



November 18, 2025

Keith Poliakoff, Esquire
Government Law Group
200 South Andrews Avenue, Suite 601
Fort Lauderdale, Florida 33301

Via Email Only

Dear Mr. Poliakoff:

Thank you for sharing your correspondence dated October 30, 2025, addressed to Andria Wingett, Development Services Director, City of Hollywood, relating to 1301 South Ocean Drive (See Attachment). While the letter is directed only to Ms. Wingett, in consultation with the Planning Council Attorney and the Broward County Office of the County Attorney, Planning Council staff thought that it would be helpful to clarify some of the information outlined in the correspondence.

It is not the intention of this correspondence to address the legal arguments presented nor address every area of difference. However, it is important to note that your narrative spans a six-year period during which Planning Council staff interacted with other counsel on behalf of the developer.

Briefly, the dispute relates to the Planning Council staff's interpretation of the effective Broward County Land Use Plan (BCLUP) land use designations. As you correctly note in your letter, land use maps often "...contained a scrivener's error that the City frequently found in old FLUMs..." Indeed, this proved to be the cause of the dispute as a review of the historical land use maps (both City and County) triggered the need for a correction to the BCLUP map. The issue at hand is whether, as we contend, a change to the BCLUP map is applicable, or as you contend, the City's map has a scrivener's error that should be applicable.

Your correspondence references several acreage determinations. The first referenced item is a September 25, 2019, email to Carter McDowell, counsel for the developer, which was merely a transmittal of a screenshot of the referenced area from the BCLUP Map. Subsequent to that email, Planning Council staff authored a July 19, 2021, letter to Mr. McDowell with an acreage determination that was consistent with the screenshot of the referenced area previously forwarded to him in the September 25, 2019, email. The Planning Council staff acreage determination contained the following caveat: **"As no survey or legal description was provided, Planning Council staff notes that this calculation is based on the information and graphic that you submitted and that the acreage determination should not be utilized for official purposes unless independently accepted by the local government."** The letter further notes that any land use plan application must be accompanied by a sealed survey and legal description. It is this determination that you claim is valid and should be applied.

It is important that I address the June 2, 2022, meeting referred to on page 2 of your letter. As you were not at the meeting, I assume you are relying on information relayed to you by others in attendance. The purpose of that meeting was to discuss the BCLUP amendment process. Based on your correspondence, you were informed that the City's Planning Manager stated that the City's map was in error and that the County's map was correct. In fact, the opposite occurred – **the Hollywood Planning Manager stated the City staff was not in agreement with the July 19, 2021, Planning Council staff correspondence and that the County map was in error as it was inconsistent with the City's map. According to the City staff, the July 19, 2021, acreage determination to Mr. McDowell, as it was depicted on the BCLUP map, misstated the location of the parcels designated Community and Recreation and Open Space.** Indeed, it was this claim by the City staff that led Planning Council staff to conduct a full re-examination of the issue. The full re-examination included the review of all historical and current County and City land use and zoning maps, as well as ownership information. Your letter refers to a September 27, 2022, letter from Shiv Newaldass, the City's Director of Development Services, in which the City, for the first time, claimed that it was the City map which contained a scrivener's error and that the County map was correct. This letter directly contradicted the stated position of the City staff at the June 2, 2022, meeting.

Subsequent to the verbal (June 2, 2022) and written input (September 27, 2022) from the City staff and a complete re-examination of all maps, Planning Council staff issued a letter on October 31, 2022, withdrawing the July 19, 2021, letter to conduct additional review as noted in the paragraph above. Upon receipt of a survey and legal description submitted by the developer and discussions with the City staff, Planning Council staff concluded that the City's map was in fact correct all along, and that the July 19, 2021, finding was in error. This conclusion was contained in the revised acreage determination dated January 25, 2023, and would require an amendment to both the BCLUP and City maps to yield the additional density afforded by the earlier interpretation.

In your letter to Ms. Wingett, you claim that the interpretation in the Planning Council staff's July 19, 2021, is correct and must be applied. The result would be to alter the boundary of the Community Facilities and Recreation and Open Space designated parcels on the City map to match the former incorrect BCLUP map Community and Recreation and Open Space designated lands and would lead to an entitlement to increased density for your client over and above that available were the City map to be applied. Your position in the letter to Ms. Wingett is that the County cannot correct a scrivener's error on its map; however, the City could, and indeed would, revise its map to correct what they now claim to be a scrivener's error on its map.



Keith Poliakoff, Esq.
November 18, 2025
Page Three

At all times pertinent to your narrative, the Hollywood Land Use Plan reflected the location of the Community Facilities and Recreation and Open Space parcels that Planning Council staff determined to be correct in the January 25, 2023, letter to Mr. McDowell. It is noted that subsequent to that determination, a BCLUP map amendment application which acknowledged and accepted the determination as delineated in the January 25, 2023, letter was concurrently filed at the City and Planning Council by the applicant.

Further, when a dispute arises regarding a Planning Council staff interpretation, the BCLUP Implementation Requirements and Procedures outline the process for a local governing body to request a formal interpretation by the Planning Council whenever a question of interpretation has not been resolved on an informal basis. **As of this writing, the City has never sought to avail itself of this process.**

As noted above, there are numerous areas of difference. While this letter is not meant to be an exhaustive point by point response, it is meant to provide the Planning Council staff's perspective. It is always our desire to work in tandem with the local governments and applicants of the Broward County Planning Council and we will always make ourselves available for that purpose.

Respectfully,



Barbara Blake Boy
Executive Director

Attachment

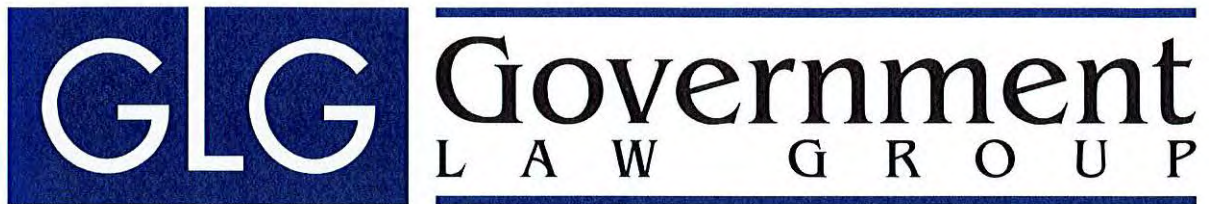
cc/att/email: Andrew Maurodis, Esquire, Attorney
Broward County Planning Council

Maite Azcoitia, Esquire, Deputy County Attorney
Broward County Office of the County Attorney

Andria Wingett, Development Services Director
City of Hollywood



ATTACHMENT



W W W . G O V L A W G R O U P . C O M

Keith Poliakoff, Esq. | (954) 909-0590 office | kpoliakoff@govlawgroup.com

October 30, 2025

City of Hollywood
Attn: Andria Wingett
Development Services Director
2600 Hollywood Boulevard
Hollywood, FL 33020

Re: Future Land Use Designation Summary for 1301 S Ocean Drive

Dear Ms. Wingett:

This letter is to provide a summary of the history concerning the future land use designation of the City's property located at 1301 S. Ocean Drive (the "Property") in support of the request to conform the City's Future Land Use Map from Community Facility to the Medium-High (25) Residential designation as is shown as the County's designation for the Property on the City's portal and as was originally confirmed by Planning Council staff.

On September 25, 2019, counsel for PRH 1301 S Ocean Dr, LLC ("PRH 1301") requested and received email confirmation from the Executive Director of the Broward County Planning Council confirming, in accordance with the County's approved Future Land Use Map ("FLUM") adopted in accordance with Chapter 163 Part II Florida Statutes, that the future land use designation for the parcels of land where the Hollywood Beach Cultural and Community Center is located ("Parcels D & E") was Medium-High (25) Residential. (See Exhibit "A")

Based upon and in reliance on this determination, PRH 1301 proceeded to prepare and, on January 21, 2020, submitted an unsolicited proposal to the City of Hollywood (the "City") pursuant to the P3 statute for the development of a new community center and associated private condominium development on the Property. PRH 1301's unsolicited proposal made direct reference to the County's FLUM designation of Parcels D & E as that designation played a significant and material role in the decision for PRH 1301 to make the unsolicited proposal and, ultimately, to seek to build the new project.

200 S. Andrews Avenue, Suite 601
Ft. Lauderdale, FL 33301

City of Hollywood
Attn: Andria Wingett
October 30, 2025

After receiving PRH 1301's unsolicited proposal, in accordance with the P3 statute, in June of 2020, the City published its notice of intent to receive and evaluate proposals to redevelop the Property (the "RFP"). PRH 1301 submitted its timely response to the RFP and after several public hearings before the City's Selection Committee, on March 14, 2021, was selected unanimously by the City Commission as the awardee to redevelop the Property with a new mixed-use project to include the replacement and modernization of the Hollywood Beach Culture & Community Center, several other public facilities, and a luxury residential condominium (the "Project").

After the award and notice to proceed to negotiations with the City, PRH 1301 reached out to the Broward County Planning Council for a second time for a land use confirmation and acreage determination concerning the Property and the surrounding City-owned properties in order to confirm the maximum permissible density of the Project so that the negotiations could proceed with certainty. On July 19, 2021, PRH 1301 received an Acreage Determination and Land Use Confirmation from the Executive Director of the Planning Council regarding all of the City-owned contiguous land near the 1301 S. Ocean Drive project site. (See Exhibit "B"). That determination again confirmed, in accordance with the County's approved FLUM, that the future land use designation for Parcels D & E was Medium-High (25) Residential. *See* Parcels D & E on Exhibit "B".

In continued reliance upon the now-reconfirmed Planning Council determination a Comprehensive Agreement and Ground Lease was negotiated between PRH 1301 and the City. This negotiation and approval process spanned countless hours and two more public hearings culminating, on May 5, 2022, with the execution of a Comprehensive Agreement providing for the redevelopment of the Property to include a new, oceanfront state-of-the-art community center with a new residential building to its west in accordance with the Land Use Confirmation.

With the Comprehensive Agreement in place, PRH 1301 began to work on the land use and zoning entitlements to permit the redevelopment of the Property. When submitting its bid PRH 1301 had always believed that both the City's and County's land use maps designed Parcels D&E as Medium-High (25) Residential. On June 2, 2022, the Developer and City staff met with the Broward County Planning Council Director to discuss the Project to confirm the next steps in the ultimate approval process based upon the County land use designation of the property and the use and consolidation of the density from the surrounding city-owned lands. The primary purpose of that meeting was to confirm the process by which the density from the City-owned Medium-High (25) Residential-designated parcels surrounding Parcels D & E would be transferred to the development site, subject to the proffering of a covenant restricting those properties to recreation and open space in perpetuity. During that meeting the City's Planner Manager brought up a possible discrepancy in the City's land use map. The City's most recent map showed a Community Facility designation for Parcels D & E while the County's map showed it as a Medium-High (25) designation. The City believed that its current map was in error, and that the County's map was correct. As proof of same, the City relied upon previous versions of its own map and the 1977 County land use map, the 1989 County land use map, and the 2017 County land use map, all of which designated Parcels D & E as maintaining a Medium-High (25) designation. (See County land use maps attached as Composite Exhibit "C")

City of Hollywood
Attn: Andria Wingett
October 30, 2025

The City's Director of Development Services explained that the City's map contained a scrivener's error that the City frequently found in its old FLUMs and that the County's FLUM was correct and should be the controlling map. The City, County, and Developer all agreed to proceed accordingly, with the only matter of follow-up being a formal notification letter from the City to the Planning Council acknowledging the scrivener's error and informing the Planning Council that the County FLUM was controlling.

On July 5, 2022, consistent with the direction given by the Planning Council's Executive Director at the June 2nd meeting, the City's Development Services Director authored a draft letter to the Planning Council acknowledging the City's scrivener's error, and confirming that the correct land use for those parcels is Medium-High (25) Residential as provided for already on the County's Future Land Use Map. This letter was finalized and mailed on September 27, 2002 (See Composite Exhibit "D").

After public pressure, on October 31, 2022, the Planning Council's Executive Director responded to the City's Letter advising that she was unilaterally withdrawing her original confirmation for the land use designation from September of 2019 and her formal land use confirmation and acreage determination of July 19, 2021 and would be conducting additional review into the "correct" FLUM. (See Exhibit "E").

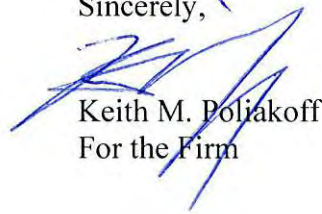
Finally, on December 1, 2022, the Executive Director of the Planning Council hosted another meeting with the City and PRH 1301 and, for the first time in over three years of discussing the land use designation of the property, and after millions of dollars were spent, informed the parties that the Planning Council staff had suddenly changed its position and determined that the County's adopted map and land use designation of RM-25 was incorrect and City's map was somehow correct, in direct contradiction of the City's own position that the adopted County FLUM was correct. Then, without any Ordinance, County Commission approval, or any formal hearing, the County map was mysteriously changed on-line in complete violation of Florida law, and without any public body's knowledge or consent. (See Exhibit "F").

