

Board of County Commissioners, Broward County, Florida  
Environmental Protection and Growth Management Department  
Planning and Redevelopment Division  
DEVELOPMENT REVIEW REPORT

PROJECT DESCRIPTION

Agenda Number

Name:	IPPOLITO ISLE	Number:	071-MP-05
Applicant:	THB, Inc.	Comm. Dist.:	7
Agent:	John Ryan	Sec/Twp/Rng:	32-50-42
Location:	West Side of S.W. 25 Avenue, South of Griffin Road	Platted Area:	7.25 Acres
City:	Dania Beach	Gross Area:	7.25 Acres
Replat:	This is a New Finding of Adequacy for a Recorded Plat (Plat Book 180, Pages 99-100)		

LAND USE

Existing Use:	Vacant	Effective Plan:	Dania Beach
Proposed Use:	36 Townhouse Units, Proposed Conservation Area (Parcel B), Private Recreational Area & Proposed Water Management Area (Parcel C) & Local Park (Parcel D)	Plan Designation:	Low (5) Residential. See attached comments from the Planning Council.
Adjacent Uses:		Adjacent Plan Designations:	
North:	Commercial	North:	Low (5) Residential
South:	Mobile Homes	South:	Low (5) Residential
East:	Single Family Residential	East:	Low (5) Residential
West:	Single Family Residential	West:	Low (5) Residential
Existing Zoning:	PRD-1	Proposed Zoning:	NA

RECOMMENDATION (See Attached Conditions)

APPROVAL: Subject to staff recommendations and conditions which shall assure compliance with the standards and requirements of Chapter 5, Article IX, of the Broward County Code of Ordinances.

Meeting Date: 05/06/14  
Action Deadline: 06/10/14  
Deferral Dates:

Prepared: PK  
Reviewed:  
Approved:

## Continued

## SERVICES

Wastewater Plant:	Hollywood (01/14) via BCWWS 3A	Potable Water Plant:	Hollywood (12/05) via BCWWS 3A
Design Capacity:	55.5000 MGD	Design Capacity:	55.5000 MGD
12-Mo. Avg. Flow:	39.0900 MGD	Peak Flow:	28.5000 MGD
Est. Project Flow:	0.0092 MGD	Est. Project Flow:	0.0072 MGD

Comments: Sufficient capacity exists at this time.      Comments: Sufficient capacity exists at this time.

## SCHOOLS

Dwelling Units	Impact Fee
36	*

\* See Staff Comment No. 5

See Finding No. 2

\* See Recommendation No. 1

## PARKS

	Land Dedication	Impact Fee	Admin. Fee
Local:	County conducts no local review within municipalities	N/A	N/A
Regional:	N/A	*	*

\* See Staff Comment No. 6

See Finding No. 4

\* See Recommendation No. 1

## TRANSPORTATION

Concurrency Zone: Southeast	Trips/Peak Hr	Transit Concurrency Fee	Road/Admin. Fee
Res. Uses:	24	*	N/A
Non-res. uses:	N/A	N/A	N/A
Total:	24	*	N/A

\* See Staff Comment No. 4

See Finding No. 1

\* See Recommendation No. 1

IPPOLITO ISLE  
071-MP-05

STAFF COMMENTS

- 1) This plat was approved on June 10, 2008 for 36 townhouse units, a conservation easement on Parcel B, a private recreational area and water management area on Parcel C, and a local park on Parcel D, with a requirement that a building permit be issued by June 10, 2013. No building permit was issued, and in accordance with Section 5-181(o) of the Land Development Code, the County's finding of adequacy has expired.
- 2) Staff findings and recommendations pertaining to this application for a new finding of adequacy are based on the uses being 36 townhouse units; a proposed conservation area on Parcel B; a private recreational area and a proposed water management area on Parcel C; and a local park on Parcel D.

The note restriction on Parcel B is being revised to a proposed conservation area due to the fact that the Deed of Conservation Easement and Agreement (Easement) as shown on the plat was never approved by the Office of the County Attorney as to form, and the applicant never provided evidence that encumbrances on the property were satisfied. See Staff Comment No. 12.

Likewise, the note restriction on Parcel C is being revised to a private recreational area and a proposed water management area because, as of this date, a surface water management license has not been obtained for this plat. See Staff Comment No. 8.

