

**Justification for Variance to Article III Section 8 of the City Code of Ordinances
For
Proposed Development of 64 Units at 2000 Ocean Blvd. Property**

This request for a variance is submitted in conjunction with the pending application of B and H Fort Lauderdale Beach LLC (“Applicant”) for Major Development Approval of a 64 unit residential condominium on the property legally described on Exhibit A (the “Condominium”). Article III Section 8 essentially prohibits construction seaward of the Coastal Construction Control Line (“CCCL”) established by the Florida Department of Environmental Protection (“FDEP”), unless certain criteria and conditions are met. A portion of the Condominium is to be constructed seaward of the CCCL. Attached hereto as Exhibit B is a copy of the Application for a CCCL Permit filed with the FDEP to permit the Condominium.

Pursuant to Section 8-74 of the City Code of Ordinances, the following criteria and conditions must be met for a variance to be granted:

Section 8-74 (9) Conditions for variances are as follows:

- a. *Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.*
- b. *Variances shall only be issued upon a:*
 1. *Showing of good and sufficient cause;*
 2. *Determination that failure to grant the variance would result in exceptional hardship to the applicant; and*
 3. *Determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense; create nuisances; cause fraud on or victimization of the public; or conflict with existing local laws or ordinances.*

In addition to the foregoing “*conditions for variances*”, Section 8-74 provides, in pertinent part:

- (6) *In passing upon such applications, the city commission or city manager, as applicable, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this article, and the:*
 - a. *Danger that materials may be swept onto other lands to the injury of others;*
 - b. *Danger to life and property due to flooding or erosion damage;*
 - c. *Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;*
 - d. *Importance of the services provided by the proposed facility to the city;*

- e. *Necessity to the facility of a waterfront location, where applicable;*
- f. *Availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;*
- g. *Compatibility of the proposed use with existing and anticipated development;*
- h. *Relationship of the proposed use to the comprehensive plan and floodplain management program for that area;*
- i. *Safety of access to the property in times of flood for ordinary and emergency vehicles;*
- j. *Expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and*
- k. *Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical, and water systems, and streets and bridges.*

Applicant offers the following justification in support of the granting of a variance from Article III, Section 8 of the City Code of Ordinances to permit development of portions of the Project seaward of the CCCL, as set forth on the pending application for Major Development Approval and the attached FDEP application for a CCCL permit:

- (1) The project will be constructed in compliance with Florida Building Code (“FBC”) Section 1612 and ASCE 24-05 by reference, which requires the following:
 - The lowest horizontal member of the lowest floor be located at or above +1.0 foot above the FEMA established BFE. Lowest floor does not include an unfinished or flood-resistant enclosure used solely for parking, building access, or storage.
 - Foundation systems shall be free of obstructions and attachments that will transfer flood forces to the structural system or that will restrict or eliminate free passage of high velocity flood waters and waves during design flood conditions. (Compliance with FEMA Free-of-Obstruction Requirements).
 - As required by ASCE 24-05 Section 4.2, the design shall also account for the following:
 - Waves breaking against the side or underside of the structure;
 - Drag, inertia, and other wave-induced forces acting on structural members supporting elevated structures;
 - Uplift forces from breaking waves striking the undersides of structures;
 - Wave run-up forces including those deflected by the structure; and
 - Erosion and scour.

(2) The structure will be built in compliance with FBC Section 3109 – Structures Seaward of the Coastal Construction Control Line, which requires:

- Foundations to be located below the DEP published design grade or be designed to withstand the associated forces, as determined by a site specific engineering analysis.
- Breakaway walls below the DEP published wave crest elevation. Alternately, a 100-year storm analysis may be conducted to determine the site specific wave crest elevation. The site specific 100-year storm analysis wave crest elevation would be provided to the DEP for their review/approval, relative to wave crest determination.
- Shearwalls will not be greater than 20% unless a hydraulic flow analysis can demonstrate that although the overall shearwall coverage is more than 20 percent, the increased shearwall length will not result in substantial increase of flow velocities and drag forces on the structural components of the proposed structure and neighboring structures.
- The building will be designed and built to withstand the affects of the design storm event and therefore will not be a threat to public safety. Coastal Systems completed a 100-year storm impact analysis, which states that the proposed development:

Consistent with other structures in the Project area, the structures proposed above grade are set back 20 feet from the north and south property lines. Additionally, FBC-compliant structural design will be implemented to prevent a substantial increase of flow velocities and drag forces on the structural components of the proposed structures and neighboring structures. Consistent with subsection 62B-33.005((4)(e), F.A.C., the construction is not anticipated to cause an increase in structure-induced scour of such magnitude during a storm that the structure-induced scour would result in a significant adverse impact. The proposed Project is not anticipated to result in a significant adverse impact to the beach-dune system.