According to our search of the public records, the last County-wide FLUM update occurred in 2017. That map, which is attached as part of Exhibit "C", is completely consistent with the Planning Council's confirmations dating back to September of 2019. Make no mistake that the records are clear that since 1977 and up until the January 25, 2023 change of position letter, the County FLUM designated Parcels D & E as Medium-High (25) Residential. After years of reliance by the City and PRH 1301 and the expenditure of literally thousands of hours of effort and millions of dollars on the written determinations by the County, the County staff, suddenly and without any action by either the County Commission or the City Commission, made (or claimed to make) an administrative change to the adopted Broward County FLUM. However, no such change to the certified FLUM could have occurred without strict compliance with Chapter 163, Part II, Florida Statutes and final approval by the City Commission and Board of County Commissioners.

City of Hollywood
Attn: Andria Wingett
October 30, 2025

As a result, the City and PRH 1301 continue to rely upon the County's formally adopted land use plan maps and the formal written determinations of the Planning Council, as outlined in its September of 2019 correspondence, and will continue to do so until or unless a court of competent jurisdiction determines differently. At this point, it is our position that the City is simply modifying its land use to match the County's land use that has never been challenged and will transmit the matching land use accordingly.

Sincerely, \



Keith M. Poliakoff
For the Firm

EXHIBIT A



Barbara Blake Boy, Executive Director
115 South Andrews Avenue, Room 307
Fort Lauderdale, Florida 33301
954.357.6982 (direct) www.Broward.org/PlanningCouncil

From: Carter McDowell <cmcdowell@bilzin.com>
Sent: Wednesday, September 25, 2019 2:50 PM
To: Blake Boy, Barbara <BBLAKEBOY@broward.org>
Subject: RE: confirmation of land use designation

External Email

Barbara – Good to talk to you again . I would like to reconfirm the land use designation for the following listed parcels and I have attached an overall print from the Property appraisers website too.

Folio numbers: 514213030020
514224020010
514224010010
514224020013



Carter McDowell
Partner
Bilzin Sumberg Baena Price & Axelrod LLP
1450 Brickell Avenue, 23rd Floor
Miami, Florida 33131
www.bilzin.com

Tel 305.350.2355
Direct Fax 305.351.2239
cmcdowell@bilzin.com

From: Blake Boy, Barbara <BBLAKEBOY@broward.org>
Sent: Wednesday, September 25, 2019 2:17 PM
To: Carter McDowell <cmcdowell@bilzin.com>
Subject:



Barbara Blake Boy, Executive Director
115 South Andrews Avenue, Room 307
Fort Lauderdale, Florida 33301
954.357.6982 (direct) www.Broward.org/PlanningCouncil

Under Florida law, most e-mail messages to or from Broward County employees or officials are public records, available to any person upon request, absent an exemption. Therefore, any e-mail message to or from the County, inclusive of e-mail addresses contained therein, may be subject to public disclosure.

EXHIBIT B

July 19, 2021

Via Email Only

Carter N. McDowell
 Bilzin Sumberg Baena Price & Axelrod LLP
 1450 Brickell Avenue, 23rd Floor
 Miami, Florida 33131

Dear Mr. McDowell:

Subject: Hollywood - Acreage Determination and Land Use Confirmation

This letter is in response to your request of June 28, 2021, to verify the gross acreage for parcels generally located on the east side of State Road A1A, between Jefferson Street and Bougainvillea Terrace, in the City of Hollywood.

Based on the graphic you have provided and our Geographical Information System (GIS), Planning Council staff calculations indicate that the total area encompasses approximately 8.8 gross acres, which is designated by the BrowardNext - Broward County Land Use Plan (BCLUP) as indicated below:

PARCEL	ACRES	BROWARDNEXT-BCLUP DESIGNATION
Parcel A (Folio ID: 5142-1301-1652)	1.0	Medium-High (25) Residential
Parcel B (Folio ID: 5142-2402-0010) (calculation based on the entire folio parcel)	0.3	Recreation and Open Space
	0.2	Community
Parcel C (Folio ID: 5142-1303-0020)	1.0	Community
Parcel D (Folio ID: 5142-2401-0011)	1.3	Medium-High (25) Residential
Parcel E (Folio ID: 5142-2402-0013)	0.7	Medium-High (25) Residential
Parcel F (all land east of the Broadwalk)	1.7	Recreation and Open Space
NET ACRES	6.2	
Parcel A Right-of-Way	0.6	Medium-High (25) Residential
Parcel B Right-of-Way	0.1	Recreation and Open Space
	0.1	Community
Parcel C Right-of-Way	0.5	Community
Parcel D Right-of-Way	0.6	Medium-High (25) Residential
Parcel E Right-of-Way	0.3	Medium-High (25) Residential
Parcel F Right-of-Way	0.4	Recreation and Open Space
RIGHT-OF-WAY ACRES	2.6	
TOTAL GROSS ACRES	8.8	

Carter N. McDowell
July 19, 2021
Page Two

The BrowardNext – Broward County Land Use Plan utilizes the following definition to calculate gross acreage:

- “Gross Acre” – means the total number of acres in an area, including acreage used or proposed for streets, lakes and waterways, exclusive of the rivers and canals of the primary drainage system.

In the case of the referenced lots, Planning Council staff has calculated the gross acreage based on the size of the parcels, and the adjacent Jefferson Street, Surf Road, Broadwalk, Azalea Terrace, Bougainvillea Terrace and State Road A1A rights-of-way.

As no survey or legal description was provided, Planning Council staff notes that this calculation is based on the information and graphic that you submitted and that the acreage determination should not be utilized for official purposes unless independently accepted by the local government. Please note that applications to amend the Broward County Land Use Plan require a sealed survey, including legal description of the area proposed to be amended.

Although not prohibited by the Broward County Land Use Plan, Planning Council staff recommends that any land use plan amendment for this site not include Parcel F and Parcel F right-of-way, designated Recreation and Open Space.

The contents of this correspondence are not a judgment as to whether this development proposal complies with the Broward County Trafficways Plan, permitted uses and densities, local zoning, the land development regulations of the municipality or development review requirements of the Broward County Land Use Plan, including concurrency requirements.

If you have any additional questions in this regard, please feel free to contact me or Christina Evans, of Planning Council staff.

Respectfully,



Barbara Blake Boy
Executive Director

BBB:CME
Attachment



Carter N. McDowell
July 19, 2021
Page Three

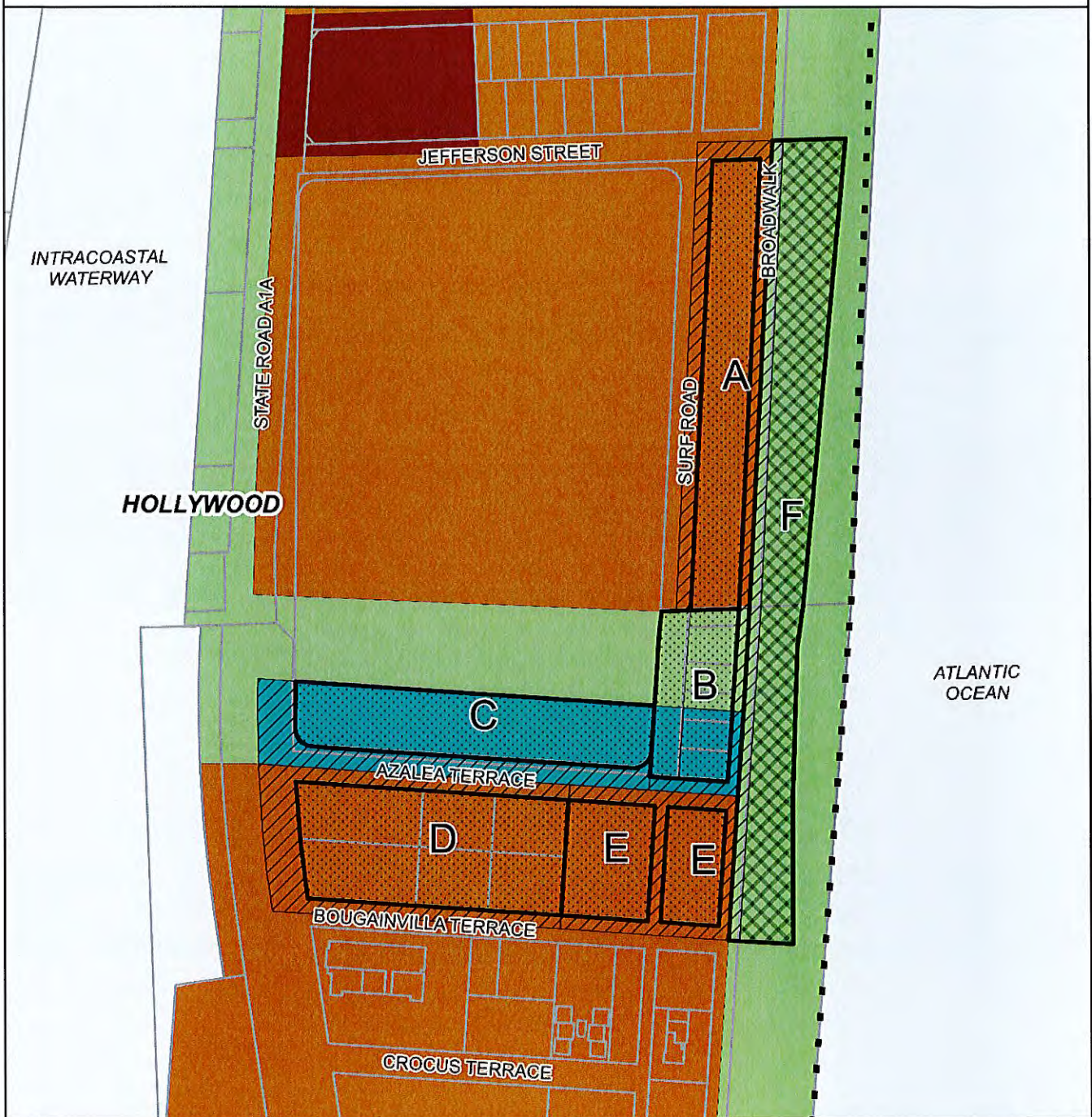
cc/email/att: Dr. Wazir Ishmael, City Manager
City of Hollywood

Shiv Newaldass, Director, Development Services
City of Hollywood

Leslie A. Del Monte, Planning Manager, Division of Planning and Urban Design
City of Hollywood



Broward County Land Use Plan Acreage and Land Use Confirmation



- Municipal Boundary
- Medium-High (25) Residential
- High (50) Residential
- Recreation and Open Space
- Community
- Water / Primary Drainage

