

ITEM #28

**ADDITIONAL MATERIAL
10:00 REGULAR MEETING
APRIL 8, 2014**

**SUBMITTED AT THE REQUEST OF
ENVIRONMENTAL PROTECTION
AND GROWTH MANAGEMENT
DEPARTMENT**

Berger, Martin

From: Robert <branta@ibmr.us>
Sent: Friday, March 28, 2014 3:04 PM
To: Berger, Martin
Subject: Request to amend plat note for Villages of Tivoli, to subdivide Parcel H (Tivoli Lakes Club Rental Complex at Tivoli Park).
Attachments: ImaginationLearningZone_Website.pdf; ImaginationLearnZone_Sunbiz_Ann_Report.pdf; MLS Listing_operational-day.pdf; 602-Anderson-Circle-Deerfield-.pdf; Villages at Tivoli Note Amendment.pdf; LetterToBroward_County_Commission_Propaal_TivoliLakes.pdf

Hello Martin,

Here is the letter from the Tivoli Trace Condominium Association to the Broward County Commission, recommending that the request by Investments Limited / Tivoli Lakes investors for the amendment of note on plat "H" be removed from the Approval/ Consent agenda for April 8th, and that the matter be brought back to the City of Deerfield Beach for further deliberation on zoning. The details are in the attached letter and in the attachments.

Regards,

Robert S. Ranta, Pres.
Tivoli Trace Condominium Association

Tivoli Trace Condominium Association
c/o Benchmark Property Management Company
7932 Wiles Rd, Coral Springs FL., 33067,
954-344-5353, 954-344-5399 (fax)

March, 28th, 2014

To: Broward County Mayor, Barbara Sharief, and District Commissioners

Subject: Request of Tivoli Lakes Club Investors/ Investments Limited, to amend plat note for Villages of Tivoli, to subdivide Parcel II (Tivoli Lakes Club Rental Complex at Tivoli Park).

Tivoli Lakes Club Investors / Investments Limited is requesting a change to the plat note for Tivoli Lakes Club in Tivoli Park. The current plat "H" is restricted to residential apartment units; 314 one bedroom and 1258 two bedroom, and a clubhouse/pool recreation facility. Tivoli Lakes Club Investors / Investments Limited is requesting to subdivide the current parcel, into parcel "II" to contain only the rental apartment units, and parcel H, to contain only the Clubhouse/Recreation Facility. The purpose and intent of this subdivision is to sell parcel III as a commercial property.

The following facts are presented to the Broward County Commission:

1. Tivoli Trace Condominiums is one of six apartment complexes within Tivoli Park and is the only independent condominium complex. The other five rental complexes which were originally independently owned; Tivoli Springs, The Courtyards, Tivoli Lakes Club, Tivoli Terrace, and Siesta Key; were bought up and are now owned by Investments Limited Inc. Tivoli Trace has one vote on the Master Association and Investments Limited has six votes.
2. Tivoli Park is zoned "residential". The Master Association Governing Documents of Tivoli Park prohibit any unit from operating as a commercial or business unit. The only exception is the office space in each of the Clubhouse/Recreation buildings at each rental complex that was originally allowed for the operation and management of the respective rental complex. Since Investments Limited owns all the rental complexes, the rental offices are now consolidated to the Siesta Key complex. There was never any other provisioning or intent in the governing documents or respective platting for any other type of commercial space within Tivoli Park.
3. There is already a child daycare center within the Tivoli Lakes Clubhouse/Recreation Facility that has been in operation since 2008. When this Day Care Center was first put into operation it was with the following "limitations" as explained by the Master Association/Investments Limited and as understood by the Tivoli Trace Condominium Association at the time:
 - a) *The day care operation would use the existing rental office space with no alteration or modification.*
 - b) *The day care operation was to be solely for the benefit and convenience of rental residents already living within Tivoli Park who could drop off their children going to work and retrieve them upon their return.*
 - c) *There would be no promotion, advertisement, solicitation, by any means, to patrons not living within Tivoli Park, which would result in increased traffic within Tivoli Park.*
 - d) *The operation of this day care center was, at the time, technically not in violation of the Master Association governing documents and bylaws, as Investments Limited would manage the operation, without, sale, lease, trade, franchise, or management of the property/space in which this day care facility resides to any commercial business, enterprise, or agency outside of Tivoli Park.*