- Habitable spaces will be located above the DEP published wave crest elevation.
- Stairwells and elevator shafts will be contained within shearwalls to prevent damage and allow for ingress/egress after a storm event.

(3) The project site contains an existing seawall, which is connected to seawalls on both the north and south site. This seawall provides a level of protection during storm events and will be maintained by ownership to prevent damage or excess erosion to the upland property.

(4) Failure to grant the variance would result in exceptional hardship to the Applicant in that:

- The developable area will be reduced by approximately 1/3 of the land area owned by the Applicant and limit the development potential of

the site (this likewise would affect the overall value of the project at completion and reduce the amount of revenue generated to the City from ad valorem taxes attributable to the project);

- The application of this code would be more restrictive than FEMA regulations, Florida Building Code, and FDEP regulations (see Response to No. 1, above, relative to compliance with existing code); and
- The limitation of construction to the CCCL would be inconsistent with existing structures in the area as reflected on the line of construction survey prepared by Calvin Giordano, a copy of which is included in Exhibit B.

In conclusion, the City's flood damage prevention ordinance is based, for the most part, on 44 C.F.R. part 60, subpart A, which "sets forth the criteria developed in accordance with the [statutes authorizing the National Flood Insurance Program] by which [FEMA] will determine the adequacy of a community's flood plain management regulations." 44 C.F.R. § 60.1(b). However, the particular provision of the City's Flood Damage Prevention ordinance that this variance request seeks relief from does not have its origin in FEMA regulations. The provision is based on the Florida Statutes mandating the Department of Environmental Protection (formerly the Department of Natural Resources) to establish the coastal construction control lines along the oceanfront areas of the state, in other words, the coastal construction control line. § 161.053(1)(a), Fla. Stat. Section 8-75(b)(3)a. Therefore, the variance being applied for does not seek to provide a lesser standard of performance than would otherwise be required by the FEMA standards.

The project proposes to limit increase to flow velocities and to limit increased erosion. Most importantly, the structure is designed to comply with applicable FEMA flood requirements as well as the FBC hurricane codes which will prevent failure of the structure and limit damage to the adjacent properties and public resources. The proposed design seaward of the CCCL will allow similar design and uses to other structures in the area relative to seaward structure location, overall footprint, and use. The location of the proposed structure with the tower portion of the Condominium as far seaward as possible was designed to create the least visual impact possible on adjacent existing residences. Based upon the foregoing, we respectfully request that the City Commission approve a variance from Article III Section 8 to permit construction of a portion of the Condominium seaward of the CCCL.

Exhibit B



COASTAL SYSTEMS INTERNATIONAL, INC.
464 South Dixie Highway • Coral Gables, Florida 33146
Tel: 305-661-3655 • Fax: 305-661-1914
www.coastalsystemsint.com

324300

August 23, 2013

Mr. Fritz Wettstein, Environmental Consultant
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
Coastal Construction Control Line Program
Division of Water Resource Management
3900 Commonwealth Boulevard
Tallahassee, Florida 32399

RE: DEPARTMENT OF ENVIRONMENTAL PROTECTION – DIVISION OF WATER RESOURCE MANAGEMENT (FDEP) COASTAL CONSTRUCTION CONTROL LINE (CCCL) PERMIT APPLICATION FOR THE REGENCY HOUSE DEVELOPMENT PROJECT, CITY OF HALLANDALE BEACH (CITY), BROWARD COUNTY, FLORIDA – CNS-BO-0230

Dear Mr. Wettstein:

On behalf of B & H Fort Lauderdale Beach, LLC, this is to submit a FDEP Coastal Construction Control Line (CCCL) permit application for the Regency House Development project (Project) located at 2000 S. Ocean Drive, Hallandale Beach. This is to formally request a 5-year permit (refer to the anticipated construction schedule submitted). To facilitate processing of this permit application, the following are enclosed:

1. Two (2) executed FDEP CCCL permit applications.
2. A copy of the recorded warranty deed.
3. A description of the proposed work.
4. A proposed construction schedule. *Please note that this is to formally request that the CCCL permit be issued as a 5-year permit.*
5. Two (2) copies of the architectural site plan and cross-section (Sheets DEP100 - DEP103) by Kobi Karp Architecture and Interior Design dated July 22, 2013.
6. One (1) signed and sealed site survey by Calvin Giordano & Associates, field date May 17, 2013. *An additional signed and sealed copy of the survey was submitted as part of the Consultation file (CNS-BO-0230), which we request be made a part of this application package.*
7. A draft Permit Fee Worksheet with an estimated permit application fee of \$12,900.00, based on one at grade pool, one major habitable structure with 64 units, and multiple minor structures (pool deck, stairs, ramp, etc). *Please confirm if the application fee as shown within the attached Worksheet is correct for check issuance by ownership.*

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Mr. Fritz Wettstein
August 23, 2013
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Notes:

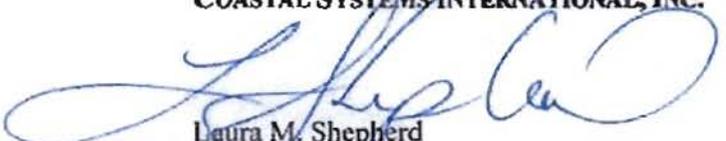
1. Permit Application Item 14 (Page 2) - The Project does not include stormwater discharge onto, over, under or across the beach and dune system. As such, we request a waiver from item 20.
2. Permit Application Item 20 (Page 2) - The Project also does not propose a rigid coastal structure. As such, we request a waiver from item 20.

As previously noted within the Pre-Application Consultation Meeting Minutes, it is our understanding that the 30-year Erosion Projection (30-YEP) is calculated using a distance of 30-feet from the MHWL to the SHWL. It is our understanding that the nourishment expiration date is 2026; therefore, there are 17 non-credited years. Pursuant to a recent confirmation from Tony McNeal for BO-675, it is our understanding that the erosion rate for this area is 1 foot per year (at R-Monument R-124, R-125, and R-126). Coastal Systems, with the assistance of the FDEP, has calculated a 30-YEP of 47 feet landward of the ECL [30 ft + (17 years * 1 ft/year) = 47 feet]. As such, the pool has been relocated 47 feet landward of the Erosion Control Line.

Additionally, the major non-habitable (pool) and major habitable (tower) structures are proposed landward of the LOC, as shown within the previously submitted LOC exhibit (copy attached). Specifically, the proposed pool is located 47 feet landward of the ECL while the LOC of major non-habitable structures is 21 feet landward of the ECL onsite. The tower is proposed 84 feet 5 ½ inches landward of the ECL, which is in compliance with the LOC for major-habitable structures located 63 feet landward of the ECL onsite. As such, this is to confirm based on our Pre-Application meeting that the proposed project is in compliance with the LOC established within the LOC exhibit.

We respectfully request the FDEP begin review of the CCCL permit application for the Project. Additional information will be submitted shortly. Thank you for your assistance. Should you have any questions or require additional information, please do not hesitate to contact me at (305) 669-6233 or via e-mail at lshepherd@coastalsystemsint.com.

Sincerely,
COASTAL SYSTEMS INTERNATIONAL, INC.



Laura M. Shepherd
Environmental/Permitting Department Head

Enclosures

LMS:cv

File, CJB, LDW, LMS
F:\Project\324300\Permitting\FDEP(13-08-22) Initial Application Submittal(13-08-21) LTR Fritz Wettstein - submittal.docx



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The Regency, Hallandale Beach
Estimated Construction Schedule
Thursday, August 22, 2013

	Months
Municipal Permitting	4
Mobilization / Demolition	1
Foundations	6
Superstructures	24
Interiors	12
Landscape/Hardscape	3
Punch List	1
Inspections	1
Final Punch Out	1
Completion / Construction Timeframe	53



Florida Department of Environmental Protection (DEP)
 Division of Water Resource Management
 Bureau of Beaches and Coastal Systems
 3900 Commonwealth Boulevard, Mail Station 300
 Tallahassee, Florida 32399-3000
 (850) 488-7708

PERMIT FEE WORKSHEET

INSTRUCTIONS: Each application for a new permit or for a change in permit status pursuant to Section 161.053, Florida Statutes (F.S.), or applications pursuant to Rule 62B-33.013, Florida Administrative Code (F.A.C.), to be considered by the Department (DEP) shall be accompanied by a fee. An application will not be considered complete until the required fee has been received by DEP. The total amount due is the sum of the fees assessed for each structure or activity. Please utilize this worksheet to calculate the fee required pursuant to Rule 62B-33.0085, F.A.C. Copies of Chapter 161, F.S., and Chapter 62B-33, F.A.C., as well as assistance from DEP staff are available by calling (850) 488-7708.

