



Resilient Environment Department
URBAN 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: 09/21/2022
To: County Attorney's Office **Attention:** Maite Azcoitia, Office of County Attorney
From: Planning and Development Management Division
Subject: Vacation Petition No.: 2022-V-07
Petitioner(s): DEERFIELD DEVELOPMENT RESOURCES LLC
Agent for Petitioner(s): Joshua Horning, kimley-horn
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:** 09/21/2022
- ☒ File Fee (made payable to **Broward County Board of County Commissioners** and deposited)
- ☒ Petitioner Notice of Intent **Dates Published:** 08/20/22 and 08/27/22
- ☒ Certificate of Real Estate Taxes Paid [Revenue Collection Division] **Date:** July 22, 2022
- ☒ Property Location ☒ Municipality of Deerfield Beach ☐ Municipal Service District
- ☒ Certified Copy of Municipal Resolution **No:** 2020-097 **Date(s):** 08/04/2020
- ☒ Sketch and Legal Description by: David P. Lindley Surveyor No 5005
- ☒ 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: Thomas F. Coyle, Jr., Esq, Bar No. 0298920 **Date:** 07/29/2022
- ☐ 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 MARRERO-KORATICH
Digitally signed by ALEXIS MARRERO-KORATICH
Date: 2022.12.07 15:35:10 -0500

Print Name: Alexis I. Marrero Koratich

Date: 12/7/2022



Resilient Environment Department
Urban Planning Division

1 N. University Drive, Box 102 · Plantation, FL 33324 · T: 954-357-6666 F: 954-357-6521 · Broward.org/Planning

Application Number _____

Development and Environmental Review Online Application

Project Information			
Owner/Applicant/Petitioner Name			
Address		City	State Zip
Phone	Email		
Agent for Owner/Applicant/Petitioner		Contact Person	
Address		City	State Zip
Phone	Email		
Plat/Site Plan Name			
Plat/Site Number		Plat Book - Page (if recorded)	
Folio(s)			
Location			
<div style="display: flex; justify-content: space-between;"> <div>_____ side of _____ <i>north side/corner north street name</i></div> <div>at/between and _____ <i>street name / side/corner</i></div> <div>and of _____ <i>street name</i></div> </div>			

Type of Application (this form required for all applications)
<p>Please check all that apply (use attached Instructions for this form).</p> <p><input type="checkbox"/> Plat (fill out/PRINT Questionnaire Form, Plat Checklist)</p> <p><input type="checkbox"/> Site Plan (fill out/PRINT Questionnaire Form, Site Plan Checklist)</p> <p><input type="checkbox"/> Note Amendment (fill out/PRINT Questionnaire Form, Note Amendment Checklist)</p> <p><input type="checkbox"/> Vacation (fill out/PRINT Vacation Continuation Form, Vacation Checklist, use Vacation Instructions)</p> <p style="margin-left: 40px;"> <input type="checkbox"/> Vacating Plats, or any Portion Thereof (BCCO 5-205) <input type="checkbox"/> Abandoning Streets, Alleyways, Roads or Other Places Used for Travel (BCAC 27.29) <input type="checkbox"/> Releasing Public Easements and Private Platted Easements or Interests (BCAC 27.30) </p> <p><input type="checkbox"/> Vacation (Notary Continuation Form Affidavit required, fill out Business Notary if needed)</p>

Application Status			
Has this project been previously submitted?	<input type="checkbox"/> Yes	<input 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 type="checkbox"/> N/A
What was the project number assigned by the Planning and Development Division?	Project Number	<input type="checkbox"/> N/A	<input type="checkbox"/> Don't Know
Project Name		<input 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 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
<p>If the answer is "Yes" to any of the questions above</p> <p>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.</p>	


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					
<p>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 <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?	<u>Has</u> been or <u>will</u> be Demolished?
			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 is defined by the definition in the Land Development Code.</p>					

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


08/15/2022
Date

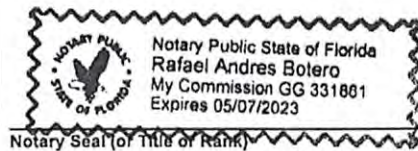
NOTARY PUBLIC

STATE OF FLORIDA COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence | ☐ online notarization, this 15 day of August, 2022, who ☒ is personally known to me | ☐ has produced N/A as identification.