Total Gross Acres = 8.8

AD 21-006 McDowell Hollywood
Acreage Determination

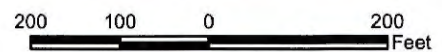
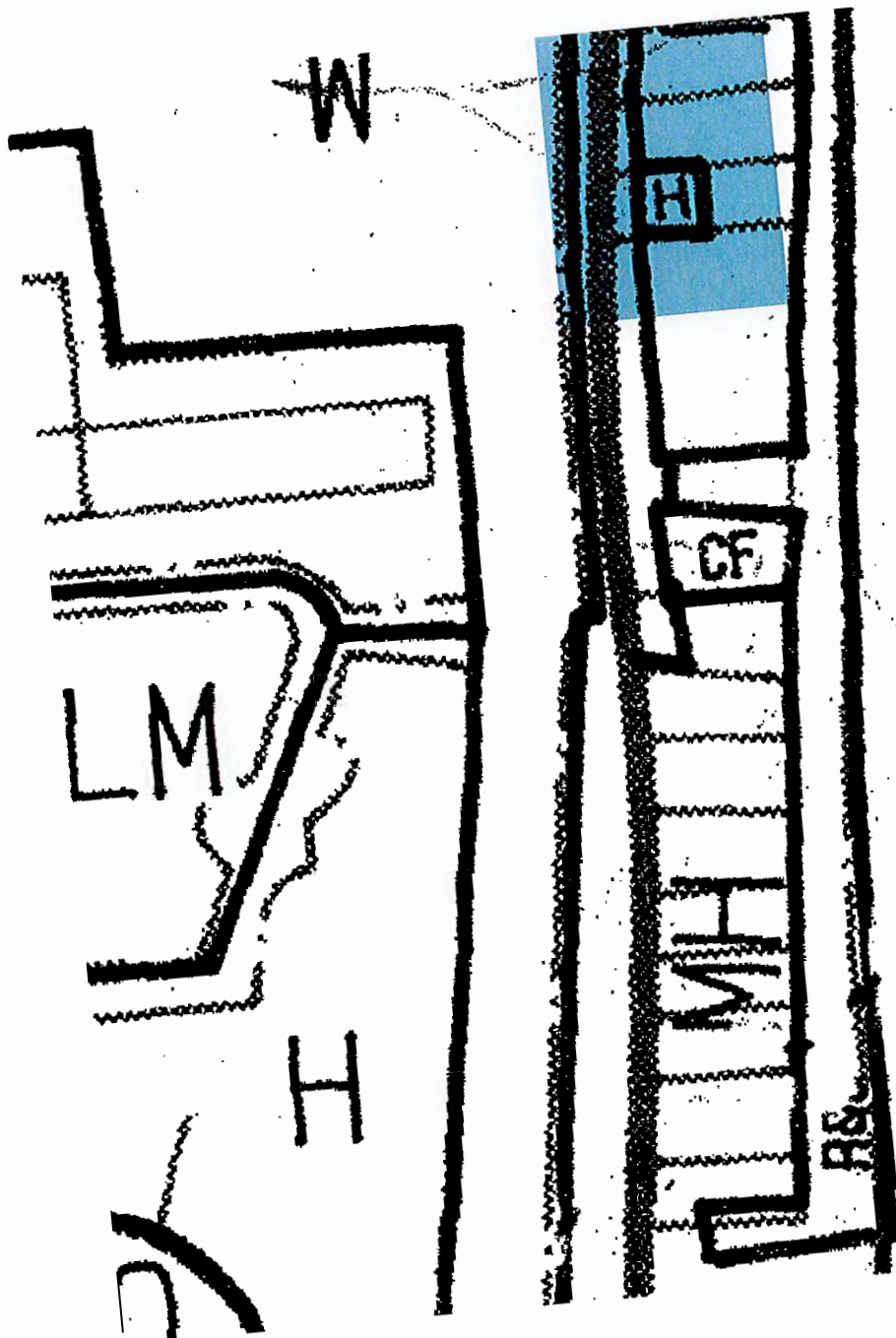


EXHIBIT C

1977 Broward County Land Use Map



1989 Broward County Land Use Map



Broward County 2017 Land Use Map

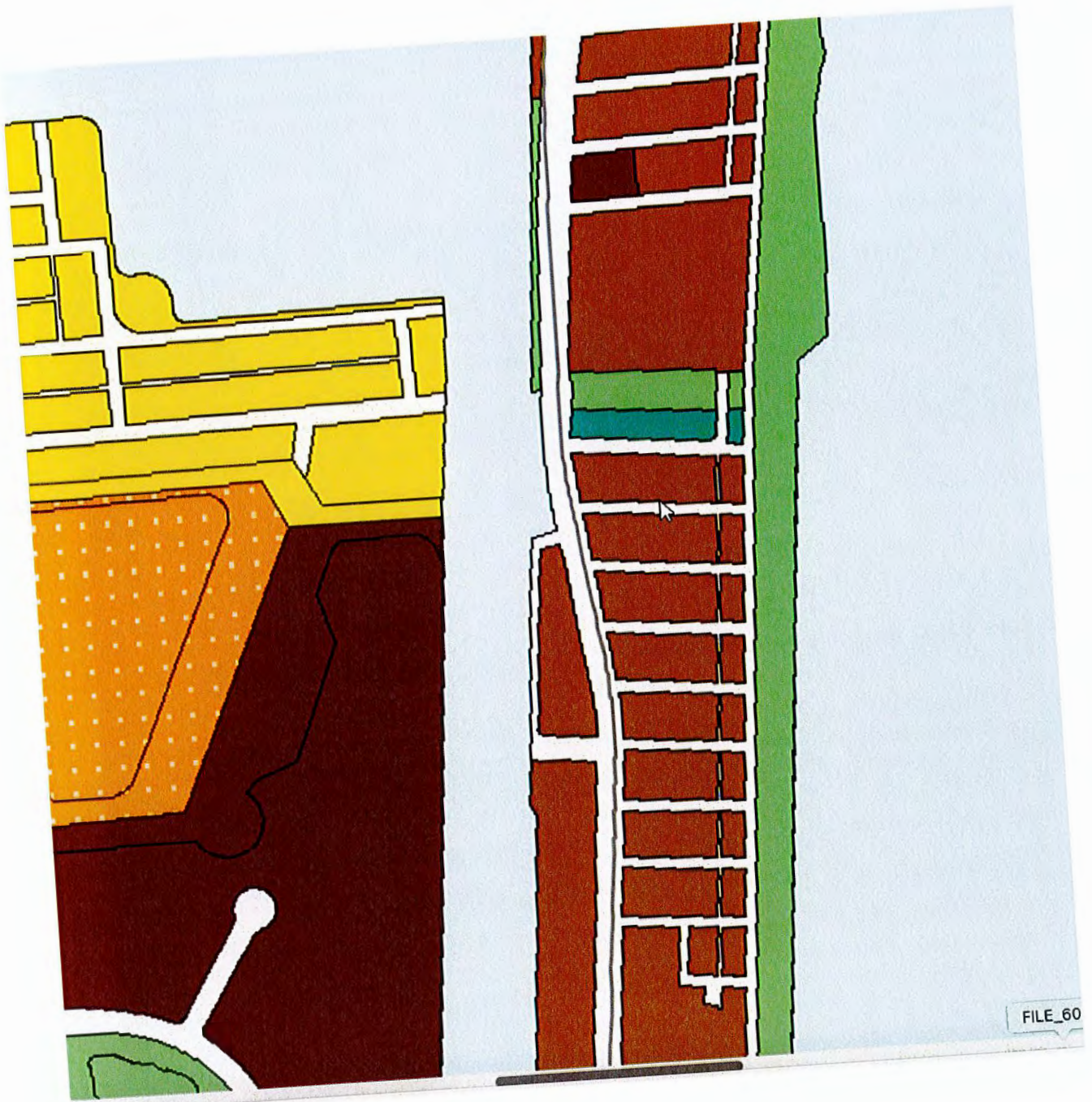


EXHIBIT D

July 5, 2022

Barbara Blake Boy, Executive Director
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, FL 33301

Re: City of Hollywood Land Use Map - 1301 S Ocean Drive

Dear Ms. Blake Boy,

A scrivener's error on the City's Future Land Use Map, inadvertently rendered the property at 1301 S Ocean Drive as Community Facility, when in fact the correct land use is Medium-High (25) Residential as indicated by the previous 2007 Future Land Use Map.

The City of Hollywood therefore requests that the site be recognized as Medium-High (25) Residential designation per the attached 2007 Map as well as the 2017 Broward County Land Use Plan. If you have further questions or concerns, please contact me at (954) 921-3471.

Sincerely,

Shiv Newaldass
Director, Development Services

Enclosures:

City of Hollywood Land Use and Zoning Map 2011
City of Hollywood Future Land Use Map 2007
Broward County Land Use Plan 2017

cc:

Andria Wingett, Assistant Director, Development Services, City of Hollywood
Leslie A. Del Monte, Planning Manager, Planning and Urban Design

September 27, 2022

DS-22-03

Barbara Blake Boy, Executive Director
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, FL 33301

Re: City of Hollywood Land Use Map - 1301 S Ocean Drive

Dear Ms. Blake Boy,

A scrivener's error on the City's Future Land Use Map, inadvertently rendered the property at 1301 S Ocean Drive as Community Facility, when in fact the correct land use is Medium-High (25) Residential as indicated by the previous 2007 Future Land Use Map.

The City of Hollywood therefore requests that the site be recognized as Medium-High (25) Residential designation per the attached 2007 Map, 2011 Map, as well as the 2017 Broward County Land Use Plan. If you have further questions or concerns, please contact me at (954) 921-3471.

Sincerely,



Shiv Newaldass
Director, Development Services

Enclosures:

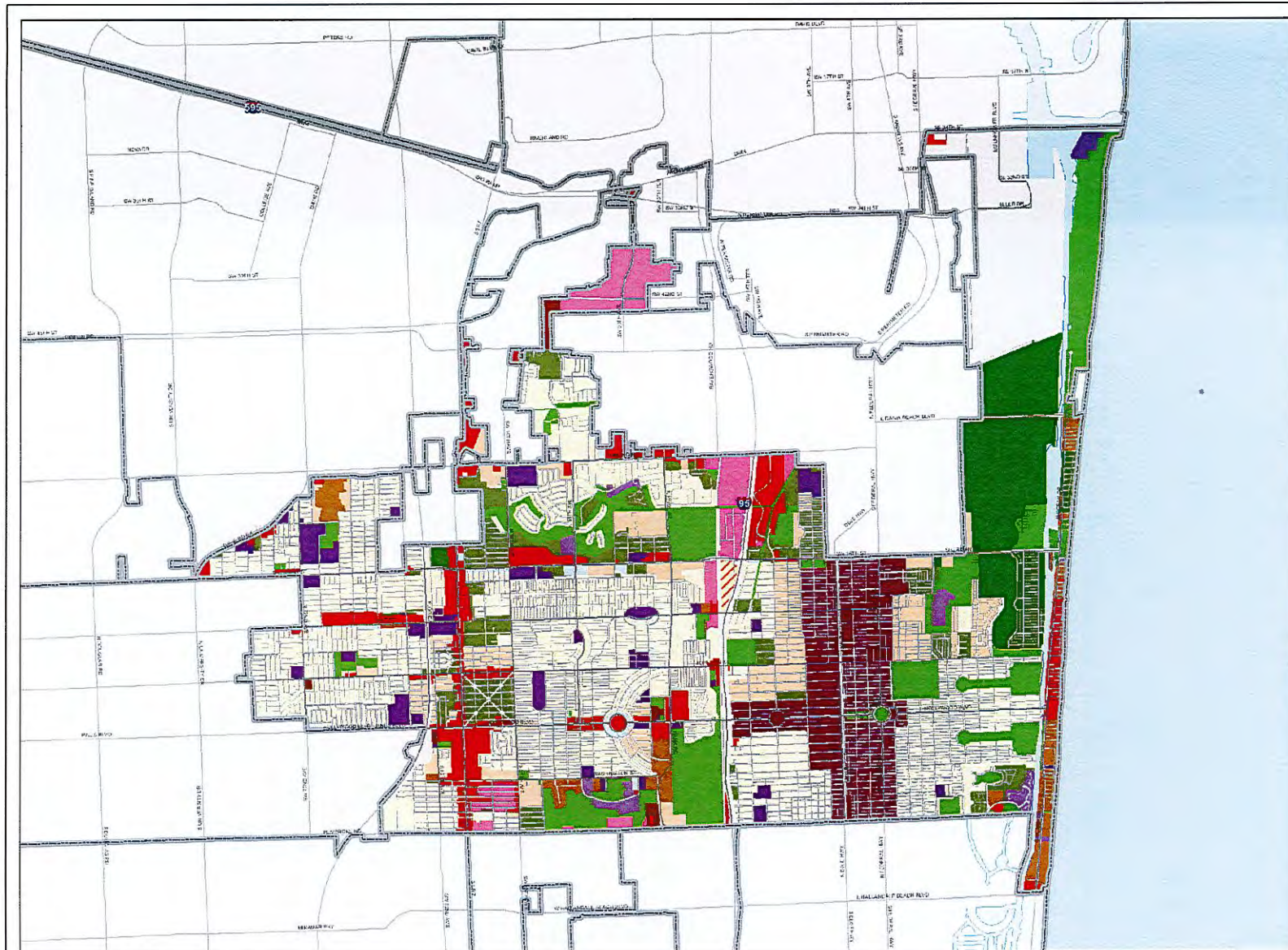
City of Hollywood Future Land Use Map 2007
City of Hollywood Land Use and Zoning Map 2011
Broward County Land Use Plan 2017

cc:

Andria Wingett, Assistant Director, Development Services, City of Hollywood
Leslie A. Del Monte, Planning Manager, Planning and Urban Design

2600 Hollywood Boulevard
P.O. Box 229045
Hollywood, Florida
33022-9045

hollywoodfl.org



City of Hollywood Comprehensive Plan

Map LU-12

Future Land Use

Legend

Hollywood City Boundary

Hollywood Future Land Use

F.L.U. Designations

LOW RESIDENTIAL

LOW MEDIUM RESIDENTIAL

MEDIUM RESIDENTIAL

MEDIUM HIGH RESIDENTIAL

HIGH RESIDENTIAL

COMMUNITY FACILITY

INDUSTRIAL

OFFICE

GENERAL BUSINESS

RIGHTS OF WAY

TRANSPORTATION

UTILITIES

RAC ZONE

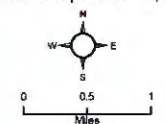
PARKS AND OPEN SPACE

CONSERVATION AREA

TOD

TOC (NO SITE DESIGNATED)

Printed September 13, 2007

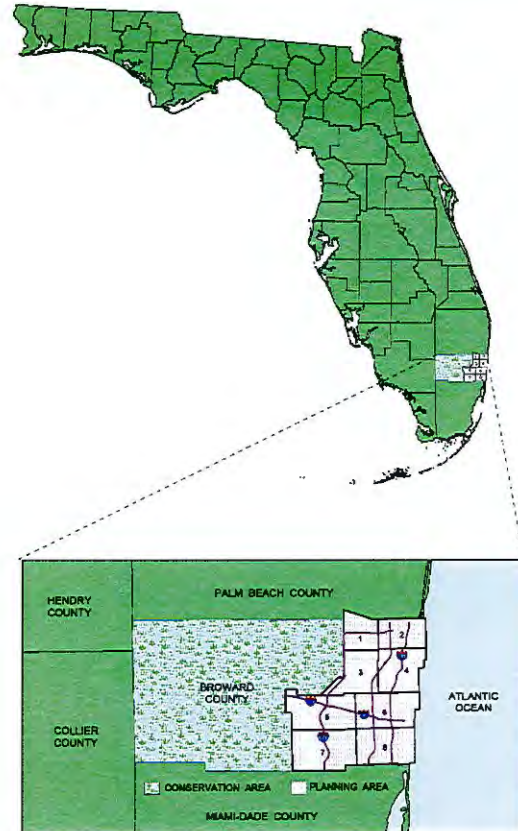


Calvin, Giordano & Associates, Inc.
11111 BAYVIEW AVENUE, SUITE 200

GIS
This map was prepared by the City of Hollywood, Florida, using data provided by the City of Hollywood, Florida, and the Florida Department of Transportation.