	FACTOR		FEE \$	TOTAL \$
MAJOR STRUCTURES				
1. Single Family Dwelling with a roof footprint less than or equal to 2400 ft. ² Total Roof Footprint = _____ ft. ²		X	2,000	
	No. of Structures			
2. Single Family Dwelling with a roof footprint greater than 2400 ft. ²		X	4,000	
	No. of Structures			
3. Non-Habitable Major Structure (At Grade Pool) (e.g., roads, bridges, storm water outfalls, cabanas, garages, swimming pools)	1	X	1,000	1,000
	No. of Structures			
4. Multi-Family Dwelling (e.g., hotels, apartment buildings) PLUS \$100 for each dwelling unit in the structure:	1	X	5,000	5,000
	No. of Structures			
	64	X	100	6,400
	No. of Units			
5. Other Major Habitable Structures (e.g., commercial or public buildings, restaurants, towers)		X	3,000	
	No. of Structures			
MINOR STRUCTURES AND ACTIVITIES				
6. A Single Minor Structure			300	
7. Multiple Minor Structures			500	500
8. One or More Minor Activities (e.g., dune construction/enhancement, placement of fill, and debris removal)			300	
ADDITIONS TO EXISTING HABITABLE STRUCTURES				
9. Addition(s) to a Single Family Dwelling			1,000	
10. Additions to a Multi-Family Dwelling: First Unit PLUS \$100 for each additional unit		X	2,500	
	No. of Units		100	
REVISIONS OR MODIFICATIONS OF APPROVED PERMITS				
11. Modification which includes revisions to a permitted minor structure or activity			150	
12. Modification to a permit for a minor structure or activity which adds a new minor structure or activity (the amount indicated in items #6, 7, or 8 above, or \$500, whichever is greater)				
13. Modification which includes revisions to a permitted major structure or dwelling unit			500	
14. Modification to a permit for a major structure(s) which adds a new major structure or dwelling unit(s). (the amount indicated in items #1 - 10 above, or \$500, whichever is greater)				
OTHER CONSTRUCTION, STRUCTURES, AND ACTIVITIES				
15. Other Activities (e.g., minor reconstruction of coastal protection structures, repairs to major structures, excavation, and large landscaping projects)			500	
16. Rigid Coastal Structure: First 100 feet of length PLUS \$500 for each additional 50 feet of length (includes return walls)		X	3,000	
	No. of 50' Units		500	
TOTAL FEE DUE				12,900

*The fee for minor activities is waived when the activities are in conjunction with a permit for a structure.

REFUNDS: A fee payment submitted in excess of the amount required or for an activity which is exempt from the provisions of Rule 62B-33.0085, F.A.C., shall be refunded to the applicant. A fee submitted to DEP shall not be refunded if the application is withdrawn, denied, or if separate applications to other agencies or local government are denied.

PERMIT FEE EXEMPTIONS: No fees are assessed for:

- Emergency permit applications pursuant to Rule 62B-33.014, F.A.C.,
- Applications filed by agencies of government of the executive branch of the State of Florida,
- Applications for permits pursuant to Section 161.052, F.S., for work to be conducted in counties where no Coastal Construction Control Line has been established pursuant to Section 161.053, F.S.
- Permit transfers, or
- Field permits.

Field permits for certain minor structures and activities including dune walkovers and decks meeting DEP standards and specifications are available at no cost from DEP field representatives. Please contact the appropriate field representative (see below) for specific information about which activities may be authorized by a field permit.

Field Representative	Coastal Counties Served	Contact Information
Reginald Bradley	Escambia, Okaloosa, Santa Rosa, and Walton	The dispatch number is 1-877-314-1329 for all field representatives Please call and leave a message for the representative you wish to contact
Lori Ortega	Bay, Franklin, Gulf, and Wakulla	
Steve West	Manatee, Pinellas, and Sarasota	
Jennifer Cowart	Charlotte, Collier, and Lee	
Trey Hatch	Duval, Flagler, Nassau, and St. Johns	
John McDowell	Brevard, Indian River, and Volusia	
Mark Taynton	Martin, St. Lucie, and Palm Beach	
Wesley Cich	Broward, Dade and Monroe	

MAILING ADDRESS:

Please send the fee payment along with a completed application form (DEP form 73-100) to:
 Department of Environmental Protection
 Bureau of Beaches and Coastal Systems
 3900 Commonwealth Boulevard, Mail Station 300
 Tallahassee, Florida 32399-3000

