



DEVELOPMENT APPLICATION FORM

Application Form: All Applications | Rev. 06/14/2024

INSTRUCTIONS: The following information is required pursuant to the City's Unified Land Development Regulations (ULDR), Section 47-24, Development Permits and Procedures, and must be filled out accurately with all applicable sections completed. Only complete the sections indicated for application type with N/A for those items not applicable. Refer to "Specifications for Plan Submittal" by application type for submittal requirements, which can be found on the City's website.

Select the application type and approval level in **SECTION A** and complete the sections specified under each type.

A

APPLICATION TYPE AND APPROVAL LEVEL

Select the application type from the list below and check the applicable type.

☐ LEVEL I ADMINISTRATIVE REVIEW COMMITTEE (ADMIN) ☐ New nonresidential less than 5,000 square feet ☐ Change of use <i>(if same impact or less than existing use)</i> ☐ Plat note or Nonvehicular access line (NVAL) amendment ☐ Administrative site plan ☐ Amendment to site plan* ☐ Affordable Housing per §166.04151(7) Fla. Stat. <i>(Live Local Act)</i> ☐ Property and right-of-way applications <i>(MOTs, construction staging)</i> ☐ Parking Agreements <i>(separate from site plans)</i> COMPLETE SECTIONS B, C, D, G	☐ LEVEL II DEVELOPMENT REVIEW COMMITTEE (DRC) ☐ New Nonresidential 5,000 square feet or greater ☐ Residential 5 units or more ☐ Nonresidential use within 100 feet of residential property ☐ Redevelopment proposals ☐ Change in use <i>(if greater impact than existing use)</i> ☐ Development in Regional Activity Centers (RAC)* ☐ Development in Uptown Project Area* ☐ Regional Activity Center Signage ☐ Affordable Housing (≥10%) COMPLETE SECTIONS B, C, D, E, F	☐ LEVEL III PLANNING AND ZONING BOARD (PZB) ☐ Conditional Use ☐ Parking Reduction ☐ Flex Allocation ☐ Cluster / Zero Lot Line ☐ Modification of Yards* ☐ Waterway Use ☐ Mixed Use Development ☐ Community Residences* ☐ Social Service Residential Facility (SSRF) ☐ Medical Cannabis Dispensing Facility* ☐ Community Business District for uses greater than 10,000 square feet COMPLETE SECTIONS B, C, D, E, F	☒ LEVEL IV CITY COMMISSION (CC) ☐ Land Use Amendment ☐ Rezoning ☐ Plat ☐ Public Purpose Use ☐ Central Beach Development of Significant Impact* ☐ Vacation of Right-of-Way City Commission Review No PZB Review ☐ Vacation of Easement* COMPLETE SECTIONS B, C, D, E, F
☐ MISCELLANEOUS ☐ Affordable Workforce Housing Tax Reimbursement ☐ Community Residence ☐ Construction Noise Waiver ☐ Design Review Team (DRT) COMPLETE SECTIONS B, C, D, I	☐ EXTENSION OR DEFERRAL ☐ Request to defer after an application is scheduled for public hearing ☐ Request extension to previously approved application <i>(request must be within original approval date timeframe)</i> COMPLETE SECTIONS B, C, H	☐ APPEAL ☐ Appeal decision by approving body and De Novo hearing items COMPLETE SECTIONS B, C, H	☐ PROPERTY AND RIGHT-OF-WAY ☐ Road Closures ☐ Construction Staging Plan ☐ Revocable licenses COMPLETE SECTIONS B, C, H

*Application is subject to specific review and approval process. Levels III and IV are reviewed by Development Review Committee unless otherwise noted.

B

APPLICANT INFORMATION

If applicant is the business operator, complete the agent column and provide property owner authorization.

Applicant/ Property Owner FOUR TEN PROPERTIES LLC	Authorized Agent STEPHANIE J. TOOTHAKER, ESQ. P.A.
Address AGENT: 501 SW 2ND AVENUE, SUITE 1	Address 501 SW 2ND AVENUE, SUITE 1
City, State, Zip AGENT: FORT LAUDERDALE, FL 33301	City, State, Zip FORT LAUDERDALE, FL 33301
Phone AGENT: 954.648.9376	Phone 954.648.9376
Email AGENT: STEPAHNIE@TOOTHAKER.ORG	Email CC: ESTEFANIA@TOOTHAKER.ORG
Proof of Ownership Tax Record	Authorization Letter Provided
Applicant Signature: Signature Digitally signed by Stephanie J. Toothaker, Esq. Date: 2025.08.07 04:17:01 +01'00'	Agent Signature: Signature Digitally signed by Stephanie J. Toothaker, Esq. Date: 2025.08.07 04:17:24 +01'00'

C

PARCEL INFORMATION

Address/General Location	221 SE 12 AVE & 1117 E LAS OLAS BLVD
Folio Number(s)	504211070960 & 504211071020
Legal Description <i>(Brief)</i>	REFER TO SURVEY
City Commission District	
Civic Association	COLEE HAMMOCK CIVIC ASSOCIATION

D

LAND USE INFORMATION

Existing Use	MULTIFAMILY & COMMERCIAL
Land Use	RESIDENTIAL MEDIUM AND COMMERCIAL
Zoning District	RM-15 & B-1
Proposed	Applications requesting land use amendments and rezonings.
Proposed Land Use	RESIDENTIAL MEDIUM AND COMMERCIAL
Proposed Zoning District	CB & B-1



E

PROJECT INFORMATION

Provide project information. Circle yes or no where noted. If item is not applicable, indicate N/A.

Project Name	WESTON JEWELERS										
Project Description (Describe in detail)	Site Plan Level IV Review: Rezoning from RMM-25 to CB with Allocation of 0.135 of Commercial Acreage with 15,796 SF Retail Use, 2,563 SF Restaurant 1 Use, 1,890 SF Restaurant 2 Use and Associated Parking Reduction										
Estimated Project Cost	\$ N/A (Estimated total project cost including land costs for all new development applications only)										
Waterway Use	Yes										
Flex Units	N/A		Redevelopment Units		N/A		Traffic Study Required		No		
Flex Acreage	YES						Parking Reduction		Yes		
Residential Uses							Public Participation		Yes		
Single Family	N/A						Non-Residential Uses				
Townhouses	N/A						Commercial		15,796 SF		
Multifamily	N/A						Restaurant		4,453 SF		
Cluster/Zero Lot Line	N/A						Office		6,243 SF		
Other	N/A						Industrial				
Total (dwelling units)	N/A						Other		14,126 SF (SERVICE/MECH ROOM/BOH/TE		
Residential Unit Mix	Efficiency / Studio	N/A	1-Bedroom	N/A			Total (square feet)		39,366 GSF		
Affordable Housing Units	N/A		% of AMI				2-Bedroom		N/A	3-Bedroom or More	N/A
Affordable Unit Mix	Efficiency / Studio	N/A	1-Bedroom	N/A			2-Bedroom		N/A	3-Bedroom or More	N/A

F

PROJECT DIMENSIONAL STANDARDS

Indicate all required and proposed standards for the project. Circle yes or no where indicated.

	Required Per ULDR		Proposed	
Lot Size (Square feet/ acres)	NONE		0.267 ACRES (11,630 SF)	
Lot Density (Units/ acres)	N/A		N/A	
Lot Width	N/A		SEE SURVEY	
Building Height (Feet)	150' MAX.		90' TO TOP OF ROOF (5-STORIES)	
Structure Length	N/A		44.7' x 210.0'	
Floor Area Ratio (F.A.R.)	NONE		39,366 SF / 11,630 SF = 3.38	
Lot Coverage	N/A		90%	
Open Space	1,163 SF (10%)		1,163 SF (10%)	
Landscape Area	N/A		473 SF (4%)	
Parking Spaces	108 SPACES		0 ON-SITE (PARKING REDUCTION REQUEST)	
SETBACKS (Indicate direction N,S,E,W)	Required Per ULDR		Proposed	
Front	5' (E LAS OLAS BLVD and SE 12 AVE)		10' to PL (E LAS OLAS BLVD) and 5' (SE 12 AVE); 5' upper levels to PL	
Side	0' (SE 2 CT)		9.8' (SE 2 CT)	
Corner / Side	N/A		N/A	
Rear	0' (Himmarsee Canal)		0' (Himmarsee Canal)	

For projects in Downtown, Northwest, South Andrews, and Uptown Master Plans to be completed in conjunction with the applicable items above.

Tower Stepback	Required Per ULDR		Proposed		Deviation	
Front / Primary Street	N/A		N/A			
Sides / Secondary Street	N/A		N/A			
Building Height	N/A		N/A			
Streetwall Length	N/A		N/A			
Podium Height	N/A		N/A			
Tower Separation	N/A		N/A			
Tower Floorplate (square feet)	N/A		N/A			
Residential Unit Size (minimum)	N/A		N/A			

G

AMENDED PROJECT INFORMATION

Provide approved and proposed amendments for project. Circle yes or no where indicated.