- 3) The comments, findings, and recommendations contained in this report supersede all previous development review reports and delegation requests approved by the County Commission.
- 4) This plat is located within a Transportation Concurrency Management Area. Transportation concurrency fees will be assessed and paid in accordance with the fee schedule specified in the Land Development Code during the review of construction plans submitted for County environmental review approval.
- 5) This application generates more than one student at one or more levels (i.e., elementary, middle and high), and in accordance with Section 5-182(m)(1)a) of the Land Development Code, is subject to the requirements of public school concurrency. School Board staff has reviewed this application and determined that it satisfies public school concurrency on the basis that adequate school capacity is expected to be available to support the proposed development. Therefore, this plat will be subject to school impact fees which will be assessed and paid in accordance with the fee schedule specified in the Land Development Code during the review of construction plans submitted for County environmental review approval. See the attached School Capacity Availability Determination letter received from the School Board.

Continued

- 6) In accordance with Land Development Code amendments adopted September 22, 2009 and September 24, 2013, regional park impact and administrative fees will be paid in accordance with the fee schedule specified in the ordinance during the review of construction plans submitted for County environmental review approval. Prior to plat recordation regional park impact fees in the amount of **\$16,416.00** and regional park administrative fees in the amount of **\$612.00** were paid for the proposed 36 townhouse units; however, building permits were never issued for these units. Therefore, these amounts will be credited towards future park impact and administrative fee assessments.
- 7) This plat is not located in a wellfield zone of influence as described in the Broward County Wellfield Protection Ordinance 84-60, as amended, and as incorporated into Broward County Code of Ordinances, Chapter 27, Article XIII.
- 8) Surface water management plans for this plat must meet the criteria contained in Chapter 27 - Article V of the Broward County Code of Ordinances. The surface water management licensing requirements of the Environmental Engineering and Licensing Section of the Broward County Environmental Licensing and Building Permitting Division must be met prior to any construction.
- 9) The Environmental Engineering and Licensing Section has advised that a Wastewater Collection/Transmission System License will be required prior to constructing, expanding or altering either a gravity sanitary sewer, a sanitary force main or a pump station, per Chapter 27, Article V of the Broward County Code of Ordinances regarding Water Resource Management. Wastewater receiving lift stations and force mains are critical components of the conveyance system. As part of the licensing process, adequate capacity will need to be demonstrated for the receiving off-site sanitary sewer conveyance system. For additional information, please contact the Environmental Engineering and Licensing Section at 954-519-1483.
- 10) Review of available information by staff of the Aquatic and Wetland Resources Section of the Environmental Licensing and Building Permitting Division indicates that, at this time, there are no wetlands within the boundaries of the plat. Therefore, a Conceptual Dredge and Fill Review Report is not required. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License. Other activities, e.g., lake or canal excavation, regulated under Article XI of the Natural Resource Protection Code may require a license. The applicant is encouraged to contact the Aquatic and Wetland Resources Section at 954-519-1483 at the earliest time to determine if, and what type of, license may be required prior to undertaking surface disturbing activities.
- 11) This site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the inventory. The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. The Protected Natural Lands Inventory may be accessed at: <http://bcgis.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=85f453365417459f8ba45fa6e5dddb9c>.

Continued

- 12) This plat contains a designated Natural Resource Area (NRA #110) and is subject to Chapter 27, Article XIV, Sections 27-401 through 27-420 of the Broward County Code, titled Broward County Tree Preservation and Abuse Ordinance. **A County Tree Removal License will be required prior to any tree removal, relocation, replacement, and/or land clearing on this plat. A condition of license issuance will be that a portion of the Natural Resource Area must be preserved and enhanced, pursuant to Section 27-411 of the Broward County Code. This plat application indicates that there is a conservation easement and the plat drawing reflects a conservation easement. However, the conservation easement was never approved as to form by the Office of the County Attorney and the Deed of Conservation Easement and Agreement (*Easement*) has not been recorded. An approved, recorded easement agreement will be required prior to the issuance of a County Tree Removal License.**
- 13) An Environmental Resource License may be required for any activities regulated under Article XI of the Natural Resource Protection Code. Contact the Aquatic and Wetland Resources Section of the Environmental Licensing and Building Permitting Division 954-519-1483 for specific license requirements.
- 14) Any discharges to ground or surface waters, excluding stormwater, will require review and approval by the Environmental Engineering and Licensing Section of the Environmental Licensing and Building Permitting Division prior to discharge.
- 15) The subject plat is in the vicinity of a known contaminated site and the following should be noted: For any site that overlies or contains potential or actual sources of pollution to ground or groundwater, approval of an application for a building permit or approval to construct or alter shall not be granted until the Pollution Prevention, Remediation and Air Quality Division is satisfied that the construction or alteration will not interfere with the cleanup of the contaminants on site [Section 27-66(h) Broward County Code of Ordinances]. It should also be noted that the Pollution Prevention, Remediation and Air Quality Division must approve any dewatering activities at this site.
- 16) Approval of this new finding of adequacy does not infer any approval to connect to any wastewater collection, treatment, or disposal system. Nor does it infer that sufficient capacity will exist at time of building permit approval. Approval to connect to such systems is approved by the Environmental Licensing and Building Permitting Division as a prerequisite to, and just prior to, approval of building permits by the appropriate building department for any structures that are to be built on the platted site. These comments do not indicate waiver of approval of any other permit that may be required for other aspects of the project.
- 17) This property is within 20,000 feet of Fort Lauderdale-Hollywood International Airport. Any proposed construction on this property or use of cranes or other high-lift equipment must be reviewed to determine if Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 and/or the Broward County Airport Zoning Ordinance apply. Based on the location of the proposed project, the FAA may need to review to determine whether the project is a potential hazard to aviation. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov/>

