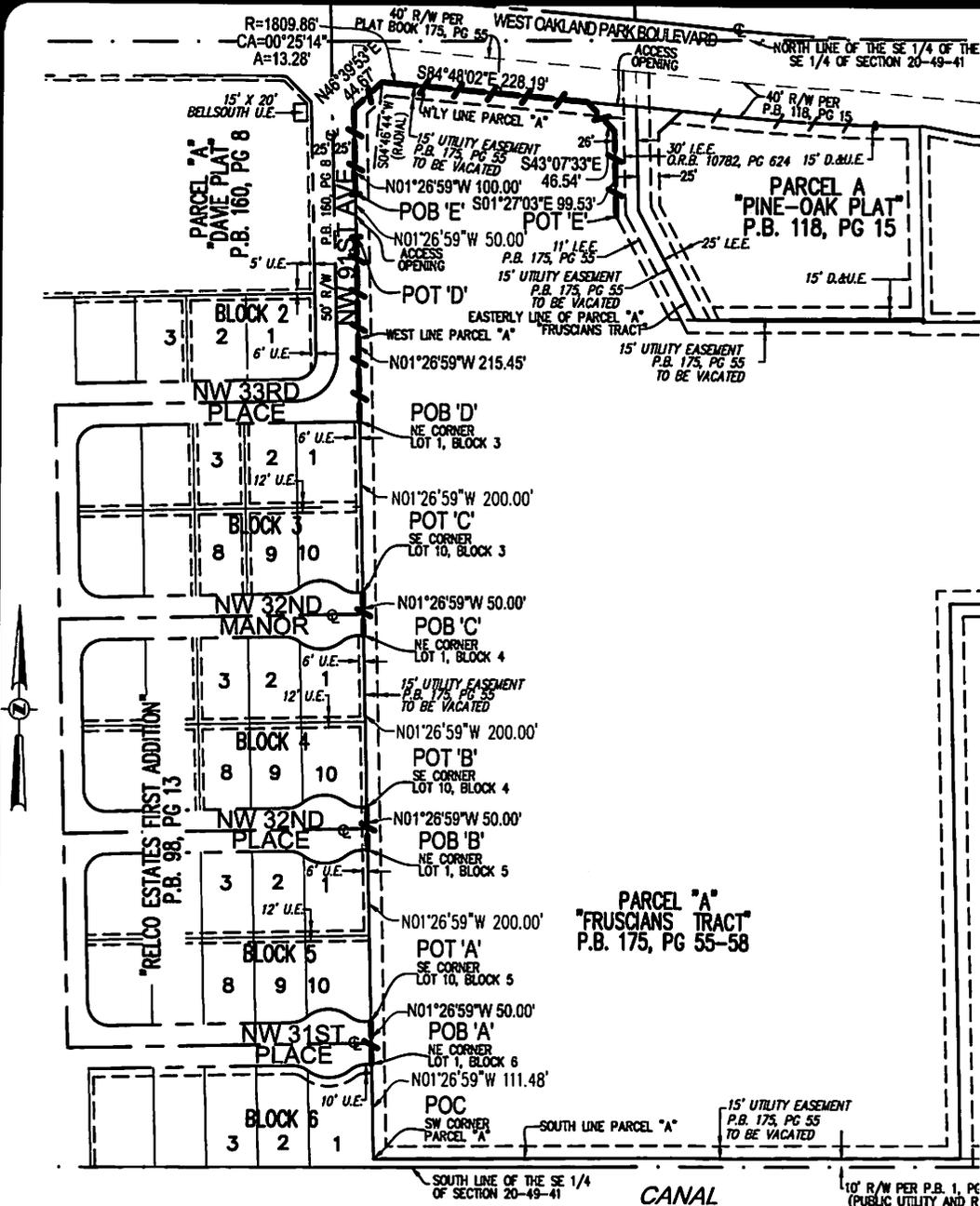
Date: 2023.04.10

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- JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
- VICTOR R. GILBERT, PROFESSIONAL SURVEYOR AND MAPPER LS6274
- DONNA C. WEST, PROFESSIONAL SURVEYOR AND MAPPER LS4290 STATE OF FLORIDA