Project Name			
Proposed Amendment Description (Describe in detail)			
	Original Approval	Proposed Amendment	Amended
Residential Uses (dwelling units)			
Non-Residential Uses (square feet)			
Lot Size (Square feet/ acres)			
Lot Density (Units/ acres)			
Lot Width			
Building Height (Feet)			
Structure Length			
Floor Area Ratio (F.A.R.)			
Lot Coverage			
Open Space			
Landscape Area			
Parking Spaces			
Tower Stepback			
Building Height			
Streetwall Length			
Podium Height			
Tower Separation			
Tower Floorplate (square feet)			
Residential Unit Size (minimum)			
Does this amendment require a revision to the traffic statement or traffic study completed for the project?			
Does this amendment require a revised water sewer capacity letter?			



H

EXTENSION, DEFERRAL, APPEAL INFORMATION

Provide information for specific request. Circle approving body and yes or no.

Project Name		
Request Description		
EXTENSION REQUEST		DEFERRAL REQUEST
Approving Body		Approving Body
Original Approval Date		Scheduled Meeting Date
Expiration Date (Permit Submittal Deadline)		Requested Deferral Date
Expiration Date (Permit Issuance Deadline)		Previous Deferrals Granted
Requested Extension (No more than 24 months)		Justification Letter Provided
Code Enforcement (Applicant Obtain by Code Compliance Division)		*Note: Deferral requests are subject to a fee per deferral. See Fee Schedule for amount.
		APPEAL REQUEST / DE NOVO HEARING
		Approving Body
		30 Days from Meeting (Provide Date)
		60 Days from Meeting (Provide Date)
		Appeal Request
		Indicate Approving Body Appealing
		De Novo Hearing Due to City Commission Call-Up

I

MISCELLANEOUS

Provide information on the specific request.

Project Name		
Request Description		
AFFORDABLE HOUSING TAX REIMBURSEMENT*		COMMUNITY RESIDENCE
As Is Value	\$	Residence Type
Date		Certification
Completion Value	\$	Length of Stay
Date		Number of Residents
Stabilized Value	\$	Number of Live-in Staff
Date		Habitable Rooms
Acquisition Value	\$	Gross Floor Area
Date		
		DEVELOPMENT REVIEW TEAM (DRT)* Complete Section F
		NOISE WAIVER*
		DRC Case Number
		Request Start Date
		Request End Date
		Construction Start Time
		Construction End Time
		Sunday Construction Times
		Noise Mitigation Plan Date of Plan
		Previous Extension Resolution No. (If applicable)

*Application is subject to specific fees based on hourly rate with minimum amount of: DRT \$477, Affordable Housing Tax Reimbursement \$2,500, Noise Waiver \$954

CHECKLIST FOR SUBMITTAL AND COMPLETENESS: The following outlines the necessary items for submittal to ensure the application is deemed complete. Failure to provide this information will result in your application being deemed **incomplete**.

- ☒ Preliminary Development Meeting completed on the following date:

August 4, 2025
- ☒ Development Application Form completed with the applicable information including signatures.
- ☒ Proof of Ownership warranty deed or tax record including corporation documents and SunBiz verification name.
- ☒ Address Verification Form that includes all parcels within the proposed development.
- ☒ Project and Unified Land Development Code Narratives project narrative and the applicable ULDR sections and criteria as described in the specifications for submittal by application type.
- ☒ Electronic Files, File Naming, and Documents consistent with the applicable specifications for application type, consistent with the online submittal requirements including file naming convention, plan sets uploaded as single pdf.
- ☐ Traffic Study or Statement submittal of a traffic study or traffic statement.
- ☒ Stormwater Calculations signed and sealed by a Florida registered professional engineer consistent with calculations as described in the specifications for plan submittal for site plan applications.
- ☒ Water and Wastewater Capacity Request copy of email to Public Works requesting the capacity letter.

OVERVIEW FOR ONLINE SUBMITTAL REQUIREMENTS: Submittals must be conducted through [LauderBuild](#). No hardcopy application submittals are accepted. Below only highlights the important submittal requirements that applicants must follow to submit online and be deemed complete. View all the requirements at [LauderBuild Plan Room](#).

- Uploading Entire Submittal** upload all documents at time the application is submitted to prevent delay in processing.
- File Naming Convention** file names must adhere to the City's [File Naming Convention](#).
- Reduce File Size** plan sets and other large files must be merged or flattened to reduce file size.
- Plan Sets** plan sets like site plans, plats, etc. must be submitted as a single pdf file. Staff will instruct when otherwise.
- Document Categories** choose the correct document category when uploading.



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

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Four Ten Properties

No Events No Name History

Detail by Entity Name

Florida Limited Liability Company
FOUR TEN PROPERTIES LLC

Filing Information

Document Number	L25000154642
FEI/EIN Number	NONE
Date Filed	03/31/2025
State	FL
Status	ACTIVE

Principal Address

1728 MAIN STREET
WESTON, FL 33326

Mailing Address

1728 MAIN STREET
WESTON, FL 33326

Registered Agent Name & Address

OPPENHEIM, PILELSKY & SHERMAN, P.A.
2500 WESTON ROAD
SUITE 209
WESTON, FL 33331

Authorized Person(s) Detail

Name & Address

Title MGR

DIKES, EDWARD
1728 MAIN STREET
WESTON, FL 33326

Title MGR

GEFFIN, TRACEY
1728 MAIN STREET
WESTON, FL 33326

Annual Reports

No Annual Reports Filed

Document Images

[03/31/2025 -- Florida Limited Liability](#)

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Four Ten Properties

No Events No Name History



PROPERTY SUMMARY

Tax Year: 2025	Property Use: 08 - Multi-family - less than 10 units	Deputy Appraiser: Commercial Department
Property ID: 504211070960	Millage Code: 0312	Appraisers Number: 954-357-6835
Property Owner(s): FOUR TEN PROPERTIES LLC	Adj. Bldg. S.F: 2681	Email: commercialtrim@bcpa.net
Mailing Address: 1728 MAIN ST WESTON, FL 33326	Bldg Under Air S.F:	Zoning : RM-15 - RESIDENTIAL MULTIFAMILY LOW RISE/MEDIUM DENSITY
Physical Address: 221 - 229 SE 12 AVENUE # 1-5 FORT LAUDERDALE, 33301	Effective Year: 1998	Abbr. Legal Des.: BEVERLY HEIGHTS 1-30 B LOT 1 & N1/2 OF ALLEY LYING BETWEEN LOT 1 & 16 BLK 21
	Year Built: 1959	
	Units/Beds/Baths: 5 / /	

PROPERTY ASSESSMENT

Year	Land	Building / Improvement	Agricultural Saving	Just / Market Value	Assessed / SOH Value	Tax
2025	\$146,880	\$824,830	0	\$971,710	\$971,710	
2024	\$146,880	\$799,790	0	\$946,670	\$930,910	\$19,585.82
2023	\$146,880	\$699,410	0	\$846,290	\$846,290	\$18,120.76

EXEMPTIONS AND TAXING AUTHORITY INFORMATION

	County	School Board	Municipal	Independent
Just Value	\$971,710	\$971,710	\$971,710	\$971,710
Portability	0	0	0	0
Assessed / SOH	\$971,710	\$971,710	\$971,710	\$971,710
Granny Flat				
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exemption Type	0	0	0	0
Affordable Housing	0	0	0	0
Taxable	\$971,710	\$971,710	\$971,710	\$971,710

SALES HISTORY FOR THIS PARCEL

Date	Type	Price	Book/Page or Cin
07/09/2025	Multi Special Warranty Deed Disqualified Sale	\$7,000,000	120326605
09/23/2008	Warranty Deed Qualified Sale	\$775,000	45711 / 1768
10/27/2003	Quit Claim Deed	\$100	36340 / 1616

LAND CALCULATIONS

Unit Price	Units	Type
\$25.00	5,875 SqFt	Square Foot

Date	Type	Price	Book/Page or Cin	
10/27/2003	Warranty Deed	\$543,800	36340 / 1615	
04/20/2001	Quit Claim Deed	\$100	31514 / 464	

RECENT SALES IN THIS SUBDIVISION

Property ID	Date	Type	Qualified/ Disqualified	Price	CIN	Property Address
504211070490	08/04/2025	Warranty Deed		\$1,300,000	120361647	16 SE 9 AVE FORT LAUDERDALE, FL 33301
504211070960	07/09/2025	Multi Special Warranty Deed	Disqualified Sale	\$7,000,000	120326605	221 SE 12 AVE #1-5 FORT LAUDERDALE, FL 33301
504211071020	07/09/2025	Multi Special Warranty Deed	Disqualified Sale	\$7,000,000	120326605	1117 E LAS OLAS BLVD FORT LAUDERDALE, FL 33301
504211070610	05/13/2025	Warranty Deed	Qualified Sale	\$1,500,000	120223165	21 SE 11 AVE #1-4 FORT LAUDERDALE, FL 33301
504211070890	05/09/2025	Warranty Deed	Qualified Sale	\$1,700,000	120215101	18 SE 11 AVE FORT LAUDERDALE, FL 33301

SPECIAL ASSESSMENTS

Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
Ft Lauderdale Fire-rescue (03)						FT Laud Stormwater Cat II (F2)		
Residential (R)								
5						5,875.00		