Continued

[oeaaa/external/portal.jsp](#). For additional information, contact the Broward County Aviation Department at 954-359-2291.

- 18) This property's close proximity to Fort Lauderdale-Hollywood International Airport will make it subject to overflight and associated noise of arriving and departing aircraft during the course of normal operations. Prior to plat approval, the applicant recorded the attached Notice to Prospective Purchasers of Potential Aircraft Overflights, Noise Impacts and Noise Mitigation Policy for Property in the Vicinity of County Owned Airports. This also serves as notice to prospective purchasers of property within this plat that, pursuant to Broward County Ordinance 2006-27 and consistent with the FAA *Change in FAA's Noise Mitigation Policy*, effective October 1, 1998, the County will only provide noise mitigation for existing *incompatible development* and not for new incompatible development. The determination of *compatible* and *incompatible development* will be based on the County's most current FAA approved Noise Exposure Map and the Airport's most current noise compatibility program which has been reviewed and approved by the FAA for the Airport. Contact the Broward County Aviation Department at 954-359-2291 for additional information.
- 19) This project is within the Broward County Water and Wastewater Services (BCWWS) jurisdictional area. A BCWWS Utility Connection Permit will be required before water/wastewater construction can begin. Please visit [www.broward.org/WaterServices/Pages/LandDevelopment.aspx](http://www.broward.org/WaterServices/Pages/LandDevelopment.aspx) for additional information. The configurations of water/wastewater facilities will likely change per subsequent detailed plan review associated with the BCWWS Utility Connection Permit.
- 20) The Broward County Historical Commission staff has reviewed this finding of adequacy application and determined that this plat contains or is adjacent to one previously recorded archaeological site, Hobanger, FMSF 8BD02908, and one archaeological zone, the Ravenswood Archaeological Zone. Based on this information, the Broward County Historical Commission suggests that the applicant perform a Cultural Resource Assessment Survey (CRAS), also known as a Phase I Survey, prior to any disturbance of the land. The purpose of the study shall be to locate, identify, and evaluate cultural resources within and immediately adjacent to the proposed development. Evaluations are in terms of eligibility for inclusion on the National Register of Historic Places and/or local historic listing.

The survey should address the effect of this project's development on any identified archaeological and historic resources in order to be considered complete. The survey should be conducted by a qualified professional per *36 CFR part 61 (as amended)* and conform to the Florida Division of Historical Resources, *Cultural Resource Management Standards*. The Broward County Historical Commission maintains the *General Standards and Requirements for Archaeological Surveys and Work within Broward County, Florida*, as well as a list of qualified archaeological consultants with experience in Broward County. These are available from the Historical Commission, County Archaeologist Matthew DeFelice.

The results of the survey should be forwarded to the County Historical Commission in order to complete the reviewing process for this proposed project and its impacts.

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The results of the analysis will determine if significant resources would be disturbed by the project's activities. In addition, if significant resources are located, that data described in the report(s) and the consultant's conclusions will assist the Commission in determining measures that must be taken to avoid, minimize, or mitigate adverse impacts to the archaeological and historic resources eligible for local and/or National Register listing.

It should be noted that the archaeological survey is not a requirement of the Land Development Code because the plat is not designated as a Cultural Resource Local Area of Particular Concern within the Broward County Land Use Plan. However, in the event that any unanticipated archaeological features or artifacts are discovered, the Historical Commission must be notified within 24 hours. If any unmarked human burial remains are discovered, then work in the vicinity of the burial find must halt immediately, until a determination can be made pursuant to FS Chapter 872, by either the state archaeologist or the county medical examiner, regarding the disposition of the remains. In addition, pursuant to Section 5-305, Ordinance No. 92-38 entitled *Protection and Preservation of Archaeological Sites Discovered During the Development Process*, in the event that future artifacts are uncovered during development activities, said activities shall be discontinued in the immediate vicinity of the discovery site and the procedures set forth in the aforementioned ordinance shall be initiated. For additional information, contact County Archaeologist Matthew DeFelice at 954-357-5506 or [mdefelice@broward.org](mailto:mdefelice@broward.org).

