



TOWN OF HILLSBORO BEACH

1210 Hillsboro Mile, Hillsboro Beach, Florida 33062

November 1, 2022 | 9:00 AM

BOARD OF ZONING & APPEALS AGENDA

MAYOR DEBORAH L. TARRANT
VICE MAYOR IRENE KIRDAHY
COMMISSIONER VICKY FEAMAN
COMMISSIONER BARBARA BALDASARRE
COMMISSIONER JANE REISER

TOWN MANAGER WILLIAM 'MAC'SERDA, ICMA-CM
TOWN ATTORNEY DONALD J. DOODY, ESQ
TOWN CLERK SHERRY D. HENDERSON, CMC

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

I. QUASI-JUDICIAL PUBLIC HEARINGS

- A. **QUASI-JUDICIAL PUBLIC HEARING** - Amendment to Conditional Use for Hillsboro Beach Resort, submitted by Debbie M. Orshefsky, Attorney with Holland & Knight; Authorized Agent for the Hillsboro Beach Resort, property located at 1159 Hillsboro Mile, Hillsboro Beach, FL 33062.

ADDRESS: 1159 Hillsboro Mile, Hillsboro Beach, FL 33062 | Hillsboro Beach Resort

REQUEST: On July 6, 2021, the Town Commission approved a Development Order Granting a Conditional Use to Permit "a Restaurant with Beer, Wine and Alcoholic Beverage Service within the Hillsboro Beach Resort". The Applicant is Requesting Re-evaluation of the Conditions of Approval.

- All interested parties are sworn in by Town Attorney.

- ☐ Staff Presentation
- ☐ Commission Discussion
- ☐ Public Hearing Opened
- ☐ Public Comments
- ☐ Public Hearing Closed
- ☐ Commission Discussion
- ☐ Commission Motion & Second
- ☐ Commission Vote

II. ADJOURNMENT



1210 Hillsboro Mile
Hillsboro Beach, FL 33062

TOWN OF HILLSBORO BEACH

Phone: (954) 427-4011
Fax: (954) 427-4834

TO: Mayor Tarrant and Town Commission
THROUGH: Mac Serda, Town Manager
FROM: Jim Hickey, Town Planner
DATE: November 1, 2022
SUBJECT: Amendment to Approved Conditional Use for Special Event Space for
The Hillsboro Beach Resort Located at 1159 Hillsboro Mile

The applicant and owners of the Hillsboro Resort, BNH IV HM TRI, LLC and 1159 Hillsboro Mile LLC (Applicant), are requesting to amend the conditions of approval required under the Conditional Use approved by the Town Commission on July 6th 2021, to permit a restaurant with alcoholic beverage service within the Hillsboro Beach Resort. The applicant is now requesting to amend these conditions of approval to utilize a Special Event Space and amend other conditions of approval which were included in the development order for this conditional use. The property is located at 1159 Hillsboro Mile with the majority of the development located on the east side of A1A within the RM-30 Multiple-Family Dwelling Residential District.

Background

Seven conditions of approval were set by the Town's Conditional Use Development Order on **July 6, 2021**, for the food and beverage service in the Restaurant and Bar space. The conditions read as follows:

- (a) The hours of operation for food and beverage service shall be limited to 7:00am to 10:30pm daily.
- (b) Any outdoor music associated with the resort and generated by the resort shall be limited to the times food and alcoholic [beverages] are served onsite. No amplified music shall be allowed in the outside areas of the resort.
- (c) No food or drinks shall be prepared outside the resort building at any time.
- (d) The Town Commission shall re-evaluate the conditions of approval and ensure compliance with all conditions of approval six (6) months subsequent to the issuance of the Certificated of Occupancy for the hotel and every twelve (12) months thereafter.
- (e) Applicant shall work with the Town to establish trash pick-up relative to the restaurant facility.
- (f) For any hotel-sponsored event or any special event, the owner must contact the Town staff within three (3) working days of the event to determine if an off-duty officer is required.
- (g) The internal space labeled "BOH/Office" on the construction plans approved by the Town for renovation of the hotel shall be used for only office space. The use of the "BOH/Office" space for any other purpose is prohibited unless a new application for a conditional use is filed and subsequently approved by the Town Commission

The Applicant submitted a proposal to amend the Conditional Use on May 12, 2022, to provide for hosting Special Events. The Applicant subsequently revised this proposal in a letter dated August 25, 2022.

