

Owner: HB Holdings Group, LLC
Property Address: 777 SW 7th Avenue
Application: Request for new Findings of Adequacy

HALLANDALE BEACH PRESERVE PHASE 1 PLAT
Plat Book 177, Page 185 B.C.R.
(County Case No. 011-M-06)
APPLICATION FOR NEW FINDINGS OF ADEQUACY

June 4, 2019

1. **Background.** HB Holdings Group, LLC ("Applicant") is the owner of the property which encompasses the "Hallandale Beach Preserve Phase 1 Plat", recorded in Plat Book 177, Page 185 of the Public Records of Broward County, Florida ("Plat"). The property is 0.26 acre in size and located at 777 SW 7th Avenue in the City of Hallandale Beach, FL. An aerial is of the property is provided below.



The Plat was approved by the Broward County Commission on October 24, 2006. The Findings of Adequacy is valid for 5 years from that date (October 24, 2011). A 2-year extension was received, but due to project delays and market conditions, the project was not constructed. The Findings of Adequacy expired on October 24, 2013. The Applicant purchased the property on December 28, 2018, and wishes to construct the townhouse project. In order to obtain building permits, the Findings of Adequacy must be renewed for another 5 years. Therefore, this application requests a renewal of the

Findings of Adequacy for a 5 year period (calculated from the date the Broward County Commission approves the new Findings of Adequacy).

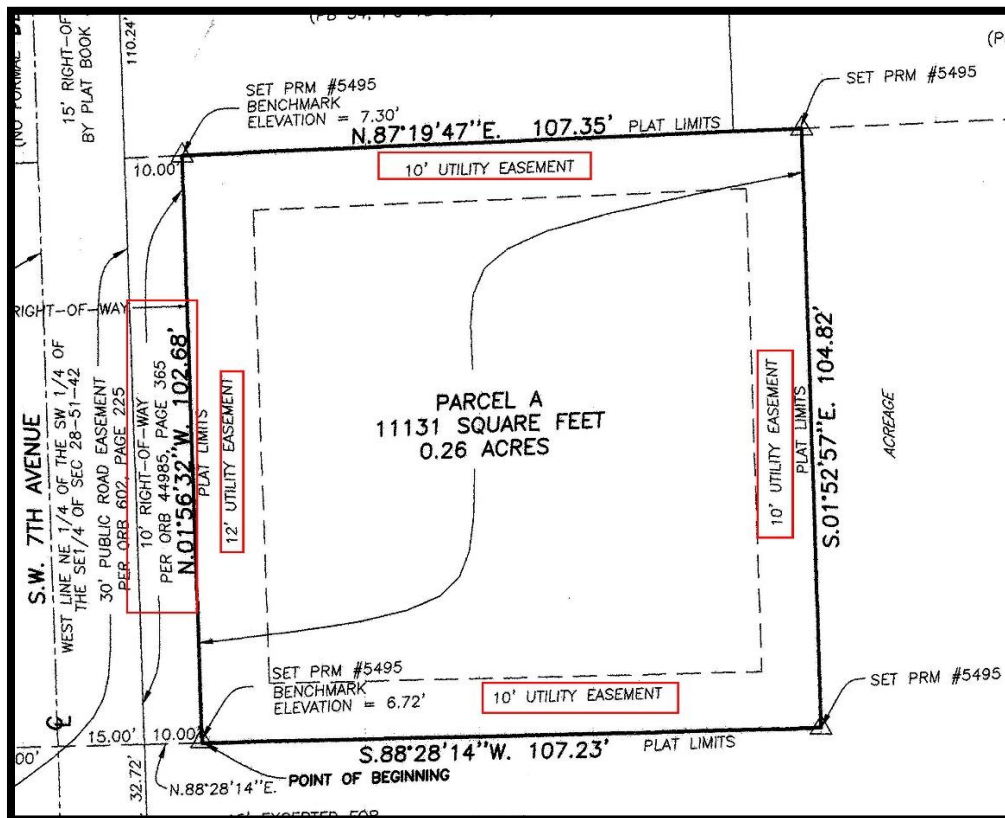
2. **Current approved plat note restriction.**

The current plat note restriction limits the use of the property to 3 townhome units. **No changes are proposed to the use.** An excerpt of the plat note showing the plat note restriction is provided below.

3. THIS PLAT IS RESTRICTED TO THREE TOWNHOME UNITS. 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.

3. **Conditions of approval.** The property is currently vacant, but the conditions of plat approval (dedication of 10' right-of-way and 10-12' utility easements) have been satisfied. In addition, the applicant received an updated School Capacity Availability Determination which shows that there continues to be adequate school capacity to accommodate the 3 townhouse units. See graphic below for satisfaction of right-of-way and utility easement dedications.

Excerpt of recorded plat:



4. **Findings of Adequacy.** Below is the current Findings of Adequacy with strike-through of the old expiration date. The new expiration date will be 5 years from the date the Broward County Commission approves the new of the findings of adequacy (hearing date to be determined, but expected to occur sometime in 2019).

6. IF A BUILDING PERMIT FOR A PRINCIPAL BUILDING (EXCLUDING DRY MODELS, SALES AND CONSTRUCTION OFFICES) AND FIRST INSPECTION APPROVAL ARE NOT ISSUED BY ~~OCTOBER 24, 2011~~, WHICH IS A DATE FIVE (5) YEARS FROM THE DATE OF APPROVAL OF THIS PLAT 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

7. IF PROJECT WATER LINE, SEWER LINE, DRAINAGE, AND THE ROCK BASE FRO INTERNAL ROADS ARE NOT INSTALLED BY ~~OCTOBER 24, 2011~~, WHICH DATE IS FIVE (5) YEARS FROM THE DATE OF APPROVAL OF THIS PLAT 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 REQUIREMENT SET FORTH WITHIN THE BROWARD COUNTY LAND DEVELOPMENT CODE. THIS REQUIREMENT MAY BE SATISFIED FOR A PHASE OF THE PROJECT, PROVIDED A PHASING PLAT 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 REFERENCE TIME FRAME.

Respectfully submitted,



Nectaria M. Chakas, Esq.