SCHOOL

Harbordale Elementary
School: A
Sunrise Middle School: B
Fort Lauderdale High
School: A

ELECTED OFFICIALS

Property Appraiser	County Comm. District	County Comm. Name	US House Rep. District	US House Rep. Name
Marty Kiar	4	Lamar P. Fisher	23	Jared Moskowitz

Florida House

Rep. District	Florida House Rep. Name	Florida Senator District	Florida Senator Name	School Board Member
100	Chip LaMarca	37	Jason W. B. Pizzo	Sarah Leonardi



PROPERTY SUMMARY

Tax Year: 2025	Property Use: 12-02 Mixed store and office	Deputy Appraiser: Commercial Department
Property ID: 504211071020	Millage Code: 0312	Appraisers Number: 954-357-6835
Property Owner(s): FOUR TEN PROPERTIES LLC	Adj. Bldg. S.F: 2769	Email: commercialtrim@bcpa.net
Mailing Address: 1728 MAIN ST WESTON, FL 33326	Bldg Under Air S.F:	Zoning : B-1 - BOULEVARD BUSINESS
Physical Address: 1117 - 1121 E LAS OLAS BOULEVARD FORT LAUDERDALE, 33301	Effective Year: 1965	Abbr. Legal Des.: BEVERLY HEIGHTS 1-30 B LOT 16 & S1/2 OF ALLEY LYING BETWEEN LOTS 1 & 16 BLK 21
	Year Built: 1953	
	Units/Beds/Baths: 0 / /	

PROPERTY ASSESSMENT

Year	Land	Building / Improvement	Agricultural Saving	Just / Market Value	Assessed / SOH Value	Tax
2025	\$402,500	\$414,780	0	\$817,280	\$817,280	
2024	\$402,500	\$415,260	0	\$817,760	\$817,760	\$16,630.96
2023	\$402,500	\$415,260	0	\$817,760	\$817,760	\$16,830.75

EXEMPTIONS AND TAXING AUTHORITY INFORMATION

	County	School Board	Municipal	Independent
Just Value	\$817,280	\$817,280	\$817,280	\$817,280
Portability	0	0	0	0
Assessed / SOH	\$817,280	\$817,280	\$817,280	\$817,280
Granny Flat				
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exemption Type	0	0	0	0
Affordable Housing	0	0	0	0
Taxable	\$817,280	\$817,280	\$817,280	\$817,280

SALES HISTORY FOR THIS PARCEL

Date	Type	Price	Book/Page or Cin
07/09/2025	Multi Special Warranty Deed Disqualified Sale	\$7,000,000	120326605
02/27/2009	Trustee's Deed Qualified Sale	\$700,000	46080 / 422
04/01/1992	Quit Claim Deed	\$100	19488 / 331
09/01/1980	Warranty Deed	\$100,000	

LAND CALCULATIONS

Unit Price	Units	Type
\$70.00	5,750 SqFt	Square Foot

Date	Type	Price	Book/Page or Cin	
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RECENT SALES IN THIS SUBDIVISION

Property ID	Date	Type	Qualified/ Disqualified	Price	CIN	Property Address
504211070490	08/04/2025	Warranty Deed		\$1,300,000	120361647	16 SE 9 AVE FORT LAUDERDALE, FL 33301
504211070960	07/09/2025	Multi Special Warranty Deed	Disqualified Sale	\$7,000,000	120326605	221 SE 12 AVE #1-5 FORT LAUDERDALE, FL 33301
504211071020	07/09/2025	Multi Special Warranty Deed	Disqualified Sale	\$7,000,000	120326605	1117 E LAS OLAS BLVD FORT LAUDERDALE, FL 33301
504211070610	05/13/2025	Warranty Deed	Qualified Sale	\$1,500,000	120223165	21 SE 11 AVE #1-4 FORT LAUDERDALE, FL 33301
504211070890	05/09/2025	Warranty Deed	Qualified Sale	\$1,700,000	120215101	18 SE 11 AVE FORT LAUDERDALE, FL 33301

SPECIAL ASSESSMENTS

Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc	SCHOOL
Ft Lauderdale Fire-rescue (03)						FT Laud Stormwater Cat II (F2)			Harbordale Elementary School: A Sunrise Middle School: B Fort Lauderdale High School: A
Commercial (C) 2,769						5,750.00			

ELECTED OFFICIALS

Property Appraiser	County Comm. District	County Comm. Name	US House Rep. District	US House Rep. Name
Marty Kiar	4	Lamar P. Fisher	23	Jared Moskowitz
Florida House Rep. District	Florida House Rep. Name	Florida Senator District	Florida Senator Name	School Board Member
100	Chip LaMarca	37	Jason W. B. Pizzo	Sarah Leonardi

THIS INSTRUMENT PREPARED BY & RETURN TO:

Geoffrey E. Sherman, Esq.
Weston Title & Escrow, Inc.
2500 Weston Road, Suite 209
Weston, Florida 33331

Parcel ID: 504211-07-1020 & 504211-07-0960

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made the 14th day of July, 2025 by LAS OLAS YACHT CLUB, LLC, a Florida Limited Liability Company whose post office address is 2181 SW 28th Way, Fort Lauderdale, Florida 33312, herein called the Grantor, to FOUR TEN PROPERTIES LLC, a Florida Limited Liability Company whose post office address 1728 Main Street, Weston, FL 33326, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

W I T N E S S E T H: That the Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in Broward County, State of Florida, and described in **Exhibit "A"** attached to this Deed and incorporated herein (the "**Property**").

TOGETHER with all improvements, rights, privileges, easements, tenements, hereditaments, reversions, remainders, and appurtenances thereto belonging or in any way appertaining to the Property.

SUBJECT TO taxes for 2025 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any, without intention of creation or reimposing same.

TO HAVE AND TO HOLD the same in fee simple forever.

GRANTOR hereby specially warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through, or under Grantor, but none other.

SPECIAL WARRANTY DEED

File No.: WTE-25-14268

Page 1 of 3

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness #1 Signature

Printed Name: GRACE LEVINE

2500 Weston Road, Suite 209,
Weston, Florida 33331

LAS OLAS YACHT CLUB, LLC, a Florida
Limited Liability Company

By: [Signature]

John David Peggs, Sole Member and Manager

Witness #2 Signature

Printed Name: GEOFFREY SHERMAN

2500 Weston Road, Suite 209,
Weston, Florida 33331

By: [Signature]

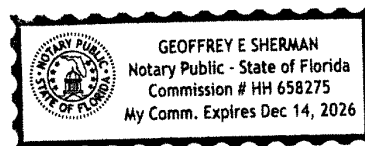
Guyton B. Bass, Sr, Manager

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 9th day of July, 2025, by Guyton B. Bass, Sr, Manager of LAS OLAS YACHT CLUB, LLC and John David Peggs, Sole Member and Manager of LAS OLAS YACHT CLUB, LLC, a FL Limited Liability Company, on behalf of the company, ☐ who is/are personally known to me or ☒ who has/have produced FL ID as identification.

[Signature]
Signature of Notary Public

GEOFFREY SHERMAN
Print, Type/Stamp Name of Notary



SPECIAL WARRANTY DEED

File No.: WTE-25-14268

Page 2 of 3

EXHIBIT "A"
Property Description

PARCEL 1

Lot 1, Block 21, BEVERLY HEIGHTS, according to the Plat thereof, recorded in Plat Book 1, Page 30, of the Public Records of Broward County, Florida.

and

The North 1/2 of the alley lying between Lot 1 and 16 of Block 21 of BEVERLY HEIGHTS, more particularly described as:

The North 1/2 of the alley lying between Lot 1 and 16 of Block 21 of BEVERLY HEIGHTS, according to the Plat thereof recorded in Plat Book 1, Page 30, of the Public Records of Broward County, Florida, which is more particularly described as follows:

A tract of land bounded on the south by a line parallel to and equidistant from the North boundary of said Lot 16 and the South boundary of Lot 1 of said Block 21, on the East by the extended East boundary of said Lot 1, on the North by the South boundary of said Lot 1, and on the West by the East boundary of the drainage canal.

Folio ID: 504211-07-0960

PARCEL 2

Lot 16, Block 21, BEVERLY HEIGHTS, according to the Plat thereof, recorded in Plat Book 1, Page 30, of the Public Records of Broward County, Florida.

and

The South 1/2 of the alley lying between Lot 1 and 16 of Block 21 of BEVERLY HEIGHTS, more particularly described as:

The South 1/2 of the alley lying between Lot 1 and 16 of Block 21 of BEVERLY HEIGHTS, according to the Plat thereof recorded in Plat Book 1, Page 30, of the Public Records of Broward County, Florida, which is more particularly described as follows:

A tract of land bounded on the North by a line parallel to and equidistant from the North boundary of said Lot 16 and the South boundary of Lot 1 of said Block 21, on the East by the extended East boundary of said Lot 16, on the South by the North boundary of said Lot 16, and on the West by the East boundary of the drainage canal.