The following is a timeline of the effective changes to the conditions of approval, as a result of the Town Commission's actions in their First and Second Amended Development Orders, followed by the current request of the applicant for additional amendments.

At the **September 13, 2022** meeting of the Town Commission, the following addition to the conditions of approval were made by the Commission via the First Amended Development Order:

- (a) The hours of operation for food and beverage service shall be limited to 7:00am to 10:30pm daily.
- (b) Any outdoor music associated with the resort and generated by the resort shall be limited to the times food and alcoholic [beverages] are served onsite. No amplified music shall be allowed in the outside areas of the resort.
- (c) No food or drinks shall be prepared outside the resort building at any time.
- (d) The Town Commission shall re-evaluate the conditions of approval and ensure compliance with all conditions of approval six (6) months subsequent to the issuance of the Certificated of Occupancy for the hotel and every twelve (12) months thereafter.
- (e) Applicant shall work with the Town to establish trash pick-up relative to the restaurant facility.
- (f) For any hotel-sponsored event or any special event, the owner must contact the Town staff within three (3) working days of the event to determine if an off-duty officer is required.
- (g) The internal space labeled "BOH/Office" on the construction plans approved by the Town for renovation of the hotel shall be used for only office space. The use of the "BOH/Office" space for any other purpose is prohibited unless a new application for a conditional use is filed and subsequently approved by the Town Commission

FIRST AMENDED D.O. > Effective October 1, 2022, in addition to being open for hotel guests, the Restaurant and Bar shall be opened to Hillsboro Beach residents and their guests. The Hillsboro Beach resident use of the Restaurant and Bar shall be approved for one year and extension of the use by Hillsboro Beach residents shall be reviewed by the Town Commission at its first meeting in September, 2023. Proof of residency will be required in the form of a Florida driver's license, voter's registration, or utility bill. Residents will be issued a membership card by the Property Owner.

At the **October 4, 2022** meeting of the Town Commission, the following addition to the conditions of approval were made by the Commission via the Second Amended Development Order:

- (a) The hours of operation for food and beverage service at the Restaurant and Bar shall be limited to 7:00am to 10:30pm daily.
- (b) Any outdoor music associated with the resort and generated by the resort shall be limited to the times food and alcoholic [beverages] are served onsite. No amplified music shall be allowed in the outside areas of the resort.
- (c) No food or drinks shall be prepared outside the resort building at any time.

- (d) The Town Commission shall re-evaluate the conditions of approval and ensure compliance with all conditions of approval six (6) months subsequent to the issuance of the Certificated of Occupancy for the hotel and every twelve (12) months thereafter.
- (e) Applicant shall work with the Town to establish trash pick-up relative to the restaurant facility.
- (f) For any hotel-sponsored event or any special event, the owner must contact the Town staff within three (3) working days of the event to determine if an off-duty officer is required.

~~(g) The internal space labeled "BOH/Office" on the construction plans approved by the Town for renovation of the hotel shall be used for only office space. The use of the "BOH/Office" space for any other purpose is prohibited unless a new application for a conditional use is filed and subsequently approved by the Town Commission~~

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SECOND AMENDED D.O. > The internal space labeled "BOH/Office" shall be available but limited to only hotel sponsored events. The hotel sponsored events shall be limited solely to hotel guests and held only between the hours of 8am – 10pm Sunday through Thursday, and 8am – 12am Friday through Sunday*.

**There is a typo in the D.O.;
this should read "Friday
through Saturday"*

The Applicant submitted a **proposal** to amend the Conditional Use on **October 14, 2022**, which if approved, would amend the original conditions of approval and subsequently amendments resulting in the following conditions being in effect: [conditions (a) - (e) from the original D.O., the First and Second amended D.O., and applicant proposed conditions 1- 8]

- (a) The hours of operation for food and beverage service at the Restaurant and Bar shall be limited to 7:00am to 10:30pm daily.
- (b) Any outdoor music associated with the resort and generated by the resort shall be limited to the times food and alcoholic **[beverages]*** are served onsite. No amplified music shall be allowed in the outside areas of the resort.
- (c) No food or drinks shall be prepared outside the resort building at any time.
- (d) The Town Commission shall re-evaluate the conditions of approval and ensure compliance with all conditions of approval six (6) months subsequent to the issuance of the Certificated of Occupancy for the hotel and every twelve (12) months thereafter.
- (e) Applicant shall work with the Town to establish trash pick-up relative to the restaurant facility.