On the basis of these original "limitations", Tivoli Trace did not raise an objection at the start of the initial daycare operation. If they were still to be met, the Tivoli Trace Condominium Association would continue to not have objections to the continued operation of this day care facility. such that the "status quo" could be maintained.

Tivoli Trace Condominium Association
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954-344-5353, 954-344-5399 (fax)

However, it is now a fact, with the Tivoli Lakes Clubhouse property "H1" not yet created, that this property is already MLS listed for sale as a commercial property by Investments Limited since September of 2013. Additionally, it is not being operated by Investments Limited but by an independent business enterprise, Imagination Zone Learning Inc." (incorporated 2003 with other locations in Lake Worth and Coral Springs).

The Tivoli Trace Condominium Association now states its objection to the subdivision of Parcel H into parcels "H" and "H1" with the following concerns:

1. Subdivision and subsequent sale of this parcel of this parcel as a commercial property would set a precedence for subdivision and sale of the remaining three clubhouse office spaces; namely, Tivoli Springs, The Courtyards, Tivoli Terrace. Once the Commission says "yes" to one, it then cannot say no in the future to like requests at the other rental complexes.

2. There would be no controls on the resale of subdivision "H1" once created, (or other potential future subdivisions of the other complexes) as to the type of commercial property that can come in, i.e., if the new owner of the Tivoli Lakes Club Day Care operation decides to sell or change the nature of the business, what prevents a Dunkin Donuts or other operation from coming in. What then in the future, if Investments Limited should decide to sell one of its rental complexes to a hotel chain, the precedence for a commercial property in the park would have already been created...the horses are out of the barn.

3. How could any new owner of a subdivision like H1 be a tenant of the Park and on the Board of directors? Would he get a vote on the Board? Tivoli Trace has ten acres and 184 units and has one vote on the board. Would this new tenant also get one vote with 5,000 sq. Ft? or would he get 1/100th of a vote???

4. The governing documents of the Tivoli Trace Condominium Association, and the governing documents of Tivoli Park Master Association both provide that no unit shall operate as a business or commercial unit. If this is allowed for Investments Limited/Tivoli Lakes Investors, how then can we demand that individual unit owners not operate a commercial enterprise from within their units. Just last year Tivoli Trace stopped a unit owner from operating a day care operation within his apartment unit. To make any exception would create a double standard which would make both governing document provisions unenforceable.

These objections need to be addressed. The Tivoli Trace Condominium Association is recommending that the Broward County Commissions remove this item from the Approval / Consent Agenda at this time and push this matter back to the City of Deerfield Beach for further deliberation on zoning.

Respectfully Yours,

Robert S. Ranta, Pres.

Tivoli Trace Condominium Association.

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602 Anderson Circle

602 Anderson Circle, Deerfield Beach, FL 33441



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Property Information

MLS ID #: RX 9975836

County: Broward

Year Built: 1990

Property Type: Business Opportunities

Current Status: New Construction

Floor: 0

Property Description

Imagination Learning Zone is an incredible opportunity for an experienced operator! This facility utilizes a 5,000 sq ft building with adjacent playground in a large residential community. Its location within the Tivoli Park community, along with its proximity to I-95 and the Sawgrass Expressway make this an ideal setting for a daycare/aftercare/summer camp facility. - Patio & exclusive playground- Current capacity of 72 students, expansion will allow for 109 students- 3 student rooms, admin area- 2 play areas for separate age groups- Proximity to community pool allows offering of swim lessons- Ample parking for quick drop-off and - Excellent location within the Tivoli Park residential community, with over 1,700 apartment/condos in its boundaries

DIRECTIONS: From I-95: Take either Hillsboro Blvd or SW 10th St East to Natura Blvd. Turn onto Natura Blvd. Enter the Tivoli Park community, follow road until you see the "Tivoli Lakes Club", enter there.