- 21) This site is currently serviced on nearby Griffin Road by BCT Routes #6 and #15.
- 22) The attached comments have been received from the Broward County Planning Council.
- 23) The attached comments have been received from the City of Dania Beach.
- 24) The applicant is advised that in accordance with Section 125.022, Florida Statutes, the issuance of a development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

## FINDINGS

- 1) This plat is located within the Southeast Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182(a)(5)a) of the Land Development Code.
- 2) This finding of adequacy application has been reviewed by the School Board, and satisfies the public school concurrency requirements of Section 5-182(m)(1)a) of the Land Development Code. See the attached SCAD letter received from the School Board.

Continued

- 3) This application for a new finding of adequacy satisfies the solid waste disposal concurrency requirement of Section 5-182(h) of the Broward County Land Development Code.
- 4) This application for a new finding of adequacy satisfies the regional park concurrency requirement of Section 5-182(i) of the Broward County Land Development Code.

STAFF RECOMMENDATIONS

- 1) Applicant must pay transportation concurrency fees, school impact fees, and any additional regional park impact and administrative fees during the review of construction plans submitted for County environmental review approval by the Development Management and Environmental Review Section of the Planning and Redevelopment Division, in accordance with the fee schedule specified in the Land Development Code. Impact and administrative fee amounts are subject to adjustment each October 1.
- 2) Within twelve (12) months of approval of this application for a new finding of adequacy, comply with all conditions of approval and record an agreement acceptable to the County Attorney's Office to amend the note on the plat as follows:
  - A) This plat is restricted to 36 townhouse units, a proposed conservation area on Parcel B, a private recreational area and a proposed water management area on Parcel C, and a local park on Parcel D.
  - B) This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner including an owner or owners of property within this plat who took title to the property with reference to this plat.
  - C) Any structure within this plat must comply with Section IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.
  - D) If a building permit for a principal building (excluding dry models, sales and construction offices) and first inspection approval are not issued by **May 6, 2019**, which date is five (5) years from the date of approval of this application by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County makes a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame; and/or



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- E) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed by **May 6, 2019**, which date is five (5) years from the date of approval of this application by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County makes a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. This requirement may be satisfied for a phase of the project, provided a phasing plan has been approved by Broward County. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame.
- 3) If this item is approved, authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

Continued



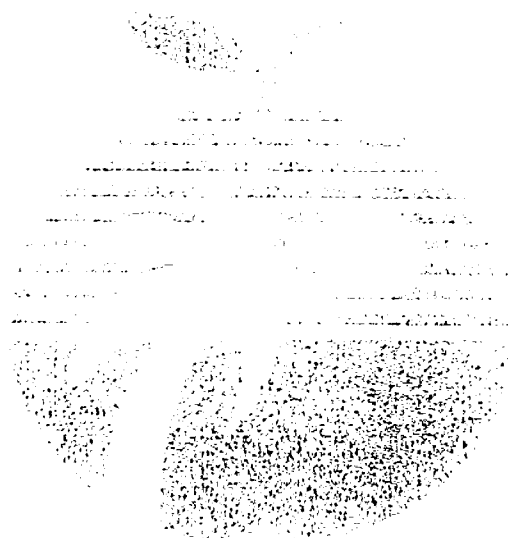
The School Board of Broward County, Florida  
**PRELIMINARY SCHOOL CAPACITY AVAILABILITY DETERMINATION**

**PLAT**

**SBBC-456-2008**

**County Number: 071-MP-05 Municipality Number: TBD**  
**Ippolito Isle**

**February 3, 2014**



**Growth Management**  
**Facility Planning and Real Estate Department**  
**600 SE 3rd Avenue, 8th Floor**  
**Fort Lauderdale, Florida 33301**  
**Tel: (754) 321-2177 Fax: (754) 321-2179**  
**[www.browardschools.com](http://www.browardschools.com)**