Folio ID: 504211-07-1020

SPECIAL WARRANTY DEED

File No.: WTE-25-14268

Page 3 of 3



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Four Ten Properties

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No Events No Name History

Detail by Entity Name

Florida Limited Liability Company
FOUR TEN PROPERTIES LLC

Filing Information

Document Number	L25000154642
FBI/EIN Number	NONE
Date Filed	03/31/2025
State	FL
Status	ACTIVE

Principal Address

1728 MAIN STREET
WESTON, FL 33326

Mailing Address

1728 MAIN STREET
WESTON, FL 33326

Registered Agent Name & Address

OPPENHEIM, PILELSKY & SHERMAN, P.A.
2500 WESTON ROAD
SUITE 209
WESTON, FL 33331

Authorized Person(s) Detail

Name & Address

Title MGR

DIKES, EDWARD
1728 MAIN STREET
WESTON, FL 33326

Title MGR

GEFFIN, TRACEY
1728 MAIN STREET
WESTON, FL 33326

Annual Reports

No Annual Reports Filed

Document Images

[03/31/2025 -- Florida Limited Liability](#)

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Four Ten Properties

Search

No Events No Name History



PROPERTY SUMMARY

Tax Year: 2025

Property ID: 504211070960

Property Owner(s): FOUR TEN PROPERTIES LLC

Mailing Address: 1728 MAIN ST WESTON, FL
33326

Physical Address: 221 - 229 SE 12 AVENUE # 1-5
FORT LAUDERDALE, 33301

Property Use: 08 - Multi-family -
less than 10 units

Millage Code: 0312

Adj. Bldg. S.F.: 2681

Bldg Under Air S.F.:

Effective Year: 1998

Year Built: 1959

Units/Beds/Baths: 5 / /

Deputy Appraiser: Commercial
Department

Appraisers Number: 954-357-
6835

Email: commercialtrim@bcpa.net

Zoning : RM-15 - RESIDENTIAL
MULTIFAMILY LOW RISE/MEDIUM
DENSITY

Abbr. Legal Des.: BEVERLY
HEIGHTS 1-30 B LOT 1 & N1/2 OF
ALLEY LYING BETWEEN LOT 1 &
16 BLK 21

PROPERTY ASSESSMENT

Year	Land	Building / Improvement	Agricultural Saving	Just / Market Value	Assessed / SOH Value	Tax
2025	\$146,880	\$824,830	0	\$971,710	\$971,710	
2024	\$146,880	\$799,790	0	\$946,670	\$930,910	\$19,585.82
2023	\$146,880	\$699,410	0	\$846,290	\$846,290	\$18,120.76

EXEMPTIONS AND TAXING AUTHORITY INFORMATION

	County	School Board	Municipal	Independent
Just Value	\$971,710	\$971,710	\$971,710	\$971,710
Portability	0	0	0	0
Assessed / SOH	\$971,710	\$971,710	\$971,710	\$971,710
Granny Flat				
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exemption Type	0	0	0	0
Affordable Housing	0	0	0	0
Taxable	\$971,710	\$971,710	\$971,710	\$971,710

SALES HISTORY FOR THIS PARCEL

Date	Type	Price	Book/Page or Cin
07/09/2025	Multi Special Warranty Deed Disqualified Sale	\$7,000,000	120326605
09/23/2008	Warranty Deed Qualified Sale	\$775,000	45711 / 1768
10/27/2003	Quit Claim Deed	\$100	36340 / 1616

LAND CALCULATIONS

Unit Price	Units	Type
\$25.00	5,875 SqFt	Square Foot

Date	Type	Price	Book/Page or Cin	
10/27/2003	Warranty Deed	\$543,800	36340 / 1615	
04/20/2001	Quit Claim Deed	\$100	31514 / 464	

RECENT SALES IN THIS SUBDIVISION

Property ID	Date	Type	Qualified/ Disqualified	Price	CIN	Property Address
504211070490	08/04/2025	Warranty Deed		\$1,300,000	120361647	16 SE 9 AVE FORT LAUDERDALE, FL 33301
504211070960	07/09/2025	Multi Special Warranty Deed	Disqualified Sale	\$7,000,000	120326605	221 SE 12 AVE #1-5 FORT LAUDERDALE, FL 33301
504211071020	07/09/2025	Multi Special Warranty Deed	Disqualified Sale	\$7,000,000	120326605	1117 E LAS OLAS BLVD FORT LAUDERDALE, FL 33301
504211070610	05/13/2025	Warranty Deed	Qualified Sale	\$1,500,000	120223165	21 SE 11 AVE #1-4 FORT LAUDERDALE, FL 33301
504211070890	05/09/2025	Warranty Deed	Qualified Sale	\$1,700,000	120215101	18 SE 11 AVE FORT LAUDERDALE, FL 33301

SPECIAL ASSESSMENTS

Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
Ft Lauderdale Fire-rescue (03)						FT Laud Stormwater Cat II (F2)		
Residential (R)								
5						5,875.00		

SCHOOL

Harbordale Elementary
School: A
Sunrise Middle School: B
Fort Lauderdale High
School: A

ELECTED OFFICIALS

Property Appraiser	County Comm. District	County Comm. Name	US House Rep. District	US House Rep. Name
Marty Kiar	4	Lamar P. Fisher	23	Jared Moskowitz
Florida House				
Rep. District	Florida House Rep. Name	Florida Senator District	Florida Senator Name	School Board Member
100	Chip LaMarca	37	Jason W. B. Pizzo	Sarah Leonardi



PROPERTY SUMMARY

Tax Year: 2025

Property ID: 504211071020

Property Owner(s): FOUR TEN PROPERTIES LLC

Mailing Address: 1728 MAIN ST WESTON, FL
33326

Physical Address: 1117 - 1121 E LAS OLAS
BOULEVARD FORT LAUDERDALE, 33301

Property Use: 12-02 Mixed store
and office

Millage Code: 0312

Adj. Bldg. S.F: 2769

Bldg Under Air S.F:

Effective Year: 1965

Year Built: 1953

Units/Beds/Baths: 0 / /

Deputy Appraiser: Commercial
Department

Appraisers Number: 954-357-
6835

Email: commercialtrim@bcpa.net

Zoning : B-1 - BOULEVARD
BUSINESS

Abbr. Legal Des.: BEVERLY
HEIGHTS 1-30 B LOT 16 & S1/2 OF
ALLEY LYING BETWEEN LOTS 1 &
16 BLK 21

PROPERTY ASSESSMENT

Year	Land	Building / Improvement	Agricultural Saving	Just / Market Value	Assessed / SOH Value	Tax
2025	\$402,500	\$414,780	0	\$817,280	\$817,280	
2024	\$402,500	\$415,260	0	\$817,760	\$817,760	\$16,630.96
2023	\$402,500	\$415,260	0	\$817,760	\$817,760	\$16,830.75

EXEMPTIONS AND TAXING AUTHORITY INFORMATION

	County	School Board	Municipal	Independent
Just Value	\$817,280	\$817,280	\$817,280	\$817,280
Portability	0	0	0	0
Assessed / SOH	\$817,280	\$817,280	\$817,280	\$817,280
Granny Flat				
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exemption Type	0	0	0	0
Affordable Housing	0	0	0	0
Taxable	\$817,280	\$817,280	\$817,280	\$817,280

SALES HISTORY FOR THIS PARCEL

Date	Type	Price	Book/Page or Cin
07/09/2025	Multi Special Warranty Deed Disqualified Sale	\$7,000,000	120326605
02/27/2009	Trustee's Deed Qualified Sale	\$700,000	46080 / 422
04/01/1992	Quit Claim Deed	\$100	19488 / 331
09/01/1980	Warranty Deed	\$100,000	

LAND CALCULATIONS

Unit		
Price	Units	Type
\$70.00	5,750 SqFt	Square Foot

Date	Type	Price	Book/Page or Cin	
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RECENT SALES IN THIS SUBDIVISION

Property ID	Date	Type	Qualified/ Disqualified	Price	CIN	Property Address
504211070490	08/04/2025	Warranty Deed		\$1,300,000	120361647	16 SE 9 AVE FORT LAUDERDALE, FL 33301
504211070960	07/09/2025	Multi Special Warranty Deed	Disqualified Sale	\$7,000,000	120326605	221 SE 12 AVE #1-5 FORT LAUDERDALE, FL 33301
504211071020	07/09/2025	Multi Special Warranty Deed	Disqualified Sale	\$7,000,000	120326605	1117 E LAS OLAS BLVD FORT LAUDERDALE, FL 33301
504211070610	05/13/2025	Warranty Deed	Qualified Sale	\$1,500,000	120223165	21 SE 11 AVE #1-4 FORT LAUDERDALE, FL 33301
504211070890	05/09/2025	Warranty Deed	Qualified Sale	\$1,700,000	120215101	18 SE 11 AVE FORT LAUDERDALE, FL 33301

SPECIAL ASSESSMENTS

Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
Ft Lauderdale Fire-rescue (03)						FT Laud Stormwater Cat II (F2)		
Commercial (C)								
2,769						5,750.00		

SCHOOL

Harbordale Elementary
School: A
Sunrise Middle School: B
Fort Lauderdale High
School: A

ELECTED OFFICIALS

Property Appraiser	County Comm. District	County Comm. Name	US House Rep. District	US House Rep. Name
Marty Kiar	4	Lamar P. Fisher	23	Jared Moskowitz
Florida House Rep. District	Florida House Rep. Name	Florida Senator District	Florida Senator Name	School Board Member
100	Chip LaMarca	37	Jason W. B. Pizzo	Sarah Leonardi

THIS INSTRUMENT PREPARED BY & RETURN TO:

Geoffrey E. Sherman, Esq.
Weston Title & Escrow, Inc.
2500 Weston Road, Suite 209
Weston, Florida 33331

Parcel ID: 504211-07-1020 & 504211-07-0960

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made the 14th day of July, 2025 by LAS OLAS YACHT CLUB, LLC, a Florida Limited Liability Company whose post office address is 2181 SW 28th Way, Fort Lauderdale, Florida 33312, herein called the Grantor, to FOUR TEN PROPERTIES LLC, a Florida Limited Liability Company whose post office address 1728 Main Street, Weston, FL 33326, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

W I T N E S S E T H: That the Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in Broward County, State of Florida, and described in **Exhibit "A"** attached to this Deed and incorporated herein (the "**Property**").