BROWARD COUNTY LAND USE PLAN



NOTE: RELATIONSHIP OF THE BROWARD COUNTY LAND USE PLAN TO THE LAND USE PLANS OF MUNICIPALITIES WITHIN BROWARD COUNTY

Municipal land use plans must be consistent with the Broward County Land Use Plan. The Broward County Planning Council reviews each municipal land use plan pursuant to the Broward County Charter and certifies those municipal land use plans which have been found to be in "substantial conformity" with the Broward County Land Use Plan. When certified by the Council, the municipal land use plan becomes the effective land use plan for the municipal jurisdiction. The land use designations on the Broward County Land Use Plan serve as the basis for municipal jurisdiction. The municipal land use plans may be more restrictive than the Broward County Land Use Plan and may depict uses and categories other than those shown on the Broward County Land Use Plan for specific parcels.

Areas designated on the Broward County Land Use Plan map for particular uses are approximate. The exact boundaries for zoning will be determined by the municipality within the reasonable limits of the designation on the map.

For further information regarding identification of the effective land use plan for a specific area or for interpretation of the land use designation for a specific parcel, please contact the Broward County Planning Council at 954.357.6695.



BROWARD COUNTY
BOARD OF COUNTY COMMISSIONERS

NOT TO SCALE

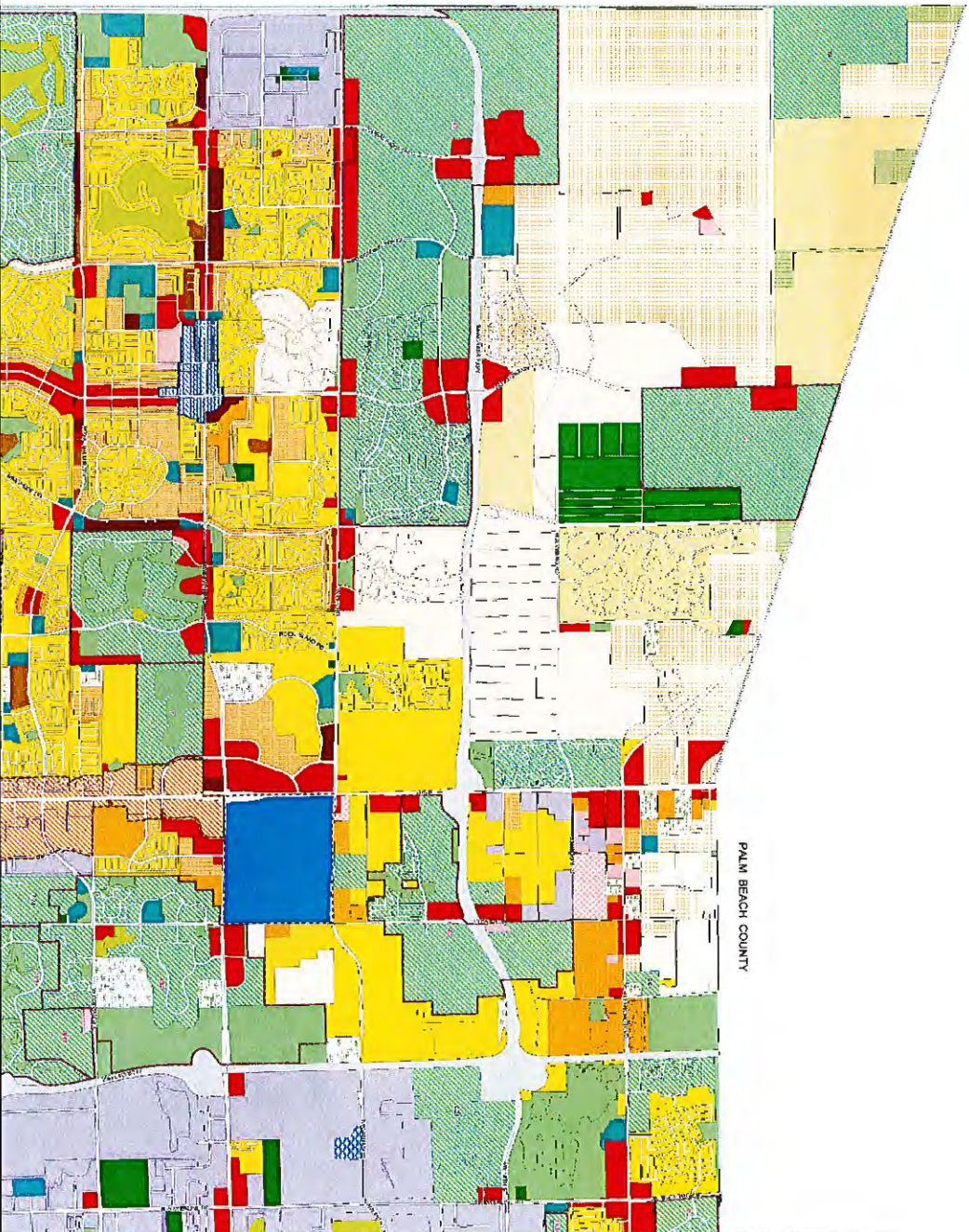
REVISED: March 14, 2017



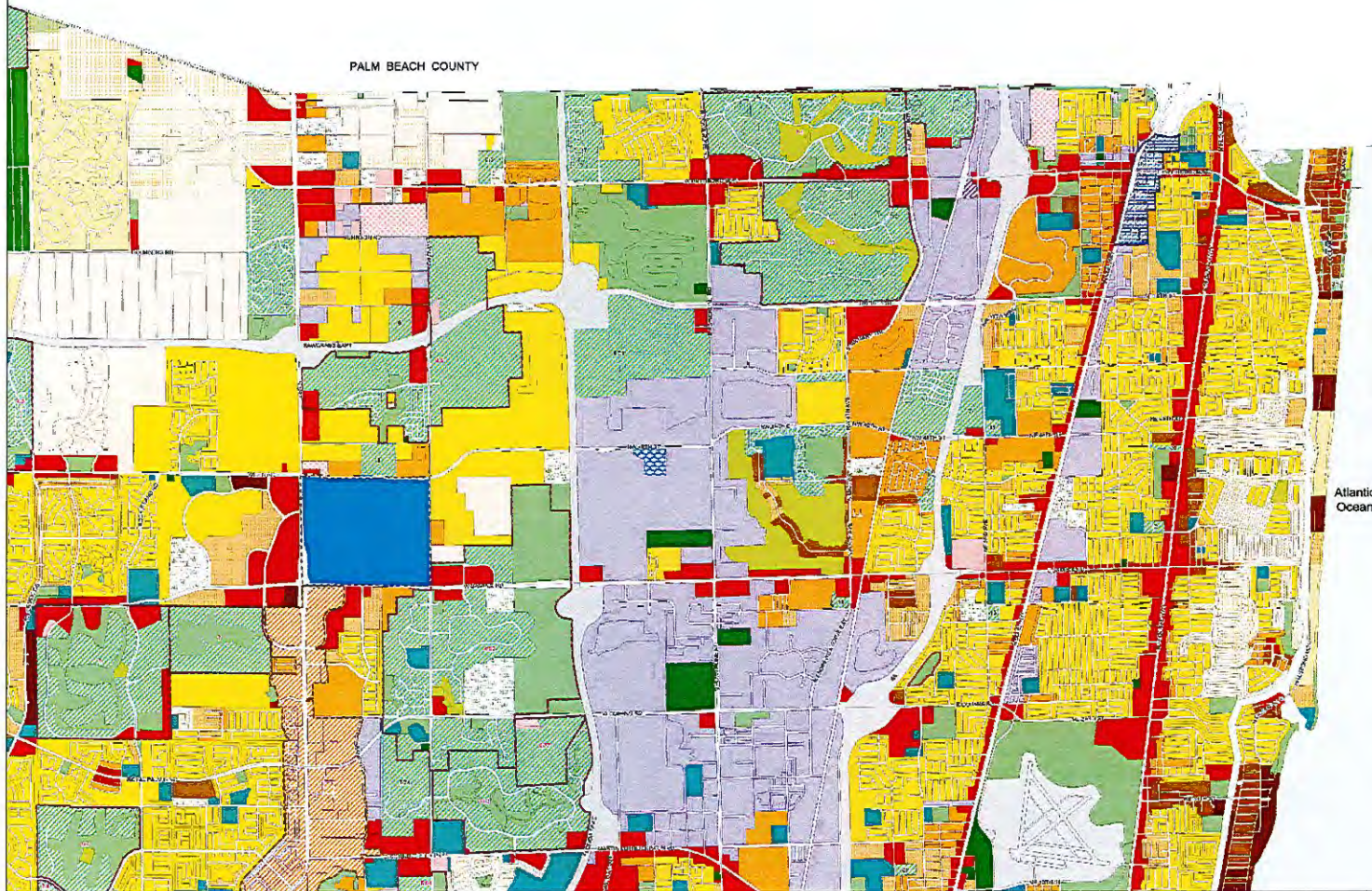
LEGEND

- Palm Beach County Rural Residential 10
- Rural Ranches
- Rural Estates
- Estate (1) Residential
- Low (2) Residential
- Low (3) Residential
- Low (5) Residential
- Low-Medium (10) Residential
- Medium (16) Residential
- Medium-High (25) Residential
- High (50) Residential
- Irregular Residential
- Dashed-Line Areas
- Commercial
- Employment Center - Low
- Employment Center - High
- Office Park
- Industrial
- Agricultural
- Conservation - Natural Reservations
- Conservation - Reserve Water Supply Areas
- Recreation & Open Space
- Commercial Recreation
- Community Facilities
- Utilities
- Electrical Generation Facilities
- Tribal Lands
- Mining
- Local Activity Center
- Regional Activity Center
- Mixed Use - Residential
- Transit Oriented Development
- Transit Oriented Corridor
- Transportation
- Right of Way
- Water