If the fee is not submitted with the application form, please include with the payment the following information:

- Permit number (if known)
- County
- Applicant name
- Telephone number



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324300

August 21, 2013

MEETING MINUTES

Re: DEPARTMENT OF ENVIRONMENTAL PROTECTION – DIVISION OF WATER RESOURCE MANAGEMENT (FDEP) COASTAL CONSTRUCTION CONTROL LINE (CCCL) PRE-APPLICATION CONSULTATION FOR THE PROPOSED 2000 OCEAN DRIVE PROJECT, CITY OF HALLANDALE BEACH, BROWARD COUNTY, FLORIDA – CNS-BO-0230

Date: August 16, 2013

Time: 1:30 PM

LOCATION: Division of Water Resource Management
2600 Blair Stone Road, Tallahassee, FL

PARTICIPANTS:	<u>NAME</u>	<u>COMPANY</u>
	Mr. Tony McNeal	FDEP
	Mr. Fritz Wettstein	FDEP
	Ms. Laura Shepherd	Coastal Systems International, Inc.

PURPOSE: Review conceptual design plans and obtain DEP feedback relative to the proposed siting as it pertains to Line of Construction and the 30-year Erosion Projection (30-YEP) for the Regency at 2000 S Ocean Drive (Project), located in the City of Hallandale Beach.

I. Discussions:

Ms. Shepherd provided the FDEP with a brief overview of the proposed Project. Specifically, Ms. Shepherd reviewed the schematic site plan, renderings, survey, and line of construction exhibit submitted as part of the consultation file. She stated that the project proposes a 30-story tower, pool, and pool deck seaward of the CCCL. She also noted that the development does not include a below grade parking pedestal; that parking is proposed landward of the Tower in an open parking pedestal with amenity deck.

30-year Erosion Projection (30-YEP): Ms. Shepherd reviewed Coastal Systems' preliminary 30-YEP calculations for DEP input relative to confirmation of acceptance. Specifically, Ms

Shepherd stated that Coastal Systems' calculated the 30-YEP by using the shortest distance from the MHWL to SHWL, which is 24 feet. As it is Coastal Systems' understanding that the nourishment expiration date is 2026; therefore Coastal Systems' assumed 17 non-credited years. Pursuant to a recent confirmation from Tony McNeal for BO-675, coastal Systems' also assumed that the erosion rate for this area is 1 foot per year (at R-Monument R-124, R-125, and R-126). As such Coastal Systems' calculated a 30-YEP as 41 feet landward of the Erosion Control Line (ECL) [24 ft + (17 years * 1 ft/year) = 41 feet].

However, Mr. McNeal noted that. Within this area, the FDEP is using a standard MHWL to SHWL distance of 30-feet. As such, the 30-YEP for the area is calculated as 47 feet landward of the ECL [30 ft + (17 years * 1 ft/year) = 47 feet].

Line of Construction (LOC): Ms. Shepherd also asked for DEP input relative to the line of construction. A LOC exhibit prepared by Coastal Systems was presented. The exhibit overlaid the proposed site development onto the LOC survey and presented both a Pool LOC and a Major habitable LOC. Ms. Shepherd noted that the major non-habitable (pool) and major habitable (tower) structures are proposed landward of the LOC, as shown within the exhibit. Specifically, the proposed pool is shown located 41 feet landward of the ECL while the pool LOC is 21 feet landward of the ECL onsite. The tower is proposed 84 feet 5½ inches landward of the ECL, whereas the LOC for major-habitable structures is located 63 feet landward of the ECL.

Mr. Wettstein and Mr. McNeal both noted that the structures appear to comply with LOC, as indicated within the exhibit and did not express any further concerns.

Siting location relative to the seawall: Ms. Shepherd confirmed that the site is developed and has an existing seawall to remain. Mr. Wettstein voiced concern relative to the close proximity of the pool to the seawall. Ms. Shepherd noted that there is an existing pool located onsite approximately 18 feet landward of the adjacent seawall and that the proposed pool will be located much further landward and is not anticipated to interfere with a seawall support system (tiebacks or deadman).

Excavation/Fill: Mr. McNeal asked how the excavated material will be addressed. Ms. Shepherd noted that excavation seaward of the CCCL will be for the tower foundations and pool; that the proposed design does not include below grade construction seaward of the CCCL. Ms. Shepherd noted that it is understood that material must be balanced in the project vicinity and that she anticipates that a dune restoration project will be required.