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BY  
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TELEPHONE: (954) 572-1777 • E-MAIL: surveys@pulicelandsurveyors.com  
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SHEET 2 OF 2

CANAL  
SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
205' R/W PURSUANT TO CENTRAL AND SOUTHERN FLORIDA  
FLOOD CONTROL DISTRICT (C-13 CANAL)

THIS DOCUMENT IS NEITHER FULL NOR  
COMPLETE WITHOUT SHEETS 1 & 2

CLIENT: MORGAN GROUP DEVELOPMENT

SCALE: 1"=200'

DRAWN: L.S.

ORDER NO.: 70585B

DATE: 2/23/23

EXISTING NON-VEHICULAR ACCESS LINE

SUNRISE, BROWARD COUNTY, FLORIDA

FOR: CAROLINE AT SUNRISE

**LEGEND:**

- CENTERLINE
- NON-VEHICULAR ACCESS LINE
- I.E.E. INGRESS/EGRESS EASEMENT
- O.R.B. OFFICIAL RECORDS BOOK
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- POT POINT OF TERMINATION
- R/W RIGHT-OF-WAY
- U.&D.E. UTILITY AND DRAINAGE EASEMENT
- U.E. UTILITY EASEMENT

- R= RADIUS
- CA= CENTRAL ANGLE
- A= ARC LENGTH
- P.B. PLAT BOOK
- PG PAGE



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**LEGAL DESCRIPTION: (PROPOSED NON-VEHICULAR ACCESS LINE)**

A LINE LYING ALONG THE WEST AND NORTH LINES AND WITHIN PARCEL "A", "FRUSCIANS TRACT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 175, PAGES 55 THRU 58, INCLUSIVE, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT ON THE WEST LINE OF SAID PARCEL "A", LYING 100.00 FEET SOUTHERLY FROM THE MOST WESTERLY NORTHWEST CORNER OF SAID PARCEL "A" ; THENCE NORTH 01°26'59" WEST ALONG SAID WEST LINE 100.00 FEET; THENCE NORTH 46°39'53" EAST 44.67 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL "A", BEING A POINT ON THE ARC OF A CIRCULAR CURVE CONCAVE SOUTHERLY FROM WHICH A RADIAL LINE BEARS SOUTH 04°46'44" WEST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT AND SAID NORTH LINE, HAVING A RADIUS OF 1809.86 FEET, A CENTRAL ANGLE OF 00°25'13", FOR AN ARC DISTANCE OF 13.28 FEET TO A POINT OF TANGENCY; THENCE SOUTH 84°48'02" EAST ALONG SAID NORTH LINE 218.91 FEET; THENCE SOUTH 42°49'59" EAST 36.91 FEET; THENCE SOUTH 00°27'38" EAST 100.00 FEET TO THE **POINT OF TERMINATION**.

SAID LANDS LYING AND BEING IN THE CITY OF SUNRISE, BROWARD COUNTY, FLORIDA.

**NOTES:**

1. THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR AN ELECTRONIC SIGNATURE AND ELECTRONIC SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. BEARINGS ARE BASED ON THE NORTH LINE OF PARCEL "A", BEING S84°48'02"E AS SHOWN ON SAID PLAT.
3. THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
4. ALL RECORDED DOCUMENTS ARE PER BROWARD COUNTY PUBLIC RECORDS.

CLIENT: MORGAN GROUP DEVELOPMENT

SCALE: N/A

DRAWN: L.S.