Legal Description: VILLAGE AT TIVOLI 121-15 B PT OF PARCELS E,H,I & Q DESC AS BEG AT NW COR OF PAR E,ELY ALG CUR 81.27,NELY 222.67,ELY & SL

Property Amenities

New

Service

of Stories: 1

of Offices: 1

Business Name: Imagination Learning

Central

Heating

Central

Location

City

Furniture

Type of Building

Free Standing

Expenses Include

Rent

Year Established: 2012

Total Employees: 6

Parking

Common

Cooling

Subdivision

Sale Includes

Business Only

Equipment

Furniture

License

City Occupational

Road

Private

Listing provided courtesy of

Brokerage: Investments, Ltd.



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Imagination Learning Zone Preschool

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Imagination Learning Zone Inc, an established preschool located inside the tranquil residential community of Tivoli Lakes, is currently under new management.

A unique preschool / daycare in Deerfield Beach run by highly dedicated professional teachers. Call us for a tour 954-428-7636.

Operated by a teacher with 30 years of classroom experience and her two daughters, both with considerable preschool experience, along with a trained and trustworthy staff, ILZ offers children and parents the best of education and care.

Our Mission Statement Imagination Learning Zone is determined to ensure that children under our care are provided a safe, nurturing, developmentally appropriate learning environment, focusing on successful progression in cognitive, linguistic, physical, social and emotional growth and well being.

Quality preschool education , with drop-in service located in Deerfield Beach



Imagination Learning Zone is a proper preschool with an excellent curriculum and a trained, fully screened staff. our center is totally unique in its ability to serve you whenever you need professional, caring child care.

Imagination Learning Zone Preschool

602 Anderson Circle
Deerfield Beach, FL 33431
Preschool 954-428-7636
Email: ilzpreschool@gmail.com

Located inside Tivoli Park Community. Free access through the gate. Next to Brands Mart on SW10th Street and I-95

From toddlers to VPK and afterschool care as well. Infant room coming soon.



Imagination Learning Center, currently called Fundamentals Early Learning Center, offers professionally developed curricula for the following age groups:

- Toddlers (from 12 months)
- Pre-K (from 24 months)
- VPK (from 4 years)
- Infant room (under 12 months) coming soon

Some examples of our curricula. Each educational module is taught is made age appropriate for the group.

READING

Children read stories. Teacher discusses the moral of the story with children.

CREATIVE WRITING

Children are taught how to write alphabets and symbols

MATH

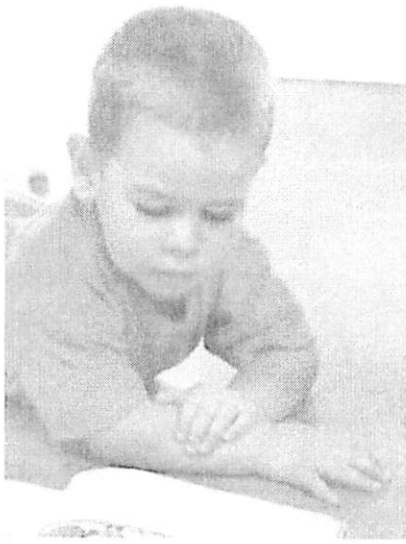
Children learn numbers 1 to 20 and single digit addition using manipulatives.

HISTORY & SOCIAL SCIENCES

Children learn about the origins and meaning of Thanksgiving, Christmas, Hanukkah, etc. On important days such as Martin Luther King's birthday and President's day, children learn about the famous people.

ART & SCULPTURES

Children draw from imagination. Children use play dough to create sculptures.



SAFETY RULES

Teacher explains the dangers of strangers, traffic, stoves, sharp objects.

Teacher discusses fire prevention and fire safety.