TOGETHER with all improvements, rights, privileges, easements, tenements, hereditaments, reversions, remainders, and appurtenances thereto belonging or in any way appertaining to the Property.

SUBJECT TO taxes for 2025 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any, without intention of creation or reimposing same.

TO HAVE AND TO HOLD the same in fee simple forever.

GRANTOR hereby specially warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through, or under Grantor, but none other.

SPECIAL WARRANTY DEED

File No.: WTE-25-14268

Page 1 of 3

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness #1 Signature

Printed Name: GRACE LEVINE

2500 Weston Road, Suite 209,
Weston, Florida 33331

LAS OLAS YACHT CLUB, LLC, a Florida
Limited Liability Company

By: [Signature]

John David Peggs, Sole Member and Manager

Witness #2 Signature

Printed Name: GEOFFREY SHERMAN

2500 Weston Road, Suite 209,
Weston, Florida 33331

By: [Signature]

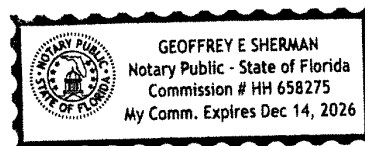
Guyton B. Bass, Sr, Manager

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 9th day of July, 2025, by Guyton B. Bass, Sr, Manager of LAS OLAS YACHT CLUB, LLC and John David Peggs, Sole Member and Manager of LAS OLAS YACHT CLUB, LLC, a FL Limited Liability Company, on behalf of the company, ☐ who is/are personally known to me or ☒ who has/have produced FL DL as identification.

[Signature]
Signature of Notary Public

GEOFFREY SHERMAN
Print, Type/Stamp Name of Notary



SPECIAL WARRANTY DEED

File No.: WTE-25-14268

Page 2 of 3

EXHIBIT "A"
Property Description

PARCEL 1

Lot 1, Block 21, BEVERLY HEIGHTS, according to the Plat thereof, recorded in Plat Book 1, Page 30, of the Public Records of Broward County, Florida.

and

The North 1/2 of the alley lying between Lot 1 and 16 of Block 21 of BEVERLY HEIGHTS, more particularly described as:

The North 1/2 of the alley lying between Lot 1 and 16 of Block 21 of BEVERLY HEIGHTS, according to the Plat thereof recorded in Plat Book 1, Page 30, of the Public Records of Broward County, Florida, which is more particularly described as follows:

A tract of land bounded on the south by a line parallel to and equidistant from the North boundary of said Lot 16 and the South boundary of Lot 1 of said Block 21, on the East by the extended East boundary of said Lot 1, on the North by the South boundary of said Lot 1, and on the West by the East boundary of the drainage canal.

Folio ID: 504211-07-0960

PARCEL 2

Lot 16, Block 21, BEVERLY HEIGHTS, according to the Plat thereof, recorded in Plat Book 1, Page 30, of the Public Records of Broward County, Florida.

and

The South 1/2 of the alley lying between Lot 1 and 16 of Block 21 of BEVERLY HEIGHTS, more particularly described as:

The South 1/2 of the alley lying between Lot 1 and 16 of Block 21 of BEVERLY HEIGHTS, according to the Plat thereof recorded in Plat Book 1, Page 30, of the Public Records of Broward County, Florida, which is more particularly described as follows:

A tract of land bounded on the North by a line parallel to and equidistant from the North boundary of said Lot 16 and the South boundary of Lot 1 of said Block 21, on the East by the extended East boundary of said Lot 16, on the South by the North boundary of said Lot 16, and on the West by the East boundary of the drainage canal.

Folio ID: 504211-07-1020

SPECIAL WARRANTY DEED

File No.: WTE-25-14268

Page 3 of 3

August 8, 2025

City of Fort Lauderdale
Office of the City Clerk
100 N. Andrews Avenue, 7th Floor
Fort Lauderdale, FL 33301

Broward County Board of County Commissioners
115 S. Andrews Avenue, Room 409
Fort Lauderdale, FL 33301

**Re: Section 2-262, City of Fort Lauderdale Code of Ordinances and
Broward County Ordinance No. 2009-34 Authorization Letter**

To Whom it May Concern:

Please accept this letter of authorization permitting Stephanie J. Toothaker, Esq. and Estefanía Mayorga of Stephanie J. Toothaker, Esq., P.A. d/b/a TOOTHAKER.org to represent the interests of **FOUR TEN PROPERTIES LLC** in connection with land use, zoning, and permitting matters for the property located at 1117 E LAS OLAS BLVD and 221 SE 12 AVE #1-5, FORT LAUDERDALE, FL 33301, Folio Nos. 504211071020 and 504211070960, in the City of Fort Lauderdale and Broward County

Sincerely,

FOUR TEN PROPERTIES LLC
a Florida limited liability company



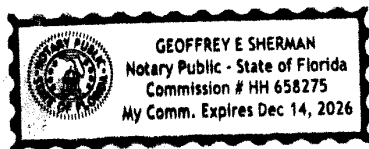
Name: EDWARD DZEK

Title: MANAGER

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 8th day of August 2025, by EDWARD DZEK as the MANAGER of **FOUR TEN PROPERTIES LLC**, who is personally known to me or produced _____ as identification.

(Notary Seal)



Notary Public


GEOFFREY E. SHERMAN

Name typed, printed or stamped



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Detail by Entity Name

Florida Limited Liability Company
FOUR TEN PROPERTIES LLC

Filing Information

Document Number L25000154642
FEI/EIN Number NONE
Date Filed 03/31/2025
State FL
Status ACTIVE

Principal Address

1728 MAIN STREET
WESTON, FL 33326

Mailing Address

1728 MAIN STREET
WESTON, FL 33326

Registered Agent Name & Address

OPPENHEIM, PILELSKY & SHERMAN, P.A.
2500 WESTON ROAD
SUITE 209
WESTON, FL 33331

Authorized Person(s) Detail

Name & Address

Title MGR

DIKES, EDWARD
1728 MAIN STREET
WESTON, FL 33326

Title MGR

GEFFIN, TRACEY
1728 MAIN STREET
WESTON, FL 33326

Annual Reports

No Annual Reports Filed

Document Images

03/31/2025 -- Florida Limited Liability

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Updated 03/31/2025 at 10:10 AM EDT

August 8, 2025
Updated March 2, 2026

VIA LAUDERBUILD
URBAN DESIGN & PLANNING DIVISION
DEVELOPMENT SERVICES DEPARTMENT
CITY OF FORT LAUDERDALE
700 NW 19TH AVE
FORT LAUDERDALE, FL 33311

**RE: ULDR Narrative for Weston Jewelers Site Plan
DRC Case No. UDP-SR25001
Site Plan Level IV Review: Rezoning from Residential Multifamily Mid Rise/
Medium High Density (RMM-25) to Community Business (CB) with Allocation of
0.135 of Commercial Acreage with 25,270 Square Foot Retail Use and 14,079 Square
Foot Office Use, and Parking Reduction**

This firm represents the Applicant, FOUR TEN PROPERTIES LLC, owner of 1117 E Las Olas Boulevard and 221 SE 12th Avenue #1-5, Fort Lauderdale, FL 33301, Folio Nos. 504211071020 and 504211070960, (the “Property”). The Property is generally located north of Las Olas Boulevard, south of SE 2nd Court between the Himmarshee Canal on the west and SE 12th Avenue to the east. The Property is currently improved with a 1- and 2-story multifamily residential building and 1- and 2-story commercial building to the south.

Applicant proposes redeveloping the Property with the Weston Jewelers on Las Olas (“Weston Jewelers” or “Project”), a five-story (74’-0” to top of roof) luxury commercial building consisting of 25,270 square feet of retail use and 14,079 square feet of office use. A parking reduction is requested based on the varying peak demand periods of the proposed uses and the availability of public parking in the surrounding area.