Rafael A. Botero
Name of Notary Typed, Printed or Stamped


Signature of Notary Public – State of Florida



N/A
Serial Number (if applicable)

For Office Use Only

Application Type <u>Vacation Application</u>		
Application Date <u>9/21/22</u>	Acceptance Date <u>9/21/22</u>	Fee <u>\$1200.00</u>
Comments Due <u>10/11/22</u>	Report Due <u>N/A</u>	CC Meeting Date <u>TBD</u>
Adjacent City or Cities <u>N/A</u>		
<input checked="" type="checkbox"/> Plats <input type="checkbox"/> Surveys <input type="checkbox"/> Site Plans <input type="checkbox"/> Landscaping Plans <input type="checkbox"/> Lighting Plans <input type="checkbox"/> City Letter <input type="checkbox"/> Agreements		
<input checked="" type="checkbox"/> Other: <u>Sketch and Legal.</u>		
Distribute To <input checked="" type="checkbox"/> Full Review <input type="checkbox"/> Planning Council <input type="checkbox"/> School Board <input type="checkbox"/> Land Use & Permitting <input type="checkbox"/> Health Department <input type="checkbox"/> Zoning Code Services (BMSD only) <input type="checkbox"/> Administrative Review		
<input type="checkbox"/> Other:		
Received By <u>Diego Penolosa.</u>		



Application Number _____

AFFIDAVIT TO AUTHORIZE PETITIONER'S AGENT

I/We Deerfield Development Resources, 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:

See Attached Document

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: Joshua Horning / Liam Sargent

Address: 1615 S Congress Avenue

City, State, Zip: Delray Beach, FL 33445

Telephone: 561.484.5257

Contact Person: Liam Sargent

Deerfield Development Resources

Name of Owner/Petitioner

04/06/2022

Date

Joshua Horning

Name of Agent

Joshua Horning

Signature of Agent

NOTARY PUBLIC

**STATE OF FLORIDA
COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me by means of ☒ physical presence | ☐ online notarization,
this 17th day of June, 2022, by Christopher Partridge,
of _____, on behalf of _____.

He/she ☒ is personally known to me | ☐ has produced Drivers License as identification.

Monica Diaz

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)





Application Number _____

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.

Joshua Horning
Agent Signature for Business/Government Entity

04/06/2022
Date

NOTARY PUBLIC

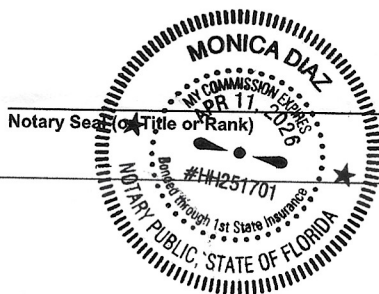
**STATE OF FLORIDA
COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me by means of ☒ physical presence ☐ online notarization, this 17 day of June, 2022, by Chris Perbenda, the _____, on behalf of _____, a _____.

He/she ☒ is personally known to me ☐ has produced Drivers License as identification.

Monica Diaz
Name of Notary Typed, Printed or Stamped

[Signature]
Signature of Notary Public - State of Florida



Serial Number (if applicable) _____



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
DEERFIELD DEVELOPMENT RESOURCES LLC

Filing Information

Document Number L17000133823
FEI/EIN Number 82-2209122
Date Filed 06/21/2017
State FL
Status ACTIVE

Principal Address

1769 NE 33RD ST.
POMPANO BEACH, FL 33064

Mailing Address

1769 NE 33RD ST.
POMPANO BEACH, FL 33064

Registered Agent Name & Address

GRANT, MARK F, ESQ.
200 E. BROWARD BLVD., STE. 1800
FORT LAUDERDALE, FL 33301

Authorized Person(s) Detail

Name & Address

Title MGR

PARTRIDGE, CHRISTOPHER
1769 NE 33RD ST.
POMPANO BEACH, FL 33064

Annual Reports

Report Year	Filed Date
2020	03/18/2020
2021	03/08/2021
2022	05/04/2022

Document Images

[05/04/2022 -- ANNUAL REPORT](#)

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03/08/2021 -- ANNUAL REPORT	View image in PDF format
03/18/2020 -- ANNUAL REPORT	View image in PDF format
04/15/2019 -- ANNUAL REPORT	View image in PDF format
03/05/2018 -- ANNUAL REPORT	View image in PDF format
06/21/2017 -- Florida Limited Liability	View image in PDF format



October 20th, 2022

Diego Penaloza,
Resilient Environment Department
Urban Planning Division
1 North University Drive,
Plantation, FL 33324

**RE: *Vista Clara Apartments – Pennell Family Plat
Request Letter for Broward's Involvement with Easement Abandonment***

To Mr. Penaloza,

Vista Clara Apartments consists of multiple properties, located at 414, 430, 454, & 480 NE 1st Avenue, 240 NE 5th Street, 412,424,430,446,450& 458 N River Drive, and 409 N River Avenue. See attached survey for the legal description and folio numbers.

As part of an existing municipal approved site plan, the applicant is requesting the abandonment of a 20' utility easement and portions of a 10' utility easement lying within Parcels A and B of the Pennell Family Plat, as recorded in Plat Book 160, Page 23 of the public records of Broward County, Florida.

The platted easement, having received City of Deerfield Beach action abandoning any interest in the same, is hereby included as a request to Broward County to review and schedule the abandonment of platted easement through the Board of County Commission. The applicant has attached an exhibit sheet describing the request, letters of no objection, and history of action by Deerfield Beach, including the Pennell Family Plat Utility Easement shown on Plat Book 160 Page 23.

Please contact me at (561) 484-5257 or liam.sargent@kimley-horn.com should you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "LS", with a stylized flourish extending to the right.

Liam Sargent, Planner

Copy to: File