ORDER NO.: 70585C

DATE: 2/23/23

PROPOSED NON-VEHICULAR ACCESS LINE

SUNRISE, BROWARD COUNTY, FLORIDA

FOR: CAROLINE AT SUNRISE

SHEET 1 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 & 2

Digitally signed by John F

**John F Pulice**

Pulice

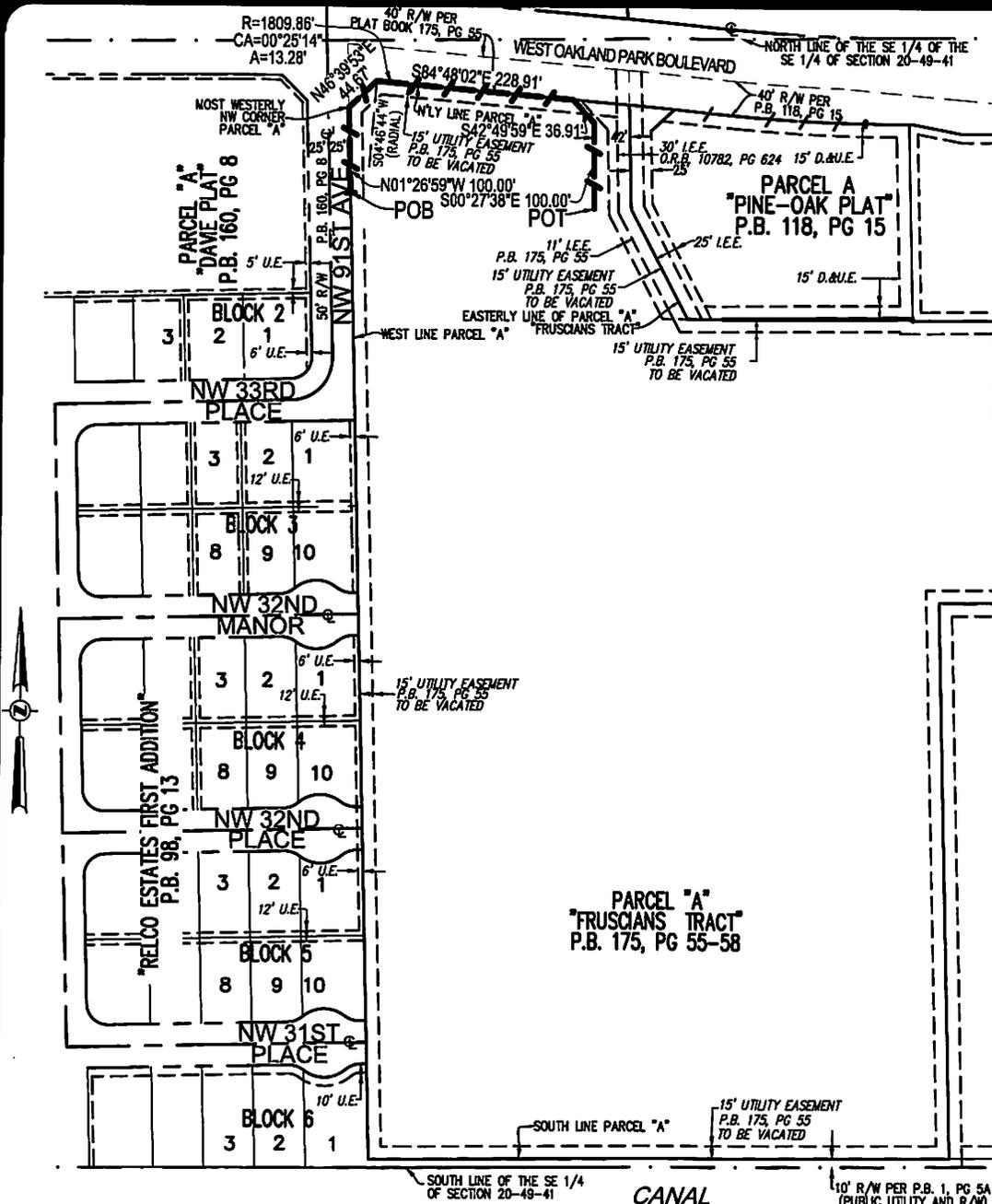
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- JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
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SHEET 2 OF 2

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CLIENT: MORGAN GROUP DEVELOPMENT

SCALE: 1"=200'      DRAWN: L.S.

ORDER NO.: 70585C

DATE: 2/23/23

PROPOSED NON-VEHICULAR ACCESS LINE

SUNRISE, BROWARD COUNTY, FLORIDA

FOR: CAROLINE AT SUNRISE

LEGEND:

- CENTERLINE
- NON-VEHICULAR ACCESS LINE
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