**PRELIMINARY SCHOOL CAPACITY AVAILABILITY DETERMINATION  
PLAT**

PROJECT INFORMATION	NUMBER & TYPE OF PROPOSED UNITS	OTHER PROPOSED USES	STUDENT IMPACT
Date: February 3, 2014	Single-Family:		Elementary: 5
Name: Ippolito Isle	Townhouse: 36		
SBBC Project Number: SBBC-456-2008	Garden Apartments:		Middle: 2
County Project Number: 071-MP-05	Mid-Rise:		
Municipality Project Number: TBD	High-Rise:		High: 3
Owner/Developer: THB Inc	Mobile Home:		
Jurisdiction: Dania Beach	Total: 36		Total: 10

**SHORT RANGE - 5-YEAR IMPACT**

Currently Assigned Schools	Gross Capacity	LOS Capacity	Benchmark Enrollment	Over/Under LOS	Classroom Equivalent Needed to Meet LOS	% of Gross Capacity	Cumulative Reserved Seats
Bothune, Mary M.	1,327	1,327	688	-639	-35	51.8%	5
Attucks	1,227	1,227	742	-485	-22	60.5%	11
Hollywood Hills	2,715	2,715	2,113	-602	-24	77.8%	6

Currently Assigned Schools	Adjusted Benchmark	Over/Under LOS-Adj. Benchmark Enrollment	% Gross Cap. Adj. Benchmark	Projected Enrollment				
				14/15	15/16	16/17	17/18	18/19
Bothune, Mary M.	693	-634	52.2%	713	701	697	698	696
Attucks	753	-474	61.4%	735	742	728	732	715
Hollywood Hills	2,119	-596	78%	2,160	2,210	2,228	2,274	2,286

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark enrollment is taken on the Monday following Labor Day and is used to apply individual charter school enrollment impacts against school facility review processes.



### CHARTER SCHOOL INFORMATION

Charter Schools within 2-mile radius	2013-14 Contract Permanent Capacity	2013-14 Benchmark Enrollment	Over/(Under)	Projected Enrollment		
				14/15	15/16	16/17
No Charter Schools						

### PLANNED AND FUNDED IMPROVEMENTS IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN

School(s)	Description of Improvements
Bethune, Mary M.	None
Attucks	None
Hollywood Hills	None

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The benchmark enrollment count taken on the first Monday following Labor Day is used to apply individual charter school enrollment impacts against school facility review processes.

### Comments

Staff reviewed the plat for 36 (three or more bedroom) townhouse units which will generate 10 students (5 elementary school, 2 middle school, and 3 high school students). The school Concurrency Service Areas (CSA) impacted by the project in the 2013/14 school year includes Bethune Elementary, Attucks Middle, and Hollywood Hills High Schools. Based on the Public School Concurrency Planning Document (PSCPD), each of the impacted schools are operating below the adopted Level of Service (LOS) of 100% gross capacity. Incorporating the cumulative students anticipated from this project and approved and vested developments anticipated to be built within the next three years (2013/14 - 2015/16), Bethune Elementary, Attucks Middle, and Hollywood Hills High Schools are projected to operate within the adopted LOS of 100% through the 2015/16 school year. It should be noted that the school capacity or Florida Inventory of School Houses (FISH) for the impacted schools reflects compliance with the class size constitutional amendment. To ensure maximum utilization of the impacted CSAs, the Board may utilize other options such as school boundary changes to accommodate students generated from developments in the County.

Additionally in the 2013/14 school year, there are no charter schools located within two miles of the project site. Students returning, attending or anticipated to attend charter schools are factored into the five-year student enrollment projections for District schools. Enrollment projections are adjusted for all elementary, middle and high schools impacted by a charter school until the charter school reaches full enrollment status.

Capital Improvements scheduled in the currently Adopted District Educational Facilities Plan (DEFP), Fiscal Years 2013/14 to 2017/18 regarding pertinent impacted schools are depicted above.

Therefore, this application is determined to satisfy public school concurrency on the basis that adequate school capacity is anticipated to be available to support the residential development as currently proposed by the applicant. This preliminary determination shall be valid until the end of the current school 2013/14 year or 180 days, whichever is greater, for a maximum of 36 (three or more bedroom) townhouse units and conditioned upon final approval by the applicable governmental body. As such, this determination will expire on August 17, 2014. This preliminary school concurrency determination shall be deemed to be void unless prior to the referenced expiration of the Preliminary School Capacity Availability Determination (SCAD), notification of final approval to the District has been provided and/or an extension of this Preliminary SCAD has been requested in writing and granted by the School District. Upon the District's receipt of sufficient evidence of final approval which shall specify at the minimum the number, type and bedroom mix for the approved residential units, the District will issue and provide a final SCAD letter for the approved units, which shall ratify and commence the vesting period for the approved residential project.