Mr. McNeal asked if material would need to be placed seaward of the adjacent properties. Ms. Shepherd noted that, as excavation quantities are unknown at this time, beach/dune fill on adjacent sites may be required. Mr. McNeal noted that a State Lands Letter of Consent will be required for all material to be placed east of the ECL. Mr. Wettstein also noted that public notice may be necessary if material is placed seaward of the adjacent sites. Ms. Shepherd noted that both those items will be coordinate, as necessary.

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August 21, 2013
Meeting Minutes
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II. Other Notes:

Ms. Shepherd noted that the plans will be revised to move the pool 47 feet landward of the ECL in order to comply with the 30-YEP.

She also noted that a formal application will be submitted within the next week.

AUTHOR: Laura Shepherd

The minutes outlined herein reflect the author's interpretation of what was discussed and presented. If they differ in any way from your own interpretation, please respond in writing within 5 business days from the date these minutes were prepared, or they will be considered factual.

File, LMS, LW, CJD

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APPLICATION FOR A PERMIT FOR CONSTRUCTION SEAWARD OF THE COASTAL CONSTRUCTION CONTROL LINE OR FIFTY-FOOT SETBACK

(Application processed pursuant to Rule 62B-33.006, F.A.C.)

Owner of Record		Agent (if applicable)	
Typed or Printed Name: GBP REGENCY LLC		Typed or Printed Name and Company: Linda D. Whitman, Coastal Systems International, Inc.	
Mailing Address: 1111 W CYPRESS DR		Mailing Address: 464 South Dixie Highway	
City/State/Zip Code: POMPANO BEACH FL 33069		City/State/Zip Code: Coral Gables, FL 33146	
Telephone (include area code):	Fax (include area code):	Telephone (include area code):	Fax (include area code):
		305-669-6235	305-661-1914
E-mail Address:		E-mail Address: lwhitman@coastalsystemsintl.com	

2. I hereby certify that all information submitted with this application is true and complete to the best of my knowledge.

		Linda D. Whitman, Senior Project Manager Coastal Systems International, Inc.
Signature of Owner or Agent	Date	Typed or Printed Name of Owner or Agent (include title of officer and name of corporation or other business entity, if applicable)

3. If the applicant is not the owner of record, the owner must sign below to authorize the applicant to act as the owner's agent for the purpose of applying for a permit.

I hereby authorize the above named agent to make application for a permit for construction or other activities seaward of the coastal construction control line or 50-foot setback on the property (described in item 4, below).

	08/21/13	RAINIER VIERE GBP REGENCY LLC
Signature of Owner	Date	Typed or Printed Name of Owner (include title of officer and name of corporation or other business entity, if applicable)

4. A brief description of the proposed work, activity, or construction.

Check here if additional information is attached.

Project Name (for multi-family, commercial, or public projects): The Regency		Nearest DEP Reference Monuments (if known): R-126/R-127
Street Address: 2000 S. Ocean Drive	County: Broward	City/Zip Code: 33009

6. The name and mailing address of the owners of the immediately adjacent properties, exclusive of street ends and easements. If the adjacent property is under cooperative or condominium ownership, provide the name and mailing address of the cooperative or condominium association.

Name of Adjacent Property Owner: The Hemispheres	Name of Adjacent Property Owner: Parker Plaza
Mailing Address: 1950 S Ocean Drive	Mailing Address: 2030 S Ocean Drive
City/State/Zip Code: 33009	City/State/Zip Code: 33009

Check here if there are additional adjacent properties and attach the appropriate information.