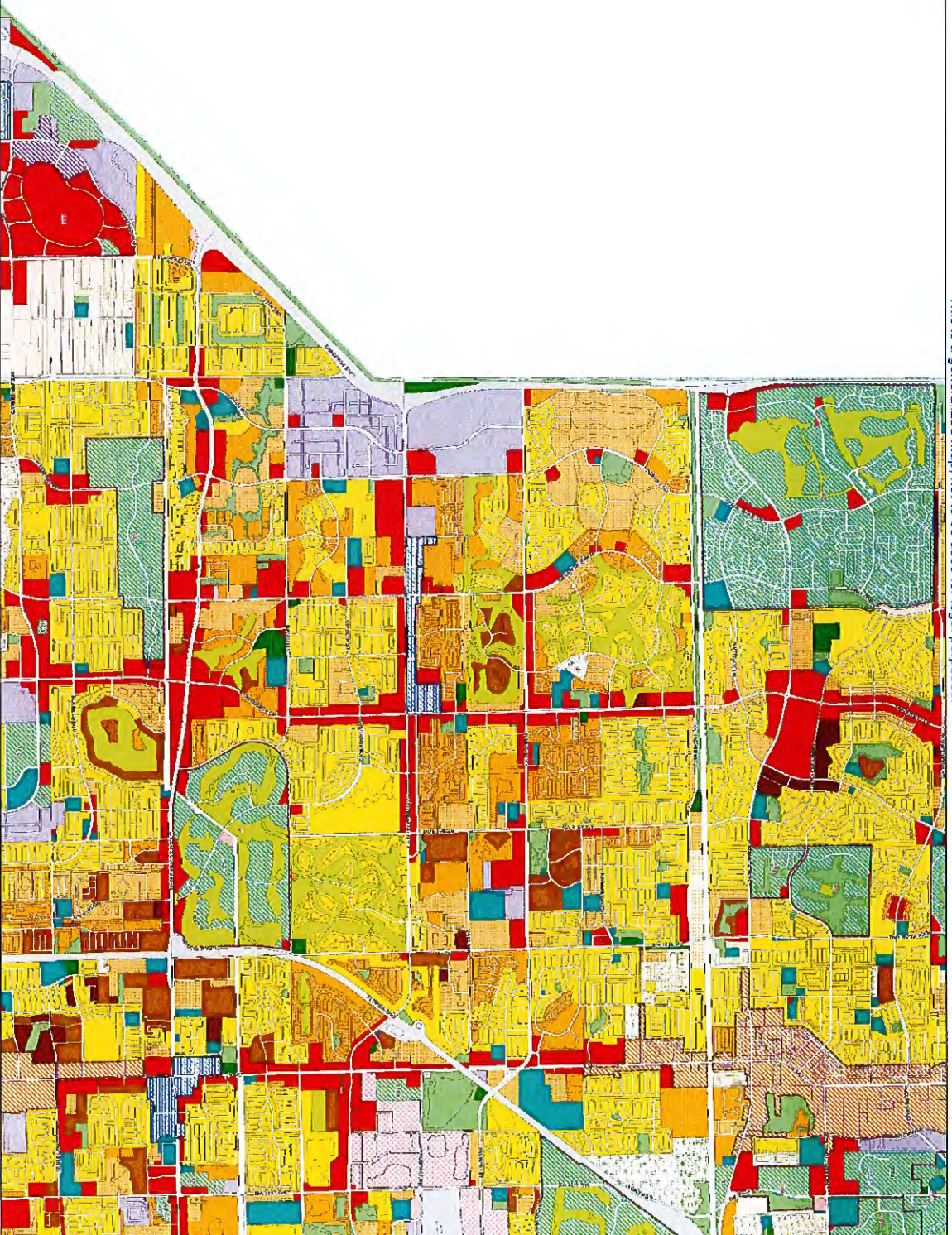
BROWARD COUNTY LAND USE PLAN
This is a generalized map, not to be used for legal purposes.



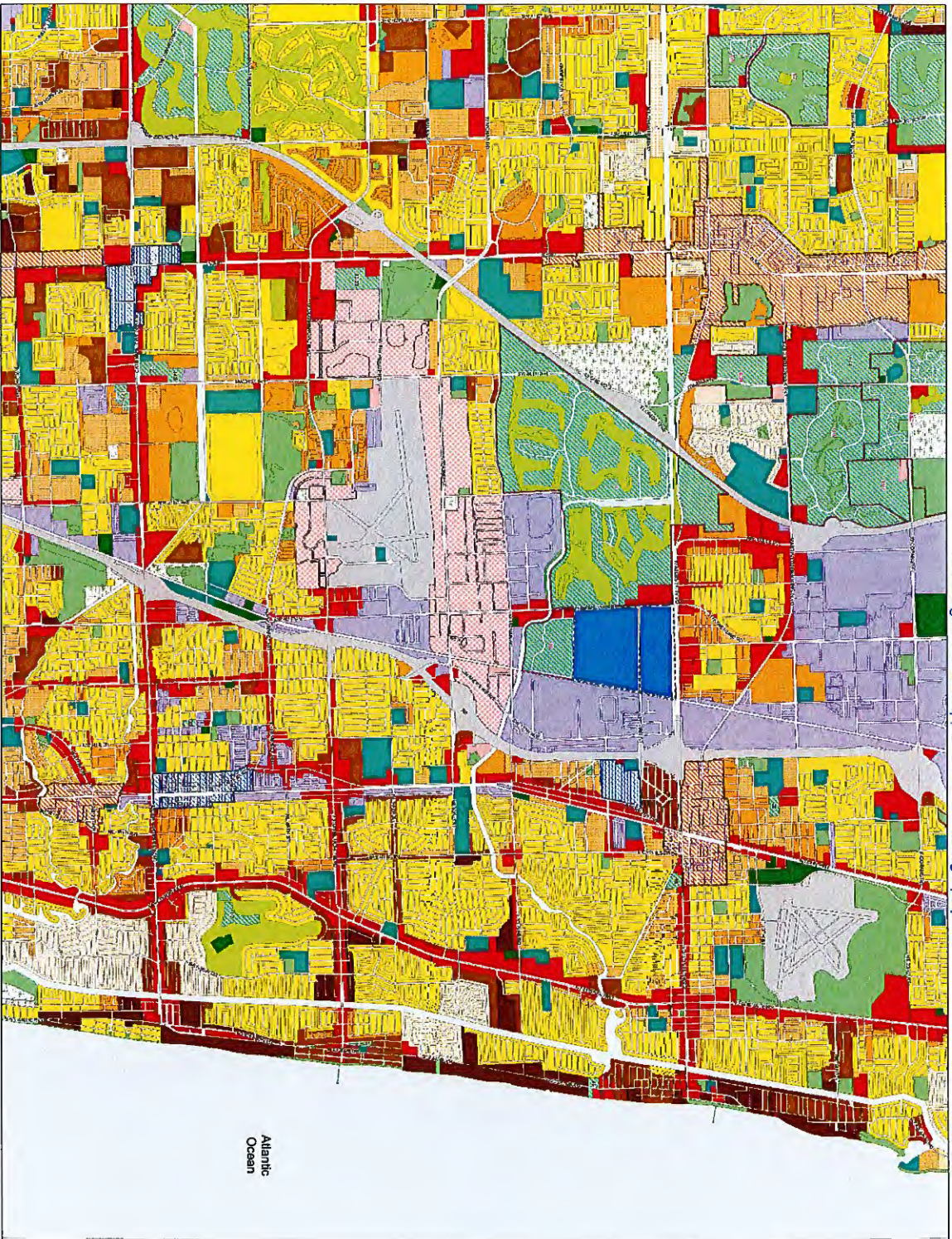
BROWARD COUNTY LAND USE PLAN
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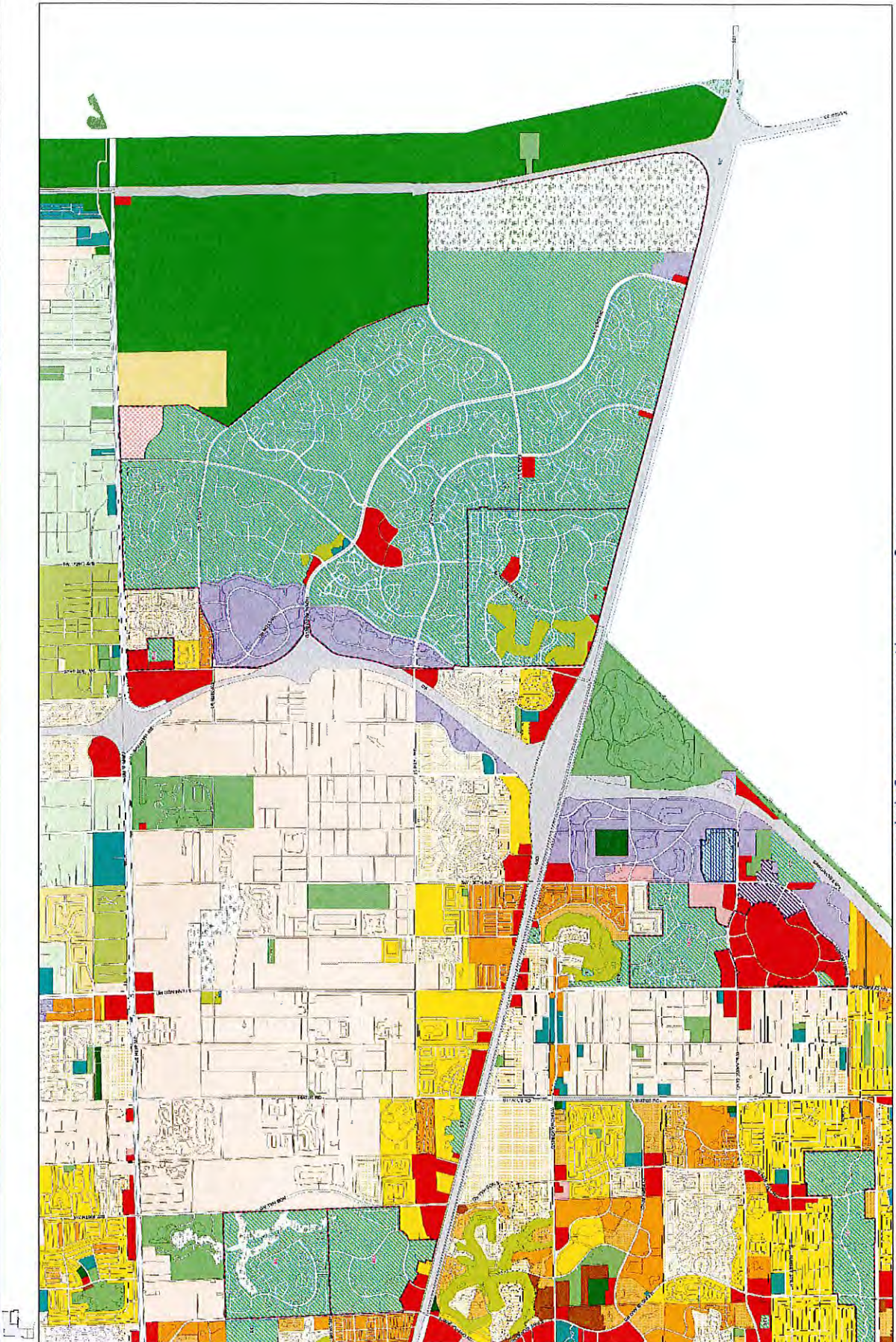


BROWARD COUNTY LAND USE PLAN
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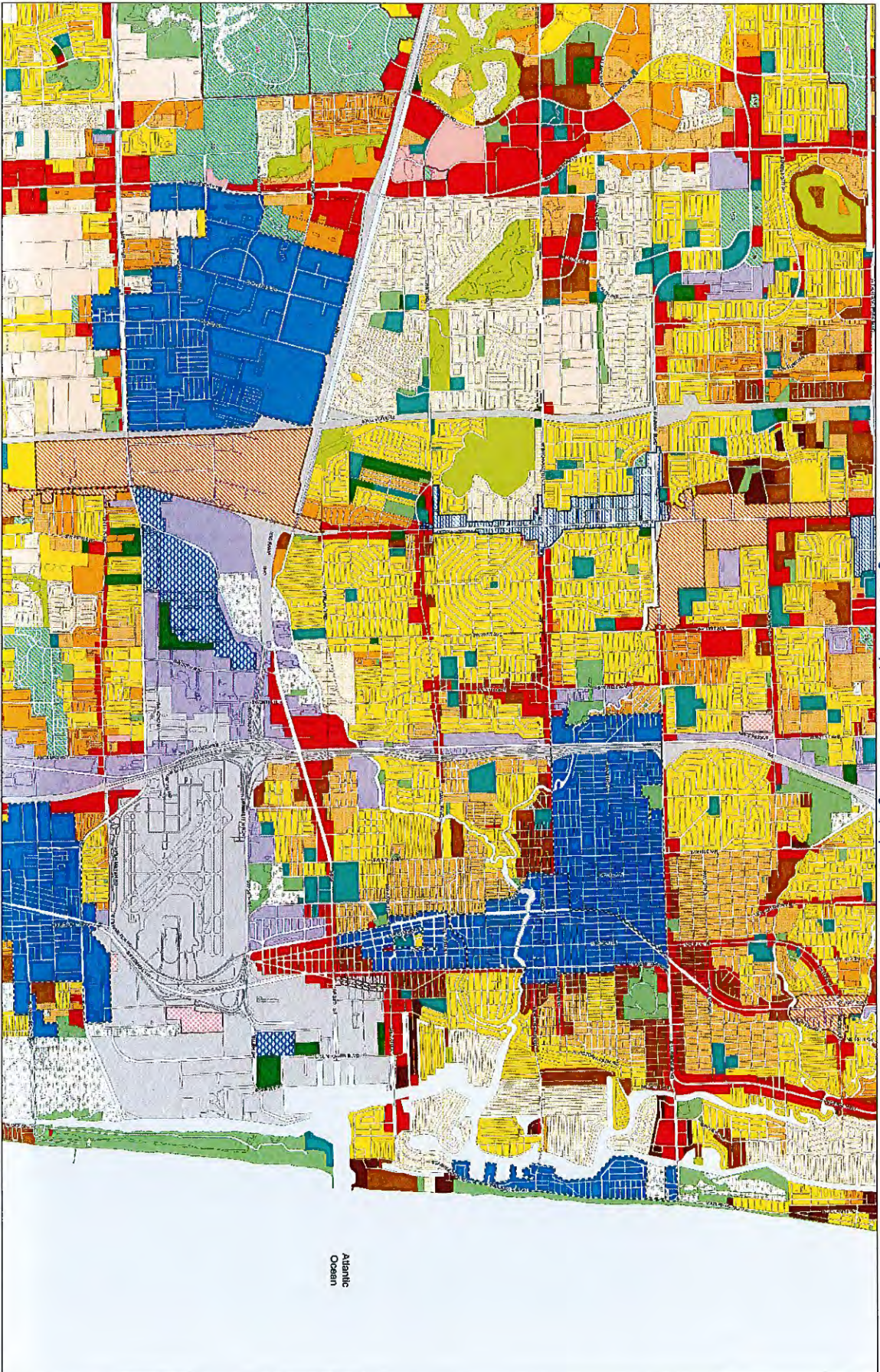