**Typo: the word
"beverages" is
missing from the
D.O.*

- ~~(f) For any hotel sponsored event or any special event, the owner must contact the Town staff within three (3) working days of the event to determine if an off-duty officer is required.~~

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SECOND AMENDED D.O. > The internal space labeled "BOH/Office" shall be available ~~but limited to only hotel sponsored to special events. The hotel sponsored events shall be limited solely to hotel guests and held only between the hours of 8am – 10pm Sunday through Thursday, and 8am – 12am Friday through Sunday.~~

1. For a period of one (1) year from the date of this Development Order, the Resort may conduct a maximum of twenty-four (24) Special Events per year. The Special Events subject to this frequency limitation shall not include Special Events which are business or non-social events (birthday parties, corporate retreats and the like) involve no live or amplified music or are scheduled between the hours of 8am and 8pm.
2. During Special Events, the Resort will hire two (2) off-duty police officers to monitor and if necessary, control, vehicular access at the Resort driveway to mitigate queuing on A1A at the Resort driveway and patrol the building and premises. The Special Events subject to the requirement for off-duty police officers shall not include Special Events which are business or non-social events, involve no live or amplified music or are scheduled between the hours of 8am and 8pm.
3. The maximum number of attendees at any Special Event at the Resort shall not exceed 65 attendees.
4. All Special Events will be conducted within the Special Event Space identified on the second floor of the Resort Site Plan submitted with the May 12, 2022 application for amendment to conditional use.
5. Special Events may only be conducted during the following times: 8am-10pm Sunday-Thursday and 8am-12am Friday-Saturday.
6. The Town Manager will be advised of an upcoming Special Event at least 7 calendar days before the scheduled Special Event and may send the Town Fire Marshal and will send a Town Code Enforcement Officer to perform a site visit during any Special Event and confirm compliance with the conditions of this Conditional Use for Special Events by completing the attached Special Event Checklist and submitting it to the Town Manager and the Resort within 3 business days of any Special Event which the Code Enforcement Officer attends. The Special Events subject to the requirement for attendance by a Town Code Enforcement Officer shall not include Special Events which are business or non-social events, involve no live or amplified music or are scheduled between the hours of 8am and 8pm. The costs incurred by the Town for

- the Town Code Enforcement Officer attending any Special Event will be paid by the Resort.
7. In the event a completed and submitted Special Event Checklist reveals failure to comply with these conditions at three (3) Special Events in a calendar year, the Town Manager will place an item on the Town Commission agenda for the Town Commission to consider whether to temporarily or permanently revoke the Conditional Use approval for Special Events or impose additional conditions to address the incidence of non-compliance; the record title owner of the Resort will be provided a minimum of 60 days notice prior to the date of any such Town Commission hearing. In the event the Town Commission passes a resolution terminating the Conditional Use approval for Special Events, any Special Events already scheduled to occur during the upcoming eighteen months (18) will be permitted to occur as scheduled.
 8. The Town Commission shall re-evaluate the conditions of approval of this Conditional Use for Special Events at its regularly scheduled meeting during the month of December 2023, and commencing in December 2025, this re-evaluation will occur every two (2) years. In the event the Special Event Audits submitted during the prior reporting period evidence no incidences of non-compliance with the conditions of approval for Special Events, the Special Event use will be automatically extended for another two (2) year period.

Additional Discussion Items:

- The original conditions as well as the applicant's proposed amendments to the Conditional Use approval will effectively separate the Restaurant and Bar use from the Special Events use:
 - The hours for the restaurant food and beverage service in original condition (a) would remain 7am to 10:30pm daily. Applicant's proposed condition 5. would limit the Special Events to 8am-10pm Sunday- Thursday and 8am-12am Friday-Saturday.
 - The Town Commission re-evaluation period of every year would remain for the Restaurant and Bar, and the applicant's proposed condition 8. would provide for Commission re-evaluation every two years.
- Town Code Section 12-110(C)(4)(g), which reads: "Cash and credit card payments shall not be accepted. All payment shall be made utilizing a payment system of key cards or charges to a hotel room or a motel room."
 - The Restaurant is currently required to abide by this regulation, and for Hillsboro residents, the resort must set up a hotel charge account for each resident patron to effectively function within this requirement. A similar system would need to be in place in order for a patron paying for an event to comply with this requirement.