ALL APPLICANTS ARE REQUIRED TO SUBMIT THE FOLLOWING ITEMS:		Attached or Included	Waiver Requested
6.	A fee as set forth in Rule 62B-33.0085, F.A.C. (see the form entitled "Permit Fee Worksheet for DEP 73-100").	<input type="checkbox"/>	
7.	Sufficient evidence of ownership and legal description of the property [paragraph 62B-33.008(3)(c), F.A.C.].	<input checked="" type="checkbox"/>	
8.	Written evidence, provided by the appropriate local governmental agency having jurisdiction over the activity, that the proposed activity, as submitted to the Bureau, does not contravene local setback requirements or zoning codes [paragraph 62B-33.008(3)(d), F.A.C.].	<input type="checkbox"/>	
9.	Two original copies of a signed and sealed survey of the subject property. The information depicted on the drawings shall be from field survey work performed not more than six months prior to the date of application. The survey shall comply with the requirements given in Rule 62B-33.0081, F.A.C. [paragraph 62B-33.008(3)(f), F.A.C.].	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10.	For structures with proposed permanent exterior lighting, two copies of a dimensioned lighting plan drawn to an appropriate scale [paragraph 62B-33.008(3)(g), F.A.C.].	<input type="checkbox"/>	<input type="checkbox"/>
11.	Two copies of a dimensioned site plan signed and sealed by an architect, engineer, landscape architect, or professional survey and mapper (as appropriate) licensed in the state of Florida [paragraph 62B-33.008(3)(i), F.A.C.].	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12.	Two copies of a grading plan signed and sealed by an architect, engineer, landscape architect, or professional survey and mapper (as appropriate) licensed in the state of Florida [paragraph 62B-33.008(3)(m), F.A.C.].	<input type="checkbox"/>	<input type="checkbox"/>
13.	Two copies of cross-sections signed and sealed by an architect, engineer, landscape architect, or professional survey and mapper (as appropriate) licensed in the state of Florida [paragraph 62B-33.008(3)(n), F.A.C.].	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14.	Details, including engineering design computations, for any proposed waste discharge onto, over, under, or across the beach and dune system, including but not limited to storm water runoff, swimming pool drainage, well discharge, domestic water systems, and outfalls [paragraph 62B-33.008(3)(p), F.A.C.].	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15.	An anticipated construction schedule [paragraph 62B-33.008(3)(q), F.A.C.].	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.	Two copies of detailed planting plans, including the location of proposed plants, existing native vegetation, and plants to be removed. Plans shall include a plant list with both scientific and common names [paragraph 62B-33.008(3)(r), F.A.C.].	<input type="checkbox"/>	<input type="checkbox"/>
APPLICANTS APPLYING TO CONSTRUCT MAJOR STRUCTURES OR RIGID COASTAL STRUCTURES ARE REQUIRED TO SUBMIT THE FOLLOWING ADDITIONAL ITEMS (SEE RULE 62B-33.002, F.A.C.):			
17.	For major structures, two copies of a dimensioned site plan drawn to an appropriate scale, on 8.5 by 11 inch paper [paragraph 62B-33.008(3)(g), F.A.C.].	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18.	For major structures, two copies of dimensioned cross-sections drawn to an appropriate scale, on 8.5 by 11 inch paper [paragraph 62B-33.008(3)(h), F.A.C.].	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19.	For major structures, two copies of detailed final foundation plans and specifications [paragraph 62B-33.008(3)(k), F.A.C.].	<input type="checkbox"/>	<input type="checkbox"/>
20.	For rigid coastal structures, two copies of a site plan and detailed final construction plans and specifications for all proposed structures or excavation signed and sealed by an engineer licensed in the state of Florida [paragraph 62B-33.008(3)(e), F.A.C.].	<input type="checkbox"/>	<input checked="" type="checkbox"/>

APPLICATION FOR WAIVER (Pursuant to subsection 62B-33.008(8), F.A.C., the applicant may request a waiver of certain portions of the information specified in this application form)			
Application Item #	Reason for waiver	DEP Use Only	
		Approved	Denied
14	No stormwater discharge is proposed onto, over, under or across the beach/dune system.		
20	The Project does not propose a rigid coastal structure.		

If room for additional application for waivers is needed, please attach on extra sheet to this application and include the applicant name and date on the additional sheet.

Mail To:
Bureau of Beaches and Coastal Systems
Division of Water Resource Management
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, Mail Station 300
Tallahassee, Florida 32399-3000

OR

Overnight or Hand deliver to:
Bureau of Beaches and Coastal Systems
Division of Water Resource Management
Florida Department of Environmental Protection
5050 West Tennessee Street, Building B
Tallahassee, Florida 32304

THIS INSTRUMENT PREPARED BY
STEVEN L. JONES, ESQ.
1998 NORTHEAST 2nd AVENUE
MIAMI SHORES, FLORIDA 33138

FOLIO/PARCEL ID NOS. 514228GH0001-0420; 514228020330

WARRANTY DEED

THIS INDENTURE made and executed the 11th day of July, 2011, by BOSTA CO., a corporation existing under the laws of Florida and whose post office address is 2000 S. Ocean Drive, Hallandale Beach, FL 33008, hereinafter called the grantor, to GBP REGENCY, L.L.C. a Florida limited liability company, whose post office address is 1111 West Cypress Drive, Pompano Beach, FL 33069, hereinafter called the grantee:

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise release, convey and confirm unto the grantee, all that certain land situate in Broward County, Florida, viz:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO (1) land use designation, zoning restrictions, prohibitions and other requirements imposed by governmental authorities; (2) restrictions, easements and other matters appearing on the plat and/or common to the subdivision; (3) public utility easements of record which are located contiguous to the property lines; and (4) taxes for the year 2011 and subsequent years.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, to have and to hold the same in fee simple forever.