Atlantic
Ocean

BROWARD COUNTY LAND USE PLAN
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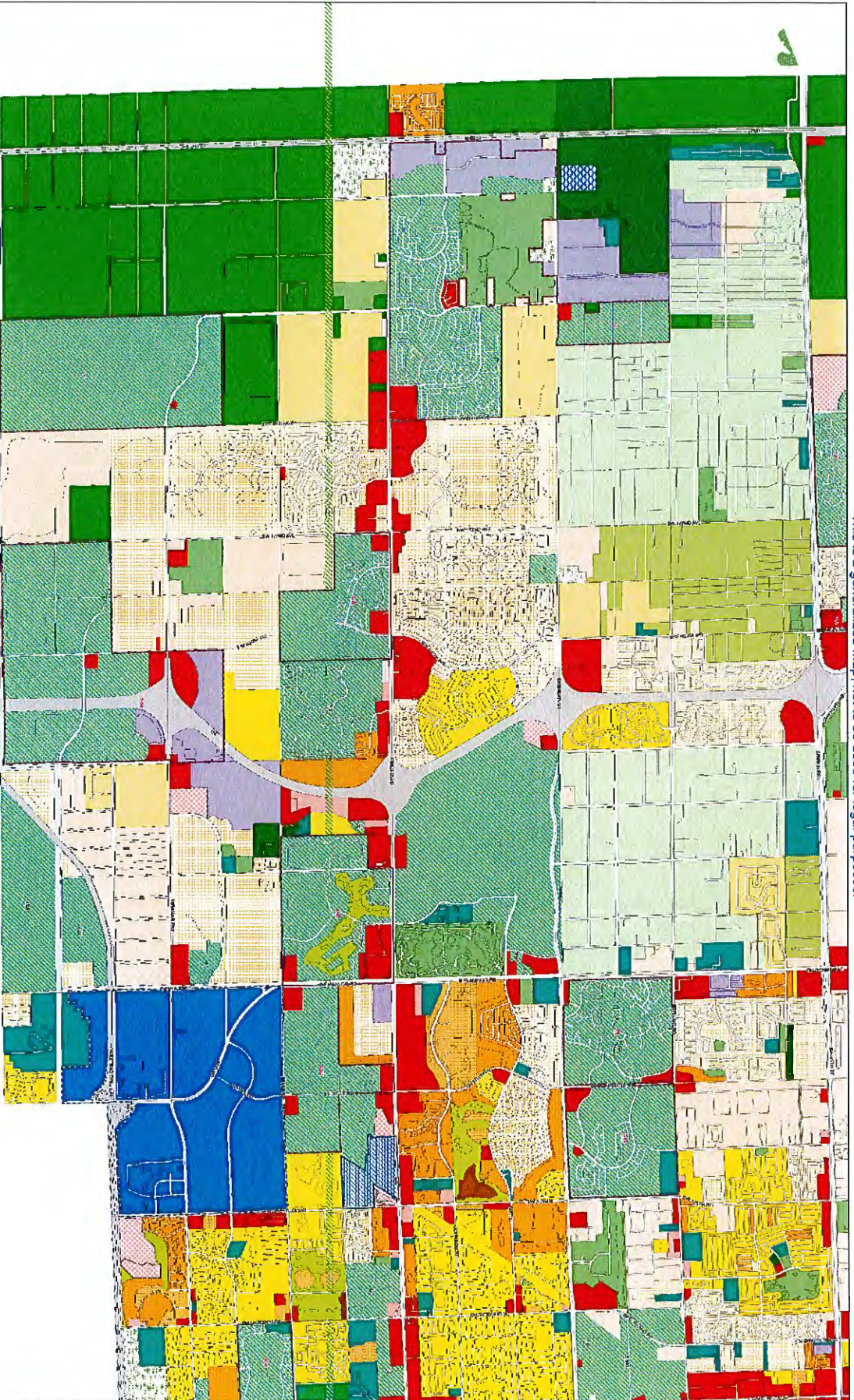


BROWARD COUNTY LAND USE PLAN
This is a generalized map, not to be used for legal purposes.



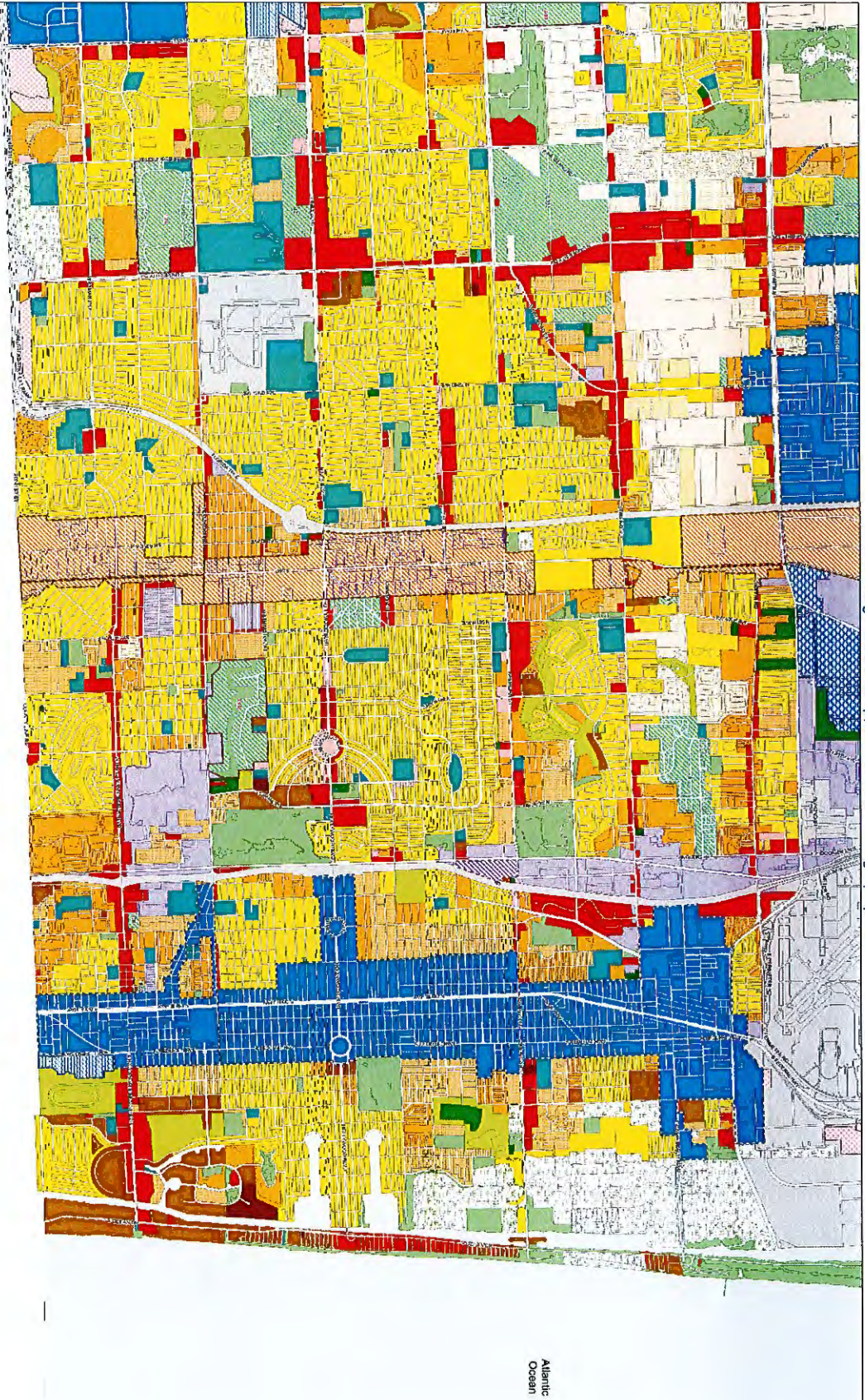
Atlantic
Ocean

BROWARD COUNTY LAND USE PLAN
This is a generalized map, not to be used for legal purposes.



MIAMI-DADE COUNTY

BROWARD COUNTY LAND USE PLAN
This is a generalized map, not to be used for legal purposes.



MIAMI-DADE COUNTY

EXHIBIT E



October 31, 2022

Shiv Newaldass, Director of Development Services
City of Hollywood
2600 Hollywood Boulevard, Suite 422
Hollywood, Florida 33020

Via Email Only

Dear Mr. Newaldass:

Planning Council staff is in receipt of the City of Hollywood's September 27, 2022, response to our correspondence addressed to Carter McDowell, dated July 19, 2021 (see attachment), regarding the acreage and land use confirmation for parcels generally located on the east side of State Road A1A, between Jefferson Street and Bougainvillea Terrace. As previously stated in the July 19, 2021, correspondence, no survey or legal description was provided and Planning Council staff noted that this calculation was based on the information and graphic that was submitted and that the acreage determination should not be utilized for official purposes unless independently accepted by the local government.

The City's September 27, 2022, correspondence, was cause for further review of the data and basis on which Planning Council staff issued the previous determination. As a result of an initial review of the City's zoning (which is required to be consistent with the underlying future land use designation), the information provided by Planning Council no longer appears to be correct, as the Broward County Land Use Plan designations do not align as previously indicated. Therefore, Planning Council staff must withdraw the previous opinion issued on July 19, 2021, in order to conduct additional review. Planning Council staff looks forward to coordinating with the City in this regard to resolve this question.

Respectfully,

A handwritten signature in blue ink, appearing to read "Barbara Blake Boy".

Barbara Blake Boy
Executive Director

Attachment

cc: Andrew M. Maurodis, Esq., Counsel

Carter N. McDowell, Esq., Bilzin Sumberg Baena Price & Axelrod LLP

July 19, 2021

Via Email Only

Carter N. McDowell
Bilzin Sumberg Baena Price & Axelrod LLP
1450 Brickell Avenue, 23rd Floor
Miami, Florida 33131

Dear Mr. McDowell:

Subject: Hollywood - Acreage Determination and Land Use Confirmation

This letter is in response to your request of June 28, 2021, to verify the gross acreage for parcels generally located on the east side of State Road A1A, between Jefferson Street and Bougainvillea Terrace, in the City of Hollywood.

Based on the graphic you have provided and our Geographical Information System (GIS), Planning Council staff calculations indicate that the total area encompasses approximately 8.8 gross acres, which is designated by the BrowardNext - Broward County Land Use Plan (BCLUP) as indicated below:

PARCEL	ACRES	BROWARDNEXT-BCLUP DESIGNATION
Parcel A (Folio ID: 5142-1301-1652)	1.0	Medium-High (25) Residential
Parcel B (Folio ID: 5142-2402-0010) (calculation based on the entire folio parcel)	0.3	Recreation and Open Space
	0.2	Community
Parcel C (Folio ID: 5142-1303-0020)	1.0	Community
Parcel D (Folio ID: 5142-2401-0011)	1.3	Medium-High (25) Residential
Parcel E (Folio ID: 5142-2402-0013)	0.7	Medium-High (25) Residential
Parcel F (all land east of the Broadwalk)	1.7	Recreation and Open Space
NET ACRES	6.2	
Parcel A Right-of-Way	0.6	Medium-High (25) Residential
Parcel B Right-of-Way	0.1	Recreation and Open Space
	0.1	Community
Parcel C Right-of-Way	0.5	Community
Parcel D Right-of-Way	0.6	Medium-High (25) Residential
Parcel E Right-of-Way	0.3	Medium-High (25) Residential
Parcel F Right-of-Way	0.4	Recreation and Open Space
RIGHT-OF-WAY ACRES	2.6	
TOTAL GROSS ACRES	8.8	

Carter N. McDowell
July 19, 2021
Page Two

The BrowardNext – Broward County Land Use Plan utilizes the following definition to calculate gross acreage:

- “Gross Acre” – means the total number of acres in an area, including acreage used or proposed for streets, lakes and waterways, exclusive of the rivers and canals of the primary drainage system.