The Property is currently zoned Residential Multifamily Mid Rise-Medium High Density (“RMM-25”) and Boulevard Business (“B-1”), with corresponding future land use designations of Residential Medium and Commercial. To accommodate the proposed commercial development, Applicant is requesting to rezone the northern 0.135-acre portion of the Property from RMM-25 to Community Business (“CB”) and allocate 0.135 acres of commercial flex acreage. Additionally, Applicant is requesting a vacation of a right-of-way (alley) and storm drainage easement under Case Nos. UDP-V25008 and UDP-EV25006.

As further detailed in the Project Description, the ground level incorporates thoughtfully designed hardscape pavers and an extended wood deck along the western edge, creating an inviting pedestrian connection through the site. This is supported by clearly defined pedestrian pathways, including a 6-foot-wide clear sidewalk along both E Las Olas Boulevard and SE 12th Avenue, and a 5-foot-wide clear sidewalk along SE 2nd Court. The building is characterized by a predominantly glazed façade, softened by integrated terraces, extended planters, and material accents that reduce visual massing and contribute to a high-quality, pedestrian-oriented streetscape.

Stephanie J. Toothaker, Esq.
land use development political strategy procurement

Stephanie J. Toothaker, Esq., PA 954.648.9376 stephanie@toothaker.org [@stoothaker](#) [@toothakerdevelopment](#)
401 E Las Olas Blvd, Suite 130-154 Fort Lauderdale, FL 33301

Weston Jewelers - UDP-SR25001
ULDR Narrative

The following responses demonstrate the Project's compliance with the applicable Unified Land Development Regulations ("ULDR").

UNIFIED LAND DEVELOPMENT REGULATIONS ANALYSIS

Provided below is a point-by-point analysis the ULDR criteria applicable to the Project:

ULDR Section 47-23.8, Waterway Use;
ULDR Section 47-24.4.D, Rezoning Criteria;
ULDR Section 47-8.G.1.d, Flexibility Criteria;
ULDR Section 47-25.2, Adequacy Requirements; and
ULDR Section 47-25.3, Neighborhood Compatibility Requirements

Sec. 47-23.8. Waterway Use.

- A. Buildings and land uses on parcels abutting waterways in nonresidential districts and in multifamily districts shall be designed to preserve the character of the city and neighborhood in which they are located, harmonize with other development in the area, and protect and enhance the scenic quality and tranquility of the waterways. Special provisions are needed to realize these objectives, which can be stated only in general terms, and at the same time permit a reasonable use of land and depend on details of design of the buildings, appurtenances, yards and landscaping and their relation to the waterway and other uses on the waterway.

RESPONSE: Acknowledged.

- B. For purposes of this Section 47-23.8, "on a waterway" means a development site which abuts a waterway. This section shall not apply to development within the downtown RAC, except for development within the RAC-RPO district, and shall not apply to the central beach area districts. Any proposed nonresidential or multifamily use on a waterway shall require a site plan level III development permit, as provided in Section 47-24, Development Permits and Procedures. The application shall include all elevations visible from the waterfront. A use on a waterway shall, in addition to all other requirements of the ULDR, meet the requirements as follows:

1. A twenty-foot landscaped yard is required adjacent to the existing bulkhead line. The required twenty-foot yard shall not be used or developed for any purpose other than landscaping and the minimum amount of driveways or walkways reasonably necessary to serve permitted nonresidential or multifamily waterfront uses, unless specifically approved by the planning and zoning board. The twenty-foot yard shall not apply to marinas or yacht clubs.

RESPONSE: In alignment with other surrounding existing projects (Case Nos. 26-R-97/Villagio di Las Olas and 13-ZR-97/94-R-07 / Himmarshee Landings), Applicant is requesting a minimum waterway yard of 0 feet from the building to the property line fronting the waterway for Planning & Zoning Board consideration due to the narrowness of the Property.

Weston Jewelers - UDP-SR25001
ULDR Narrative

2. Review of Neighborhood Compatibility, Scale, Bulk and Mass, as provided in Section 47-25.3.A.3.e.i.

RESPONSE: It should be noted that the CB and B-1 zoning districts allow a maximum height of 150 feet. In contrast, the Project is proposed at 74'-0" (to the top of roof) across five stories, down from the originally submitted 90 feet. This reduced scale is consistent with other waterway-adjacent developments in the immediate area which also have reduced waterway yards. For example, Villagio di Las Olas (49'-8" / five stories) and Himmarshee Landing (82'-2" / five stories) establish a mid-rise character along this portion of the waterway and have similarly been approved with waterway yard modifications.

- C. Any property zoned B-2, B-3 or I which abuts a waterway shall be used for a marina, a hotel marina, or a shipyard, where such uses are permitted within the B-2, B-3 or I zoning districts.

RESPONSE: Not applicable.

Sec. 47-24.4.D. – Rezoning Criteria.

1. The zoning district proposed is consistent with the City's Comprehensive Plan.

RESPONSE: The property has a Medium-High Residential future land use designation. Future Land Use Element Policy 1.1.12 permits office and retail uses on properties with a residential future land use designation, subject to the allocation of commercial flexibility acreage supported by Objective FLU 1.2 regarding the utilization of flexibility rules and Policy 1.2.3a regarding permitting area with a residential land use to be used for neighborhood commercial uses. Once commercial flexibility is allocated, the proposed CB zoning district will be consistent with the City's Comprehensive Plan.

2. The changes anticipated by the proposed rezoning will not adversely impact the character of development in or near the area under consideration.

RESPONSE: The rezoning to CB will not adversely impact the character of the surrounding area. The Las Olas Boulevard corridor is generally characterized by commercial uses facing Las Olas Boulevard and parking along SE 2nd Street. The CB zoning district is intended to meet the shopping and service needs of the community. The size and scale of development and allowable uses within the CB district are intended to limit impact on the surrounding residential neighborhoods to be served by the commercial business. The CB district is located on collector and arterial streets, providing for both vehicular and pedestrian traffic.

3. The character of the area proposed is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses.

RESPONSE: The proposed rezoning to CB is compatible with the surrounding districts and uses. Located to the south and east is the Las Olas Boulevard commercial corridor with a 5-story mixed use residential/commercial/office building and 1-story commercial buildings. To the north side of SE 2nd Court are single-family dwellings and a 4-story multifamily residential building. To the west of the Property is the Himmarshee Canal abutting a 5-story mixed use residential/commercial building.

Weston Jewelers - UDP-SR25001
ULDR Narrative

Please refer to Table 1 below for a general comparison of permitted uses in the RMM-25 and CB zoning districts. For a detailed list of uses within the CB zoning district, refer to ULDR Section 47- 6.10., List of Permitted and Conditional Uses, Community Business (CB) District. Refer to Table 2 below for a comparison of dimensional requirements between the RMM-25 and CB zoning district.

Table 1. General Comparison of Permitted Uses

Existing Zoning District (RMM-25)	Proposed Zoning District (CB)
Residential Uses	Automotive
Public Purpose Facilities	Boats, Watercraft and Marinas
Child Daycare Facilities	Commercial Recreation
Nursing Home Facilities	Food and Beverage Service
Accessory Uses, Buildings and Structures	Lodging
Urban Agriculture	Public Purpose Facilities
<i>Conditional Uses</i>	Retail Sales
Community Residents	Services/Office Facilities
Lodging	Accessory Uses, Buildings and Structures
Mixed-Use Development	<i>Conditional Uses</i>
House of Worship	Marina
School	Mixed Use Developments
Social Service Residential Facility	Social Service Residential Facility
Small and Intermediate Child Daycare Facility	Hospital
	Adult Gaming Center
	Nursing Home

Table 2. Comparison of Dimensional Requirements

Requirements	Existing Zoning RMM-25	Proposed Zoning CB
Max. Building Height	55'	150'
Min. Front Yard	25'	5'
Min. Side Yard	5'	0'
When Abutting Residential	None	10'
Min. Rear Yard	15'	0'
When Abutting Residential	None	15'
Corner Yard	25% of lot width, not less than 10', not greater than 25'	5'

Weston Jewelers - UDP-SR25001

ULDR Narrative

Sec.47-8.G.1.d. – Flexibility Criteria.

E. *Allocation of nonresidential flex acreage on residential, employment center, and industrial land use designated parcels.*

1. The city may permit commercial uses on a parcel with a residential land use designation subject to the following conditions:

a. Rezoning of the development site to community business (CB) only, or to exclusive use (X-Use); and

RESPONSE: The RMM-25 portion of the Property is proposed to be rezoned to CB to allow the proposed commercial use.

b. No more than five (5) percent of the total area within the citywide flex zone that is designated residential on the city's plan may be rezoned to CB or X-Use; and

RESPONSE: Per the City's latest published City Unified Flex Allocation Table, there is 515.30-acres of 5% residential to commercial acreage available for allocation. As such, the request to allocate 0.135-acres of commercial flex acreage to the Property is permitted.

c. The parcel proposed for CB or X-Use use shall not be greater than ten (10) contiguous acres;

RESPONSE: The RMM-25 portion of the Property proposed to be rezoned to CB is 0.135-acres and therefore complies.

d. Development applications for mixed use shall meet the provisions of Section 47-18.21, Mixed Use Development; and

RESPONSE: The Project is not considered mixed use development per the City's definition provided in ULDR Section 47-18.21 as no residential component is proposed.

e. Site Plan Level IV development permit approval in accordance with Section 47-24.2, and Rezoning in accordance with Section 47-24.4, Development Permits and Procedures.