AND the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee simple and that it has good right and lawful authority to sell and convey said land, and will fully warrant title to said land and defend the claims of all persons whomsoever

IN WITNESS WHEREOF the grantor has caused these presents to be executed in its name and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized the day and year first above written.

BOSTA CO.

Signed, sealed and delivered in the presence of

Name: Greg A. Kora

Name: Steven L. Jones

BY: Nick DeNega
Name: NICK DE NEGA
Office: President

(CORPORATE SEAL)

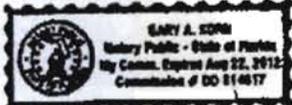
STATE OF FLORIDA
COUNTY OF MIAAMI DADE

The foregoing instrument was acknowledged before me this 11th day of July, 2011, by NICK DE NEGA, as President of BOSTA CO., a Florida corporation, on behalf of the corporation, and who is personally known or who produced as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 11th day of July, 2011.

My commission expires:

Name: [Signature]
Notary Public, State of Florida



2

EXHIBIT "A"

Condominium Units 107, 108, 109, 110, 112, 202, 203, 204, 205, 206, 207, 208, 209, 210, 212, 301, 302, 303, 304, 306, 307, 308, 310 and 312, of REGENCY HOUSE BEACH CLUB RESORT, A CONDOMINIUM, together with an undivided interest in the common elements, according to the Declaration of Condominium thereof recorded in Official Record Book 11637, Page 519, as amended from time to time, of the Public Records of Broward County, Florida;

TOGETHER WITH:

A portion of the South 100.00 feet of the North 2450.00 feet of Tract 2, of SECOND AMENDED PLAT OF SEMINOLE BEACH, according to the Plat thereof, as recorded in Plat Book 15, Page 19, of the Public Records of Broward County, Florida, being more particularly described as follows:

Commence at the Southwest corner of the South 100.00 feet of the North 2450.00 feet of said Tract 2; thence South $83^{\circ}48'04''$ East for 17.01 feet to the Point of Beginning of a parcel of land hereinafter described; thence South $83^{\circ}48'04''$ East along the South line of said South 100.00 feet of the North 2450.00 feet of said Tract 2 for 65.58 feet; thence North $6^{\circ}11'55''$ East for 32.00 feet; thence South $83^{\circ}48'04''$ East for 158.57 feet; thence North $6^{\circ}11'55''$ East for 32.00 feet; thence South $83^{\circ}48'04''$ East for 152.22 feet; thence North $6^{\circ}11'55''$ East for 36.15 feet to a point on the North line of said South 100.00 feet of the North 2450.00 feet of said Tract 2; thence North $83^{\circ}48'04''$ West along the North line of said South 100.00 feet of the North 2450.00 feet of said Tract 2 for 380.74 feet; thence South $3^{\circ}54'41''$ West along a line that is 17.00 feet Easterly of and parallel with the West line of said Tract 2 for 100.23 to the Point of Beginning. (a/k/a proposed Phase B Land described in, but not submitted to, the Declaration of Condominium of Regency House Beach Club Resort, a Condominium, recorded in Book 11637, Page 519.)

TOGETHER WITH the reserved easement rights contained within that certain Quit-Claim Deed to State of Florida, Board of Trustees of the Internal Improvement Fund, dated September 4, 1969, recorded July 19, 1971 in Official Records Book 4554, Page 954, of the Public Records of Broward County, Florida, reserving a right of access to the public beach, the ocean, and an unobstructed view of the ocean.

All of said lands, situate, lying and being in Broward County, Florida.

RENDERING PLANNING
DATE: 10/27/13

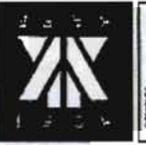
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2000 S OCEAN DR
2ND S OCEAN
MELBOURNE BEACH FL 32951
RENDERINGS

200
S OCEAN DR
MELBOURNE BEACH FL 32951

LA & ARCH

ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE ARCHITECTURE
PLANNING
1000 LAKEWOOD BLVD
SUITE 100
MELBOURNE FL 32901
WWW.LAANDARCH.COM



DEP104