In the case of the referenced lots, Planning Council staff has calculated the gross acreage based on the size of the parcels, and the adjacent Jefferson Street, Surf Road, Broadwalk, Azalea Terrace, Bougainvillea Terrace and State Road A1A rights-of-way.

As no survey or legal description was provided, Planning Council staff notes that this calculation is based on the information and graphic that you submitted and that the acreage determination should not be utilized for official purposes unless independently accepted by the local government. Please note that applications to amend the Broward County Land Use Plan require a sealed survey, including legal description of the area proposed to be amended.

Although not prohibited by the Broward County Land Use Plan, Planning Council staff recommends that any land use plan amendment for this site not include Parcel F and Parcel F right-of-way, designated Recreation and Open Space.

The contents of this correspondence are not a judgment as to whether this development proposal complies with the Broward County Trafficways Plan, permitted uses and densities, local zoning, the land development regulations of the municipality or development review requirements of the Broward County Land Use Plan, including concurrency requirements.

If you have any additional questions in this regard, please feel free to contact me or Christina Evans, of Planning Council staff.

Respectfully,



Barbara Blake Boy
Executive Director

BBB:CME
Attachment



Carter N. McDowell
July 19, 2021
Page Three

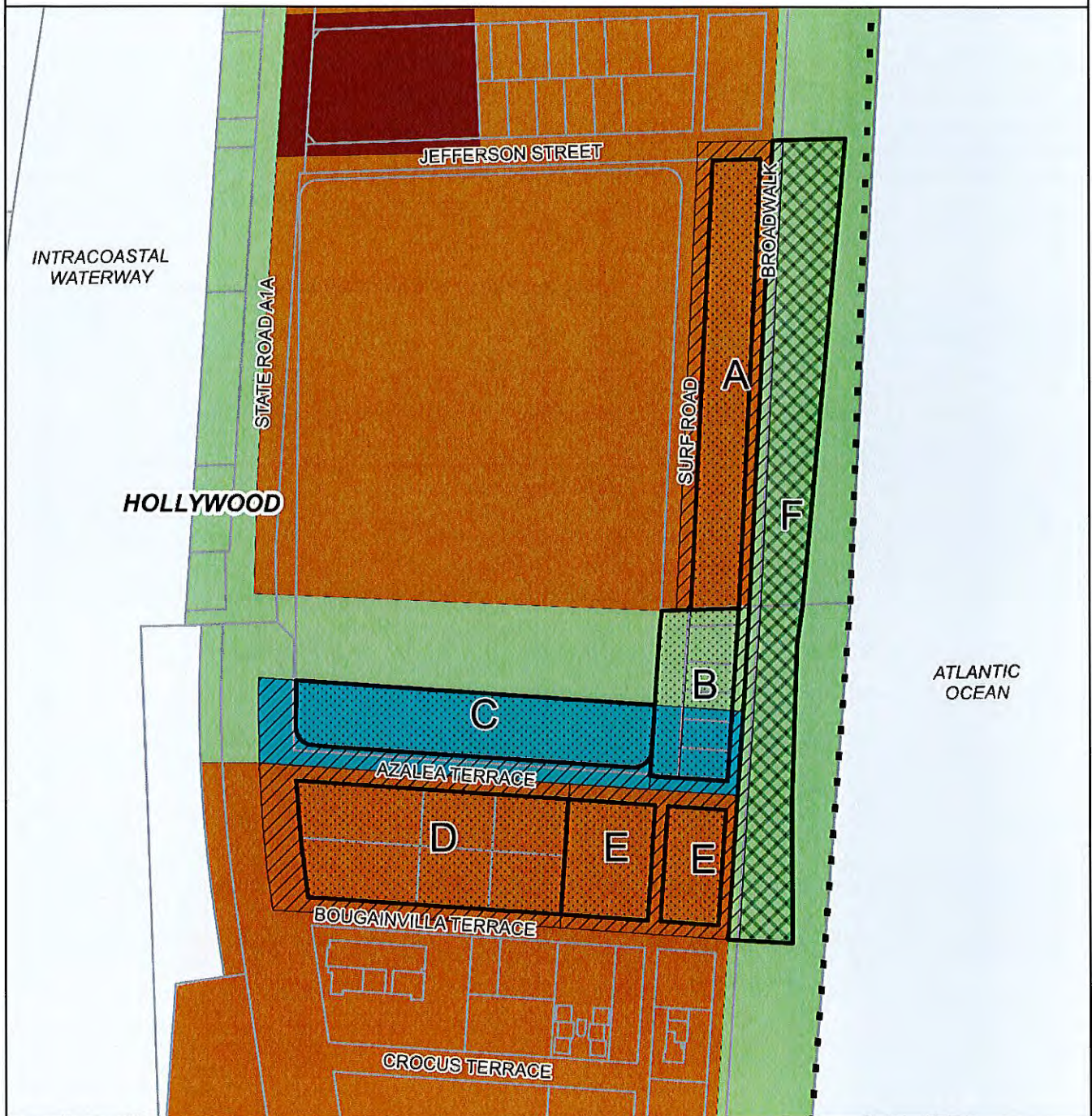
cc/email/att: Dr. Wazir Ishmael, City Manager
City of Hollywood

Shiv Newaldass, Director, Development Services
City of Hollywood

Leslie A. Del Monte, Planning Manager, Division of Planning and Urban Design
City of Hollywood



Broward County Land Use Plan Acreage and Land Use Confirmation



- Municipal Boundary
- Medium-High (25) Residential
- High (50) Residential
- Recreation and Open Space
- Community
- Water / Primary Drainage

Total Gross Acres = 8.8

AD 21-006 McDowell Hollywood
Acreage Determination

200 100 0 200 Feet



EXHIBIT F



January 25, 2023

Via Email Only

Carter N. McDowell
Bilzin Sumberg Baena Price & Axelrod LLP
1450 Brickell Avenue, 23rd Floor
Miami, Florida 33131

Dear Mr. McDowell:

Subject: Hollywood - Acreage Determination and Land Use Confirmation

This letter is in response to your request to verify the gross acreage for parcels generally located on the east side of State Road A1A, between Jefferson Street and Bougainvillea Terrace, in the City of Hollywood.

Based on the survey and legal description (attached) you have provided and our Geographical Information System (GIS), Planning Council staff calculations indicate that the total area encompasses approximately 3.99 gross acres, which is designated by the BrowardNext - Broward County Land Use Plan (BCLUP) as indicated below:

PARCEL	ACRES	BROWARDNEXT-BCLUP DESIGNATION
Parcel 1	0.15	Recreation and Open Space
Parcel 2	1.79	Community
Parcel 3	0.29	Community
NET ACRES	2.23	
Parcel 1 Right-of-Way	0.79	Recreation and Open Space
Parcels 2 and 3 Right-of-Way	0.97	Community
RIGHT-OF-WAY ACRES	1.76	
TOTAL GROSS ACRES	3.99	

The BrowardNext – Broward County Land Use Plan utilizes the following definition to calculate gross acreage:

- “Gross Acre” – means the total number of acres in an area, including acreage used or proposed for streets, lakes and waterways, exclusive of the rivers and canals of the primary drainage system.

In the case of the referenced lots, Planning Council staff has calculated the gross acreage based on the size of the parcels, and the adjacent State Road A1A, Surf Road, Broadwalk, Azalea Terrace and Bougainvillea Terrace rights-of-way. Further, it is Planning Council staff’s understanding that the Azalea Terrace right-of-way will be vacated; therefore, both sides have been included in this acreage calculation.

Carter N. McDowell
January 25, 2023
Page Two

Planning Council staff notes that this calculation is based on the information that you provided and should not be utilized for official purposes unless independently accepted by the local government.

The contents of this correspondence are not a judgment as to whether this development proposal complies with the Broward County Trafficways Plan, permitted uses and densities, local zoning, the land development regulations of the municipality or development review requirements of the Broward County Land Use Plan, including concurrency requirements.

If you have any additional questions in this regard, please feel free to contact me or Deanne Von Stetina, of Planning Council staff.

Respectfully,



Barbara Blake Boy
Executive Director

BBB:DDV
Attachments

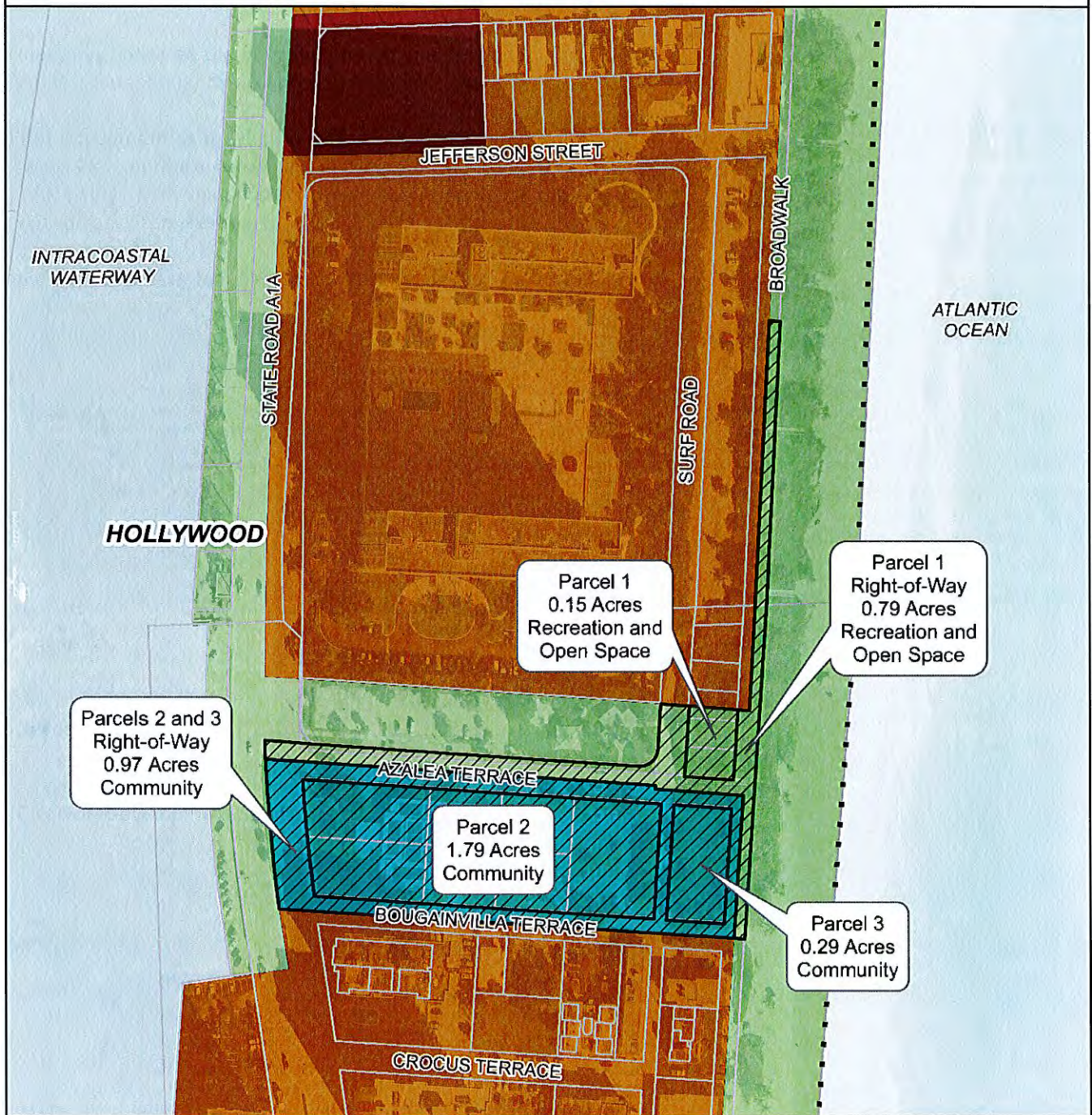
cc/email/att: Dr. Wazir Ishmael, City Manager
City of Hollywood

Shiv Newaldass, Director, Development Services
City of Hollywood

Andria Wingett, Assistant Director, Development Services
City of Hollywood



Broward County Land Use Plan Acreage and Land Use Confirmation



- Subject Site
- Municipal Boundary
- Medium-High (25) Residential
- High (50) Residential

- Recreation and Open Space
- Community
- Water / Primary Drainage

Total Gross Acres = 3.99

AD 23-001 McDowell Hollywood
Acreage Determination

200 100 0 200
Feet



EXHIBIT "A"

LEGAL DESCRIPTION:

A portion of Surf Road, Azalea Terrace, South Ocean Drive and Bougainvillea Terrace,

A portion of the Broad Walk, being a thirty (30) foot strip, ATLANTIC SHORES NORTH BEACH SECTION, according to the Plat thereof, as recorded in Plat Book 9 at Page 36,