Please be advised that if a change is proposed to the development, which increases the number of students generated by the project, the additional students will not be considered vested for public school concurrency.


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**SBBC-456-2008 Meets Public School Concurrency Requirements**

☒ Yes ☐ No

Reviewed By:

2/3/14  
Date

  
Signature

Lisa Wight

Name

Planner

Title

2  
Return recorded document to:

Broward County Development & Environmental  
Regulation Division  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301

Document prepared by:

John Ryan  
23 W.W. 8th Avenue  
Hallandale, FL 33009

**NOTICE TO PROSPECTIVE PURCHASERS  
OF POTENTIAL AIRCRAFT OVERFLIGHTS,  
NOISE IMPACTS AND NOISE MITIGATION POLICY  
FOR PROPERTY IN THE VICINITY OF COUNTY-OWNED AIRPORTS**

THIS is a Notice to Prospective Purchasers ("Notice") of potential aircraft overflights, noise impacts, and the County's noise mitigation policy with regard to property in the vicinity of the FT LAUDERDALE-Hollywood INTERNATIONAL  
[Fort Lauderdale-Hollywood International or North Perry Airport]  
("Airport"), made this 23rd day of October, 2012, by THB Isle  
a Florida CORPORATION, its successors and assigns ("DEVELOPER").

WHEREAS, DEVELOPER is the fee title owner of that certain real property located in DANIA BEACH, Broward County, Florida; and

WHEREAS, DEVELOPER's plat, known as 100 POLITO ISLE  
Plat, Plat No/Clerk's File No. 071-IMP-05 ("PLAT"), was approved by the Board of County Commissioners of Broward County ("County Commission") on June 10th, 2008; and

WHEREAS, a sketch and legal description of the platted area is attached hereto as Exhibit "A" and made a part hereof ("Property"); and

WHEREAS, the Property is in the vicinity of the Airport lying within an area which extends five (5) miles in a direct line along the centerline of an existing or proposed runway of a County-owned airport and which has a width measuring one-half (½) the length of such runway; and

WHEREAS, the approval of the Plat by the County Commission is conditioned upon DEVELOPER agreeing to record this Notice in the Public Records of Broward County, Florida, in order to provide notice to prospective purchasers of aircraft

CAF#675  
Rev. 11/3/08

Approved BCC 6/19/08, #81  
Submitted By Highway Construction Engineering  
RETURN TO DOCUMENT CONTROL Engineering

BROWARD  
COUNTY  
FLORIDA

(6)



overflights, noise impacts, and the County's noise mitigation policy with regard to those properties developed in the vicinity of the Airport; NOW, THEREFORE,

IN CONSIDERATION of the mutual terms, conditions, promises, and payments hereinafter set forth, the parties agree as follows:

1. RECITALS:

The above recitals and representations are true and correct and are incorporated herein by reference.

2. FEE TITLE:

DEVELOPER hereby declares that DEVELOPER has fee title to the Property and that the Property shall be held, maintained, transferred, sold, conveyed, and owned subject to the requirements set forth in this Notice.

3. NOTICE OF POTENTIAL AIRCRAFT OVERFLIGHTS AND NOISE IMPACTS:

This Plat is for the development of lands lying within an area which extends five (5) miles in a direct line along the centerline of an existing or proposed runway of a County-owned airport and which has a width measuring one-half (1/2) the length of such runway. For that reason, approval of the Plat is conditioned upon the DEVELOPER recording this Notice against all the property within the Plat as follows:

This Notice serves as notification to prospective purchasers of potential aircraft overflight and noise impacts on this property due to its close proximity to a County-owned airport, which is being disclosed to all prospective purchasers considering the use of this property for RESIDENTIAL (residential) purposes.

4. NOTICE OF COUNTY'S NOISE MITIGATION POLICY:

This serves as notice to prospective purchasers of parcels within the Property that, pursuant to Broward County Ordinance 2008-37 and consistent with the Federal Aviation Administration's "Change in FAA's Noise Mitigation Policy," effective October 1, 1998, the County will only provide noise mitigation for existing "incompatible development" and not for new incompatible development. The determination of "compatible" and "incompatible development" will be based on the County's most current Federal Aviation Administration ("FAA") approved Noise Exposure Map; and, in addition, for the Fort Lauderdale-Hollywood International Airport, the term compatible shall be consistent with the Airport's most current noise compatibility program reviewed and approved by the FAA for the Airport.

Further information regarding the current and potential impacts of Airport

operations on this property may be obtained from the Broward County Aviation Department, Planning and Development Division.