RESPONSE: Applicant submitted a Site Plan Level IV development application in accordance with ULDR Sections 47-24.2 and 47-24.4.

Sec. 47-25.2. - Adequacy requirements.

- A. *Applicability.* The adequacy requirements set forth herein shall be used by the city to evaluate the demand created on public services and facilities created by a proposed development permit.

RESPONSE: Acknowledged.

- B. *Communications network.* Buildings and structures shall not interfere with the city's communication network. Developments shall be modified to accommodate the needs of the city's communication network, to eliminate any interference a development would create or otherwise accommodate the needs of the city's communication network within the development proposal.

RESPONSE: The Project is not expected to interfere with the City's communications network.

- C. *Drainage facilities.* Adequacy of stormwater management facilities shall be evaluated based upon the adopted level of service requiring the retention of the first inch of runoff from the entire site or two and one-half (2½) inches of runoff from the impervious surface whichever is greater.

RESPONSE: The Project will receive a stormwater management permit from Broward County prior to commencing construction of the Project.

D. *Environmentally sensitive lands.*

1. In addition to a finding of adequacy, a development shall be reviewed pursuant to applicable federal, state, regional and local environmental regulations. Specifically, an application for development shall be reviewed in accordance with the following Broward County Ordinances which address environmentally sensitive lands and wellfield protection which ordinances are incorporated herein by reference:

- a. Broward County Ordinance No. 89-6.
 - b. Section 5-198(I), Chapter 5, Article IX of the Broward County Code of Ordinances.
 - c. Broward County Ordinance No. 84-60.
2. The applicant must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.

RESPONSE: The Project is not expected to impact any environmentally sensitive lands.

- E. *Fire protection.* Fire protection service shall be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities shall be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.

RESPONSE: Acknowledged, the Project will comply with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.

F. *Parks and open space.*

1. The manner and amount of providing park and open space is as provided in Section 47-38A, Park Impact Fees, of the ULDR.
2. No building permit shall be issued until the park impact fee required by Section 47-38A of the ULDR has been paid in full by the applicant.

RESPONSE: N/A, the Project is not a residential development.

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- G. *Police protection.* Police protection service shall be adequate to protect people and property in the proposed development. The development shall provide improvements which are consistent with Crime Prevention Through Environmental Design (CPTED) to minimize the risk to public safety and assure adequate police protection.

RESPONSE: Applicant's design incorporates CPTED principles to minimize risk to public safety and assure adequate police protection.

H. *Potable water.*

1. Adequate potable water service shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.
2. *Potable water facilities.*
 - a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
 - b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.
 - c. Where the county is the projected service provider, a similar written assurance will be required.

RESPONSE: Refer to Water and Sewer Capacity Availability Determination dated September 22, 2025 confirming the existing water and sewer infrastructure have the capacity to support the proposed development and no improvements are needed.

I. *Sanitary sewer.*

1. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from the design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
2. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the proposed development.
3. Where the county is the projected service provider, a written assurance will be required.
4. Where septic tanks will be utilized, the applicant shall secure and submit to the city a certificate from the Broward County Health Unit that certifies that the site is or can be made suitable for an on-site sewage disposal system for the proposed use.

RESPONSE: Refer to Water and Sewer Capacity Availability Determination dated September 22, 2025 confirming the existing water and sewer infrastructure have the capacity to support the proposed development and no improvements are needed.

- J. *Schools.* For all development including residential units, the applicant shall be required to mitigate the impact of such development on public school facilities in accordance with the Broward County Land Development Code or section 47-38C. Educational Mitigation, as applicable and shall provide documentation to the city that such education mitigation requirement has been satisfied.

RESPONSE: Rezoning application. The Applicant will comply at time of Site Plan approval as applicable.

- K. *Solid waste.*

1. Adequate solid waste collection facilities and service shall be obtained by the applicant in connection with the proposed development and evidence shall be provided to the city demonstrating that all solid waste will be disposed of in a manner that complies with all governmental requirements.
2. *Solid waste facilities.* Where the city provides solid waste collection service and adequate service can be provided, an adequacy finding shall be issued. Where there is another service provider, a written assurance will be required. The impacts of the proposed development will be determined based on Table 4, Solid Waste, on file with the department.

RESPONSE: Acknowledged.

- L. *Stormwater.* Adequate stormwater facilities and systems shall be provided so that the removal of stormwater will not adversely affect adjacent streets and properties or the public stormwater facilities and systems in accordance with the Florida Building Code, city engineering standards and other accepted applicable engineering standards.

RESPONSE: Stormwater will be retained on site in accordance with the Broward County Department of Environmental Regulations criteria.

- M. *Transportation facilities.*

1. The capacity for transportation facilities shall be evaluated based on Table 1, Generalized Daily Level of Service Maximum Volumes, on file with the department. If a development is within a compact deferral area, the available traffic capacity shall be determined in accordance with Table 2, Flowchart, on file with the department.
2. *Regional transportation network.* The regional transportation network shall have the adequate capacity, and safe and efficient traffic circulation to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the adopted traffic elements of the city and the county comprehensive plans, and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is needed in order to evaluate the impacts of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit such a study to the city which will be considered by the DRC in its review. Roadway improvements needed to upgrade the regional transportation network shall be made in accordance with the city, the county, and Florida Department of Transportation traffic engineering standards and plans as applicable.
3. *Local streets.* Local streets shall have adequate capacity, safe and efficient traffic circulation, and appropriate functional classification to serve the proposed development. Adequate

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capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the city's comprehensive plan and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is required in order to evaluate the impact of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit to the city such a study to be considered as part of the DRC review. Street improvements needed to upgrade the capacity or comply with the functional classification of local streets shall be made in accordance with the city engineering standards and acceptable applicable traffic engineering standards. Local streets are those streets that are not classified as federal, state or county roadways on the functional classification map adopted by the State of Florida.

4. *Traffic impact studies.*

- a. When the proposed development may generate over one thousand (1,000) daily trips; or
- b. When the daily trip generation is less than one thousand (1,000) trips; and (1) when more than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half ($\frac{1}{2}$) hour; or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half ($\frac{1}{2}$) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in trafficways impact analysis which shall:
 - i. Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.
 - ii. Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing and programmed trafficways.
 - iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local trafficways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.
 - iv. A further detailed analysis and any other information that the review committee considers relevant.
 - v. The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study supports its conclusions. The cost of review by city's consultant shall be reimbursed to the city by the applicant.
 - vi. When this subsection M.4.b. applies, the traffic study shall include an analysis of how the peak loading will affect the transportation system including, if necessary, an operational plan showing how the peak trips will be controlled and managed.

RESPONSE: Refer to Traffic Statement dated February 27, 2026. The Project is expected to produce less than 1,000 net new vehicle trips as shown in Tables 1 and 2.

5. *Dedication of rights-of-way.* Property shall be conveyed to the public by plat, deed or grant of easement as needed in accordance with the Broward County Trafficways Plan, the city's comprehensive plan, subdivision regulations and accepted applicable traffic engineering standards.

RESPONSE: Acknowledged. Applicant will coordinate with the City on any required dedications of rights-of-way by easement.

6. *Pedestrian facilities.* Sidewalks, pedestrian crossing and other pedestrian facilities shall be provided to encourage safe and adequate pedestrian movement on-site and along roadways to adjacent properties. Transit service facilities shall be provided for as required by the city and Broward County Transit. Pedestrian facilities shall be designed and installed in accordance with city engineering standards and accepted applicable engineering standards.

RESPONSE: N/A to rezoning application.

7. *Primary arterial street frontage.* Where a proposed development abuts a primary arterial street either existing or proposed in the trafficways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

RESPONSE: The Project includes sidewalks along all street frontages.

8. *Other roadway improvements.* Roadways adjustments, traffic control devices, mechanisms, and access restrictions may be required to control traffic flow or divert traffic, as needed to reduce or eliminate development generated traffic.

RESPONSE: N/A

9. *Street trees.* In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements, except in the downtown RAC districts the requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development's compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.

RESPONSE: Project complies. Refer to Landscaping Plans.

N. *Wastewater.*

1. *Wastewater.* Adequate wastewater services shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which wastewater treatment or disposal capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.

RESPONSE: Refer to Water and Sewer Capacity Availability Determination dated September 22, 2025 confirming the existing water and sewer infrastructure have the capacity to support the proposed development and no improvements are needed.

- O. *Trash management requirements.* A trash management plan shall be required in connection with non-residential uses that provide prepackaged food or beverages for off-site consumption. Existing non-residential uses of this type shall adopt a trash management plan within six (6) months of the effective date of this provision.

RESPONSE: Acknowledged and will comply.

- P. *Historic and archaeological resources.*

1. If a structure or site has been identified as having archaeological or historical significance by any entity within the State of Florida authorized by law to do same, the applicant shall be responsible for requesting this information from the state, county, local governmental or other entity with jurisdiction over historic or archaeological matters and submitting this information to the city at the time of, and together with, a development permit application. The reviewing entity shall include this information in its comments.