A portion of the Board Walk, being a thirty (30) foot strip, HOLLYWOOD BEACH, according to the Plat thereof, as recorded in Plat Book 1 at Page 27,

Lots A, B, C, D, E, and F, Block 2, BEVERLY BEACH, according to the Plat thereof, as recorded in Plat Book 22 at Page 13,

Lots 1, 2 and a portion of Lot 3, Block 1, ATLANTIC SHORES NORTH BEACH SECTION, according to the Plat thereof, as recorded in Plat Book 9 at Page 36,

Lots 1, 2, 3, 4, 5, 6, 7, 28, 29 and 30, Block 2, ATLANTIC SHORES NORTH BEACH SECTION, according to the Plat thereof, as recorded in Plat Book 9 at Page 36,

all being recorded in the Public Records of Broward County, Florida and being more particularly described as follows:

Begin at the intersection of the centerline of said South Ocean Drive and the centerline of said Bougainvillea Terrace; thence S 86°06'41" E along said centerline of Bougainvillea Terrace for 846.47 feet; thence N 03°58'13" E along the East line of said Broad Walk for 463.61 feet; thence S 88°04'58" W along the North line of Section 24, Township 51 South, Range 42 East, also being the South line of Section 13, Township 51 South, Range 42 East for 0.06 feet; thence N 02°43'00" E along East line of said Board Walk, also being the West line of Block D of said plat of HOLLYWOOD BEACH for 395.95 feet; thence N 87°11'00" W for 15.00 feet; thence S 02°43'00" W along the centerline of said Board Walk for 397.17 feet; thence N 88°04'58" E along said North line of Section 24, Township 51 South, Range 42 East and South line of Section 13, Township 51 South, Range 42 East for 0.03 feet; thence S 03°58'13" W along the centerline of said Broad Walk for 143.40 feet; thence N 86°06'41" W for 123.51 feet; thence S 03°51'12" W along the West right of way line of said Surf Road, also being the East line of Parcel 1, HOLLYWOOD SOUTH BEACH, according to the Plat thereof, as recorded in Plat Book 98 at Page 43 of said Public Records of Broward County, Florida for 63.67 feet to a point of curvature; thence Southwesterly and Northwesterly along a 25.00 foot radius curve leading to the right through a central angle of 90°02'07" for an arc distance of 39.29 feet to a point of tangency; thence N 86°06'41" W along the North right of way line of said Azalea Terrace, also being the South line of said Parcel 1 of the plat of HOLLYWOOD SOUTH BEACH for 518.31 feet to a point on a circular curve concave to the Northeast and whose radius point bears N 88°45'46" E; thence Southeasterly along the centerline of said South Ocean Drive, also being a 1910.08 foot radius curve leading to the left through a central angle of 6°58'56" for an arc distance of 232.77 feet to the Point of Beginning.

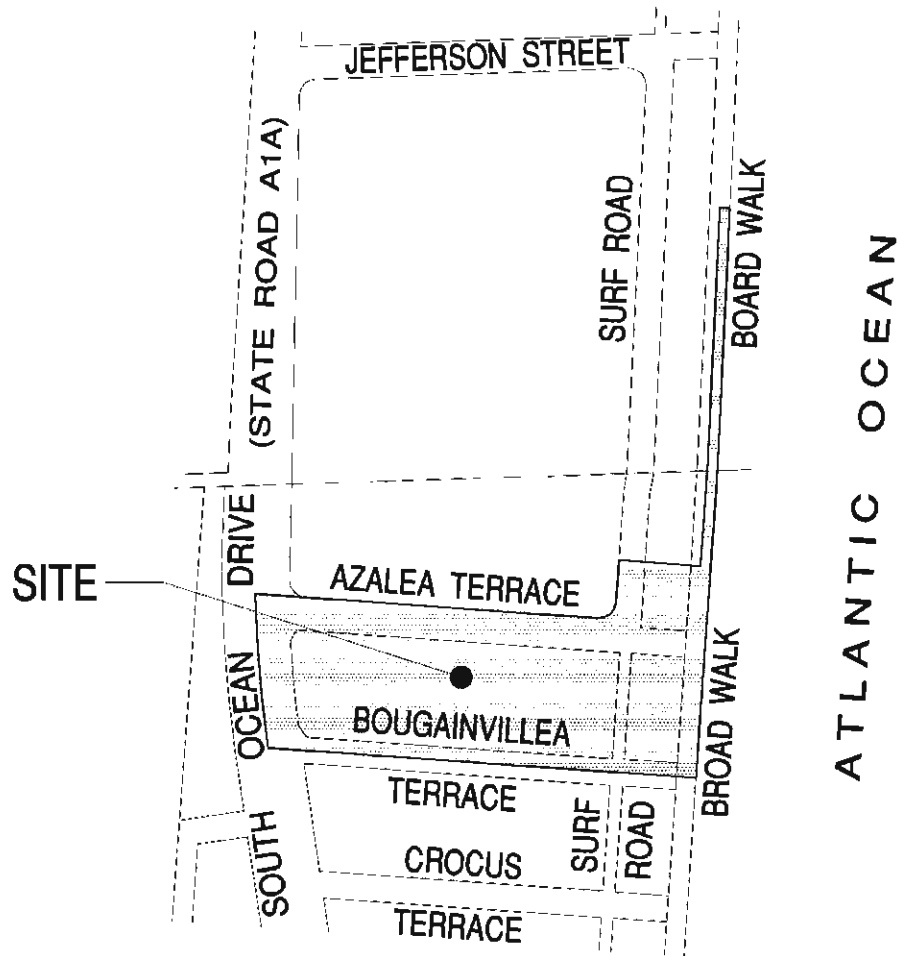
Drawn By	MAP
Cad. No.	220695
Ref. Dwg.	2020-013-1
Plotted:	1/4/23 11:32a

LEGAL DESCRIPTION

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th Street / North Miami Beach, Florida. 33162
Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

Date	1/4/23
Scale	NOT TO SCALE
Job. No.	220998
Dwg. No.	1022-070-2
Sheet	1 of 4

EXHIBIT "A"



Drawn By MAP

Cad. No. 220695

Ref. Dwg. 2020-013-

Plotted: 1/4/23 11:37a

LOCATION SKETCH

FORTIN, LEAVY, SKILES, INC.

CONSULTING ENGINEERS, SURVEYORS & MAPPERS

FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653

180 Northeast 168th. Street / North Miami Beach, Florida. 33162

Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flsurvey.com

Date 1/4/23

Scale NOT TO SCALE

Job. No. 220998

Dwg. No. 1022-070-2

Sheet 4 of 4

EXHIBIT "A"

SURVEYOR'S NOTES:

This site lies in Sections 13 and 24, Township 51 South, Range 42 East, City of Hollywood, Broward County, Florida.

- All documents are recorded in the Public Records of Broward County, Florida unless otherwise noted.
- Bearings hereon are referred to an assumed value of S 86°06'41" E for the centerline of Bougainvillea Terrace.
- Lands shown hereon were not abstracted for easements and/or rights-of-way of records.
- Lands shown hereon containing 173,805 square feet, or 3.990 acres, more or less.
- This is not a "Boundary Survey" but only a graphic depiction of the description shown hereon.
- Dimensions shown hereon are based on Fortin, Leavy, Skiles, sketch #2020-013-1.

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Sketch of Description" was made under my responsible charge on January 4, 2023, and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and original raised seal or a digital signature of the Florida Licensed Surveyor and Mapper shown below"

FORTIN, LEAVY, SKILES, INC., LB3653

By: _____
Dorrie C. Fortin Jr., For The Firm
Surveyor and Mapper, LB3653
State of Florida.

Drawn By	MAP
Cad. No.	220695
Ref. Dwg.	2020-013-1
Plotted:	1/4/23 11:32a

SURVEYOR'S NOTES & CERTIFICATION

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th Street / North Miami Beach, Florida. 33162
Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

Date	1/4/23
Scale	NOT TO SCALE
Job. No.	220998
Dwg. No.	1022-070-2
Sheet	2 of 4



GRAPHIC SCALE

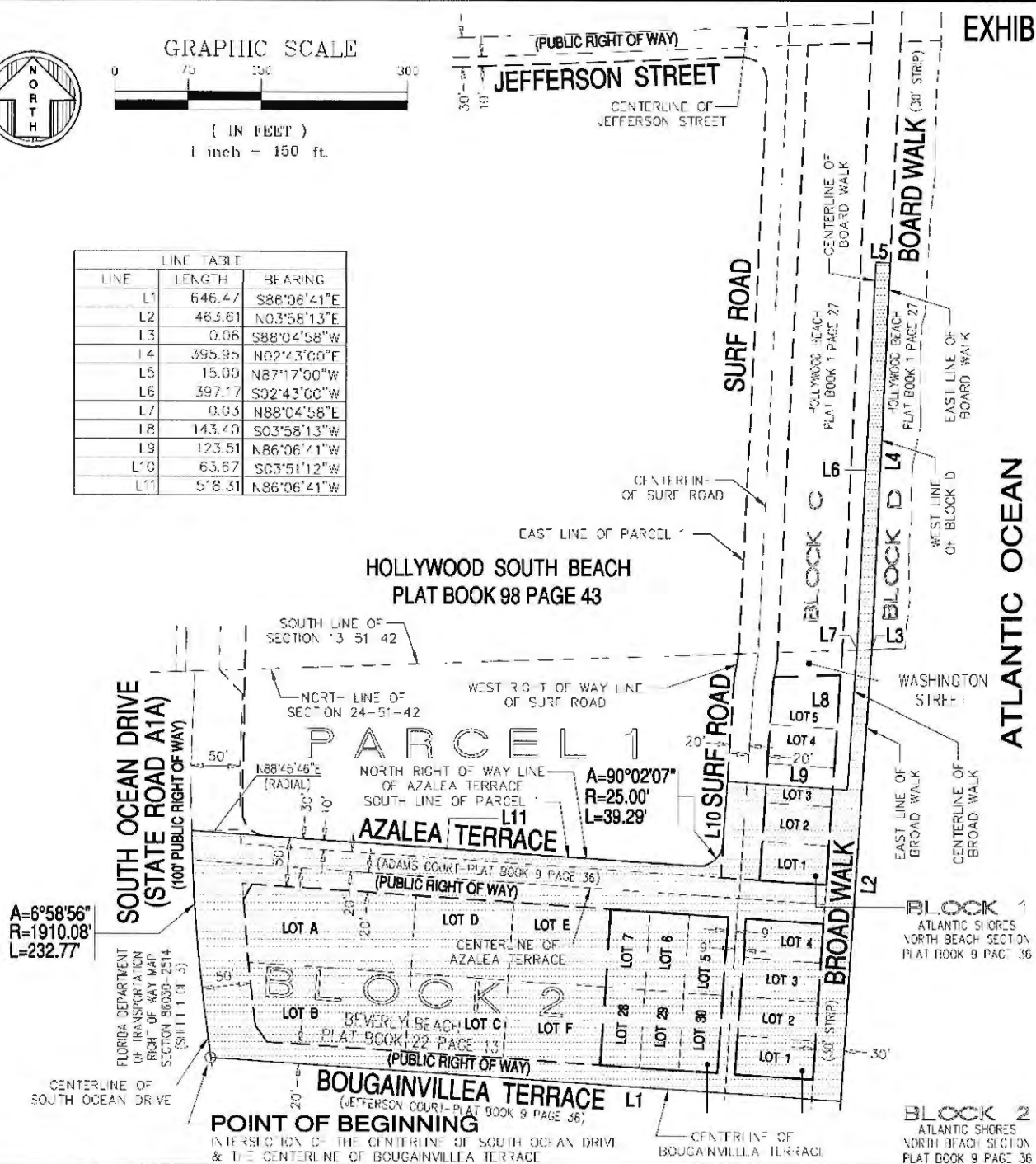


(IN FEET)

1 inch = 150 ft.

LINE	LENGTH	BEARING
L1	646.47	S86°06'41"E
L2	463.61	N03°58'13"E
L3	0.06	S88°04'58"W
L4	395.95	N82°43'00"E
L5	15.00	N87°17'00"W
L6	397.17	S02°43'00"W
L7	0.03	N88°04'58"E
L8	143.40	S03°58'13"W
L9	123.51	N86°06'41"W
L10	63.67	S03°51'12"W
L11	578.31	N86°06'41"W

EXHIBIT "A"



Drawn By MAP

Cad. No. 220695

Ref. Dwg. 2020-013-1

Plotted: 4/23 1:32a

SKETCH OF DESCRIPTION

FORTIN, LEAVY, SKILES, INC.

CONSULTING ENGINEERS, SURVEYORS & MAPPERS

FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653

180 Northeast 168th. Street / North Miami Beach, Florida. 33162

Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

Date 1/4/23

Scale 1"=150'

Job. No. 220998

Dwg. No. 1022-070-2

Sheet 3 of 4