MUSIC

Children sing and dance to their favorite

tunes – Hokey Pokey, High Hopes, Happy Birthday, etc.

VERBALIZING & VISUALIZING

Children visualize a picture in their minds. Teacher asks children questions about the picture.

FOLLOWING DIRECTIONS

Teacher teaches children how to listen, how to raise their hand before speaking, etc.

PUZZLES & GAMES

Children play games and do puzzles with others and learn sharing and sportsmanship.

ANIMAL KINGDOM

Children learn about animals by reading and coloring.

PRETEND PLAY Children use their imagination to play house, school, office, etc.

LISTENING SKILLS

Teacher plays I Spy and Simon Says to teach children how to listen and seek out items in the room that the teacher has described.

LEARNING VIDEO

Teacher shows children a 20-30 minute video and discusses it.

SOUNDS & SYMBOLS

Teacher teaches children to pronounce letters and symbols. **WATER WORLD** Children learn about the ocean, fish, sharks, ships, pirates, etc.

AND MANY MORE EDUCATIONAL MODULES

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Imagination Learning Zone DROP-IN SERVICE from \$10 per hour. In the safe environment of a licensed preschool.



Hours

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Once your child is properly registered at our preschool, you can consider us your on-demand, drop-in-without-reservation babysitters. For a mere \$10 per hour, your child will receive the same care and education as our regular preschool children, and you will have the peace of mind of leaving your child in a secure, licensed preschool rather than with a teenager at home.

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2014 FLORIDA PROFIT CORPORATION ANNUAL REPORT

DOCUMENT# P11000078173

Entity Name: IMAGINATION LEARNING ZONE INC.

Current Principal Place of Business:

6280 SAND HILLS CIRCLE
LAKE WORTH, FL 33463

Current Mailing Address:

6280 SAND HILLS CIRCLE
LAKE WORTH, FL 33463 US

FEI Number: 45-4476345

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

MONROE, DONNA M
6280 SAND HILLS CIRCLE
LAKE WORTH, FL 33463 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

Officer/Director Detail :

Title S
Name MONROE, DONALD A
Address 6280 SAND HILLS CIRCLE
City-State-Zip: LAKE WORTH FL 33463

Title D
Name MONROE, DONNA M
Address 6280 SAND HILLS CIRCLE
City-State-Zip: LAKE WORTH FL 33463

Title VP
Name MONROE, VANESSA G
Address 6280 SAND HILLS CIRCLE
City-State-Zip: LAKE WORTH FL 33463

Title P
Name MONROE, DESIRAE S
Address 6280 SAND HILLS CIRCLE
City-State-Zip: LAKE WORTH FL 33463

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: DONNA M. MONROE

DIRECTOR

02/25/2014

Electronic Signature of Signing Officer/Director Detail

Date

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Operational Daycare Facility in Large Residential Community (ID: 1145004)

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FINANCIAL DETAILS

Asking Price: Not Disclosed
Gross Revenue: Not Disclosed
Cash Flow: Not Disclosed
Inventory: n/a **
Real Estate: n/a **
FF&E: n/a **

Net Income: n/a **
Total Assets: n/a **

BUSINESS LISTED BY

James H. Robinson
Robinson Limited
Contact: 561-421-1111
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Business Description

Imagination Learning Zone is an incredible opportunity for an experienced operator! This facility utilizes a 5,000 sq ft building with adjacent playground in a large residential community. Its location within the Tivoli Park community, along with its proximity to I-95 and the Sawgrass Expressway make this an ideal setting for a daycare/aftercare/summer camp facility.

About the Business

Facilities: 4,200 sq ft • patio and exclusive playground Current capacity of 72 students • expansion will allow for 109 students 3 student rooms • admin area Proximity to community pool allows for offering of swim lessons Large wrap-around patio for all-weather play area

Market Outlook/Competition: Expansion of existing space allows for increased capacity This facility is located within a 1,700 unit apartment/condo community - it is the only facility within the community

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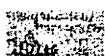
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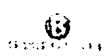
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