RESPONSE: No structures have been identified on the Property as having archaeological or historical significance by the City of Fort Lauderdale, Broward County, or State of Florida.

- Q. *Hurricane evacuation.* If a structure or site is located east of the Intracoastal Waterway, the applicant shall submit documentation from Broward County or such agency with jurisdiction over hurricane evacuation analysis either indicating that acceptable level of service of hurricane evacuation routes and hurricane emergency shelter capacity shall be maintained without impairment resulting from a proposed development or describing actions or development modifications necessary to be implemented in order to maintain level of service and capacity.

RESPONSE: N/A, the Property is not located east of the Intracoastal Waterway.

Sec. 47-25.3. Neighborhood Compatibility Requirements.

- A. The neighborhood compatibility requirements are as follows:

1. *Adequacy requirements.* See Sec. 47-25.2.

RESPONSE: Refer to point-by-point narrative addressing the adequacy requirements.

2. *Smoke, odor, emissions of particulate matter and noise.*

- a. Documentation from the Broward County Department of Natural Resource Protection (DNRP) or a report by a certified engineer, licensed in the State of Florida, that the proposed development will not exceed the maximum levels of smoke, odor, emissions of particulate matter and noise as regulated by Chapter 27, Pollution Control, of the Code of Broward County, and that a DNRP permit for such facility is not required.
- b. Where a DNRP license is required in accordance with Chapter 27, Pollution Control, of the Code of Broward County, all supporting documentation and information to obtain such permit shall be submitted to the DRC as part of a site plan review.
- c. Such DNRP licenses shall be required to be issued and copies provided to the city prior to the issuance of a building permit for the proposed development.

RESPONSE: To the extent any Environmental Protection and Growth Management (formerly known as DNRP) permits are needed, Applicant will apply and obtain such permits.

3. *Design and performance standards.*

- a. *Lighting.* No lighting shall be directed from a use which is subject to the requirements of this Sec. 47-25.3 in a manner which illuminates abutting residential property and no source of incandescent or mercury vapor illumination shall be directly visible from any abutting residential property. No neon lights inside or outside structures shall be visible from any abutting residential property.
 - i. Glare. Any nonresidential operation or activity producing glare shall be conducted so that direct or indirect illumination of light shall not cause illumination in excess of one (1) footcandle on any abutting residential property except as provided in subsection iii. of this subsection a.
 - ii. Control of effects of lights from automobiles or other sources. Where the site plan indicates potential adverse effects of parking or of other sources on the lot on which the nonresidential use is to be located, such effects shall be eliminated or at a minimum prevented so that lights do not illuminate adjacent residential property below a height of five (5) feet at the residential lot line, or from shining into any residential window if there is to be nonresidential parking on the premises after dark.
 - iii. In addition to the above, parking lots and garages will be subject to the provisions of Sections 47-20.14 and if in conflict with the provisions of this section, the more restrictive provisions shall apply.

RESPONSE: N/A, the Project does not abut residential properties.

- b. *Control of appearance.* The following design standards are provided to protect the character of abutting residential areas from the visual impact which may result from a use which is subject to the requirements of this Sec. 47-25.3.
 - i. *Architectural features.* The facade of any side of a nonresidential building facing the residential property shall be constructed to compliment a residential structure and shall include the following:
 - a) Fenestration such as windows, doors and openings in the building wall; and
 - b) Shall contain a minimum of one (1) feature from each of the following architectural feature groups with a total of four (4) architectural features from the following list:
 1. Detail and embellishments:
 - a. Balconies,
 - b. Color and material banding,
 - c. Decorative metal grates over windows,
 - d. Uniform cornice heights,
 - e. Awnings.
 2. Form and mass:
 - a. Building mass changes including projection and recession,

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b. Multiple types and angles of roofline, or any combination thereof.

c) The above required facade treatment shall be required to continue around the corner onto the adjoining wall for a distance of twenty (20) feet.

RESPONSE: N/A, the Project does not abut residential properties.

ii. *Loading facilities.* Loading and service facilities shall be screened so as not to be visible from abutting residential uses or vacant residential zoned property.

RESPONSE: N/A, the Project does not abut residential properties.

iii. *Screening of rooftop mechanical equipment.* All rooftop mechanical equipment, stair and elevator towers shall be designed as an integral part of the building volume and shall be required to be screened with material that matches the material used for the principal structure and shall be at least as high as six (6) inches above the top most surface of the roof mounted structure.

RESPONSE: N/A, the Project does not abut residential properties.

c. *Setback regulations.* When a nonresidential use which is subject to the requirements of this Sec. 47-25.3 is contiguous to any residential property, there shall be an additional setback required for any yard of that use which is contiguous to the residential property, as follows:

i. When any side of a structure greater in height than forty (40) feet is contiguous to residential property, that portion of the structure shall be set back one (1) foot for each one (1) foot of building height over forty (40) feet up to a maximum width equal to one-half (½) the height of the building, in addition to the required setback, as provided in the district in which the proposed nonresidential use is located.

RESPONSE: N/A, the Project does not abut residential properties.

d. *Bufferyard requirements.* Excluding parks, open space and conservation areas, when a use which is subject to the requirements of this Sec. 47-25.3 is contiguous to any residential property, the property where the use is located shall be required to have a landscaped strip area and a physical barrier between it and the residential property. Such landscape strip shall meet the following requirements:

i. *Landscape strip requirements.* A ten (10) foot landscape strip shall be required to be located along all property lines which are adjacent to residential property. Such landscape strip shall include trees, shrubs and ground cover as provided in the landscape provisions of Section 47-21, Landscape and Tree Preservation Requirements. The width of the landscape area shall extend to the property line. All required landscaping shall be protected from vehicular encroachment. When walls are required on nonresidential property abutting an alley, required shrubbery shall be installed and located within the landscape area on the exterior of the wall.

RESPONSE: N/A, the Project is not contiguous to residential property as defined in the ULDR.

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- ii. *Parking restrictions.* No parking shall be located within twelve (12) feet of the property line, within the yard area required by the district in which the proposed nonresidential use is located, when such yard is contiguous to residential property.

RESPONSE: N/A, the Project is not contiguous to residential property as defined in the ULDR.

- iii. *Dumpster regulations.* All solid waste refuse containers (dumpsters) shall be set back a minimum of twelve (12) feet from any property line which is contiguous to residential property, and shall be screened in accordance with the Dumpster requirements, as provided in Section 47-19, Accessory Uses, Buildings and Structures.

RESPONSE: Acknowledged.

- iv. *Wall requirements.* A wall shall be required on the nonresidential property, a minimum of five (5) feet in height, constructed in accordance with Section 47-19.5 and subject to the following:

- a) Decorative features shall be incorporated on the residential side of such wall according to the requirements of Section 47-19.5,
- b) Shall be located within, and along the length of the property line which abuts the residential property,
- c) When the nonresidential property is located adjacent to an alley such wall shall be located at least five (5) feet from the right-of-way line located closest to the nonresidential property,
- d) When a utility, or other public purpose easement, on the nonresidential property precludes the construction of a wall, then an opaque fence, constructed in accordance with the standards described in Section 47-19.5, may be erected in lieu of the wall required by subsection iv. above. The use of an opaque fence as a physical barrier between nonresidential and residential property shall be reviewed and recommended by the city engineer.

RESPONSE: N/A, the Project is not contiguous to residential property as defined in the ULDR.

- v. *Application to existing uses.* [intentionally omitted]

- e. *Neighborhood compatibility and preservation.* In addition to the review requirements provided in subsections A.1, A.2 and A.3.a, b, c, and d, the following review criteria shall also apply as provided below:

- i. All developments subject to this Sec. 47-25.3 shall comply with the following:
 - a) Development will be compatible with, and preserve the character and integrity of adjacent neighborhoods, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent

neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.

RESPONSE: The Project is a mix of commercial retail and restaurant uses with a private family office. The Las Olas Boulevard corridor is generally characterized by commercial uses fronting Las Olas Boulevard, and a mix of commercial/residential/parking uses facing the streets behind Las Olas Boulevard (SE 2nd Court to the north and SE 4th Street to the south). The Project's mix of uses are therefore consistent with this pattern of development and surrounding area.

- b) Consideration shall be given to the recommendations of the adopted neighborhood master plan in which the proposed development is to be located, or which it abuts, although such neighborhood master plan shall not be considered to have the force and effect of law. When recommended improvements for the mitigation of impacts to any neighborhood, conflicts with any applicable ULDR provision, then the provisions of the ULDR shall prevail. In order to ensure that a development will be compatible with, and preserve the character and integrity of adjacent neighborhoods, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.

RESPONSE: N/A, the surrounding neighborhood does not have an adopted master plan.

- ii. Reserved.
- iii. Reserved.
- iv. All development that is located on land within the CBA zoning districts;

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AND

All development that is zoned RMM-25, RMH-25 and RMH-60 east of the Intracoastal Waterway;

AND

All nonresidential development lying east of the Intracoastal Waterway.

[Intentionally omitted]

Respectfully submitted,

Stephanie J. Toothaker, Esq.