5. RECORDATION.

This Notice shall be recorded in the Public Records of Broward County Florida, at the DEVELOPER's expense. The obligations contained in this Notice shall run with the Property.

6. INCORPORATION BY REFERENCE.

The attached Exhibit "A" is incorporated into and made a part of this Notice.

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THIS IS NOT AN  
OFFICIAL COPY

**NOTICE TO PROSPECTIVE PURCHASERS  
OF POTENTIAL AIRCRAFT OVERFLIGHTS  
NOISE IMPACTS AND NOISE MITIGATION POLICY  
FOR PROPERTY IN THE VICINITY OF COUNTY-OWNED AIRPORTS**

**DEVELOPER-CORPORATION/PARTNERSHIP**

Witnesses (if partnership):

(Signature)

Print name: JOHN RYAN

(Signature)

Print name: CHRIS SANTO

T+B, INC  
Name of Developer (corporation/partnership)

By

(Signature)

Print name: TRAY IPPOLITO

Title: President

Address: 23 NW 8th Ave

Hallandale FL 33009

23 day of OCTOBER, 2012

ATTEST (if corporation):

(Secretary Signature)

(Print Name of Secretary)

(CORPORATE SEAL)

**ACKNOWLEDGMENT - CORPORATION/PARTNERSHIP**

STATE OF FLORIDA )  
 ) SS.  
COUNTY OF BERNARD )

The foregoing instrument was acknowledged before me this 23 day of OCTOBER, 2012, by TRAY IPPOLITO, as T+B, INC of FLORIDA a corporation/partnership, on behalf of the corporation/ partnership. He or she is:  
☒ personally known to me, or  
☐ produced identification. Type of identification produced \_\_\_\_\_.

(Seal)



NOTARY PUBLIC:

Print Name: John P. Ryan

My commission expires: 5/16

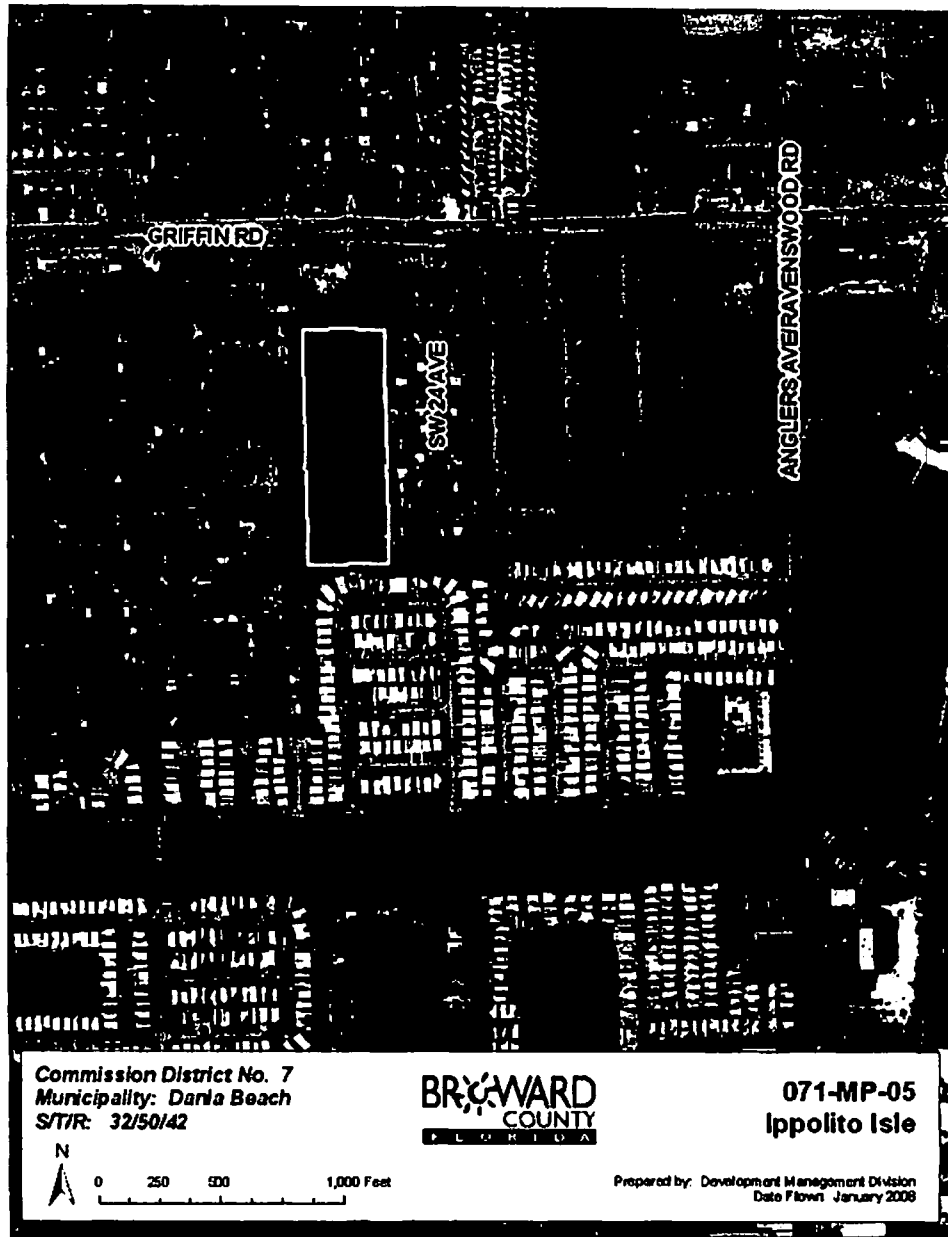
CAF#675  
Rev. 11/3/08

EXHIBIT "A"

TRACT 8, LESS THE NORTH 391 FEET THEREOF, AND INCLUDING THE SOUTH 8 FEET OF THE NORTH 391 FEET OF THE WEST 223 FEET OF TRACT 8, BLOCK 1, A SUBDIVISION OF SECTION 32, TOWNSHIP 50 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 32 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

SAID PROPERTY LYING AND BEING IN THE CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA.

THIS IS NOT AN  
OFFICIAL COPY

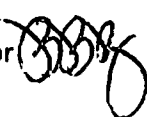




## BROWARD COUNTY PLANNING COUNCIL

115 South Andrews Avenue, Room 307 • Fort Lauderdale, Florida 33301 • Phone: 954.357.6695

TO: Henry A. Sniezek, Director  
Planning and Redevelopment Division  
Broward County Environmental Protection and Growth Management Department

FROM: Barbara Blake Boy, Executive Director 

RE: Ippolito Isle (Findings of Adequacy)  
(071-MP-05) City of Dania Beach

DATE: March 4, 2014

**RECEIVED**  
MAR 05 2014  
BY: PRD

The Future Land Use Element of the City of Dania Beach Comprehensive Plan is the effective land use plan for the City of Dania Beach. That plan designates the area covered by this plat for the uses permitted in the "Low (5) Residential" land use category. This plat is generally located on the west side of Southwest 25 Avenue, between Griffin Road and Southwest 49 Street.

The density of the proposed development of 36 dwelling units on 7.25 acres of land in the platted area, including the immediately adjacent right-of-way, is 5.0 dwelling units per gross acre. Therefore, the proposed dwelling units, private recreational area, conservation easement, water management area and local park are in compliance with the permitted uses and densities of the effective land use plan.

The effective land use plan shows the following land uses surrounding the plat:

North: Low (5) Residential  
South: Low (5) Residential  
East: Low (5) Residential  
West: Low (5) Residential

The contents of this memorandum are not a judgment as to whether this development proposal complies with the Broward County Trafficways Plan, local zoning, other land development regulations or the development review requirements of the Broward County Land Use Plan including its concurrency requirements.

BBB:MEG

cc: Robert Baldwin, City Manager  
City of Dania Beach

Marc LaFerrier, AICP, Director, Community Development Department  
City of Dania Beach



# City of Dania Beach

FLORIDA

January 10, 2014

File No: ZL-14-01

Troy D. Ippolito, President  
T.H.B. Inc.  
23 NW 8 Avenue  
Hallandale Beach, FL 33009

RE: Ippolito Isle plat renewal; Folio No. 504232570010 – 0390.

Dear Mr. Ippolito:

This letter is written in response to your zoning letter request received on January 8, 2014 regarding the above property. In January 22, 2008 the City Commission approved a plat for this property via Ord. 2007-027, which is still valid today. The plat note restrictions are identified below:

"This plat is restricted to: Thirty six (36) townhouse units, a conservation easement on Parcel B, a private recreational area and water management area on Parcel C, and a local public park on Parcel D."

This letter is not intended to confer any rights or approvals. This letter is intended only to provide information regarding the zoning designation of the property, and is not intended to be a substitute for zoning codes and ordinances. Any construction or reconstruction must comply with the current zoning regulations regarding landscaping, parking, setbacks, etc. that are in effect at the time of building permit application.

If you have any further questions, please contact me at (954) 924-6805 X3704.

Sincerely,

Corinne Lajoie, AICP, LEED GA  
Principal Planner

"Broward's First City"