Staff Recommendation:

The Town Planner is requesting consideration of the Applicant's request dated October 18, 2022 to amend the Town Commission's conditions of approval adopted on July 6, 2021 and amended on September 12, 2022 and October 4, 2022 respectively.

Attachments:

1. Applicant's submittals
 - a. Original application for Conditional Use [May 7, 2021]
 - b. Amendment to Conditional Use proposal [May 12, 2022]

- c. Second amendment to Conditional Use proposal [August 25, 2022]
 - d. Current proposed third amendment to Conditional Use [October 18, 2022]
- 2. Town approvals
 - a. Original Development Order [July 6, 2021]
 - b. First Amended D.O. [September 13, 2022]
 - c. Second Amended D.O. [October 4, 2022]

Holland & Knight

515 East Las Olas Boulevard, Suite 1200 | Ft. Lauderdale, FL 33301 | T 954.525.1000 | F 954.463.2030
Holland & Knight LLP | www.hklaw.com

Debbie M. Orshefsky
(954) 468-7871
debbie.orshefsky@hklaw.com

VIA FEDERAL EXPRESS

Mac Serda
Town Manager
Town of Hillsboro Beach
1210 Hillsboro Mile
Hillsboro Beach, FL 33062
Via Federal Express

Re: Conditional Use Application for 1159 Hillsboro Mile -- The Hillsboro Resort (f/k/a The Seabonay Hotel)

Dear Mr. Serda,

Enclosed is the application of BNH IV HM TRI, LLC and 1159 Hillsboro Mile, LLC ("Owners") for a Conditional Use approval to permit a restaurant with beer, wine and alcoholic beverage service within The Hillsboro Resort (the "Hotel") submitted pursuant to Ordinance No.2021-03.

The Hotel is completing major renovations to transform an older hotel into a contemporary boutique full-service hotel. In connection with these renovations, Owners are proposing to operate a full service restaurant with beer, wine and alcoholic beverage service as described in the attached statement "Food and Beverage Service at the Hillsboro Resort". Also enclosed is a statement "Conformance with Criteria for Conditional Use" reflecting the application's conformance with the criteria for a conditional use pursuant to Ordinance No. 2021-03.

Also enclosed are the following:

1. Application fee of \$1,050.00 (we used the application fee amount for a variance, if additional funds are required once you set the fee for a Conditional Use application please advise and they will be provided);
2. Two (2) signed and sealed copies of the site plan approved in connection with the pending work under Town Building Permit # 1914236-0; and

3. Agent Authorization for me to represent the Owners in connection with this application.

We would appreciate having this Application heard by the Town Commission at its next scheduled Commission meeting of June 8, 2021. If you require any additional information please contact me.

Sincerely,

HOLLAND & KNIGHT LLP



Debbie M. Orshefsky

cc: Mr. Daniel Lebensohn (w/encl.)
Mr. Charles Carreno (w/wencl.)

TOWN OF HILLSBORO BEACH
1210 HILLSBORO MILE, HILLSBORO BEACH, FL 33062
PHONE (954) 427-4011 • FAX (954) 427-4834
www.townofhillsborobeach.com

DEVELOPMENT APPLICATION

Submittal Date: May 7, 2021

Zoning Board Meeting Date: _____

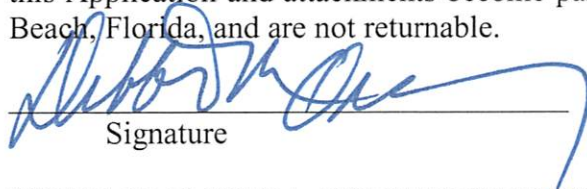
Property Control # _____

Town Commission Meeting Date: June 8, 2021

PROPERTY OWNER(S)		AUTHORIZED AGENT	
NAME: BNH IV TRI, LLC and 1159 Hillsboro Mile, LLC		NAME: Debbie M. Orshefsky, Esq.	
ADDRESS: 819 NE 2 Avenue, Suite 500 Fort Lauderdale, Florida 33304		ADDRESS: Holland and Knight 515 East Las Olas Blvd. Fort Lauderdale, Florida 33301 suite 1200	
PHONE: 954-416-3140 ext. 221	CELL: 917-751-2688	PHONE: 954-468-7871	CELL: 954-328-6424
E-MAIL Daniel@bh3llc.com	FAX:	E-MAIL debbie.orshefsky@hklaw.com	FAX:

APPLICANT'S CERTIFICATION

(I) Debbie M. Orshefsky, authorized agent, affirm and certify that I understand and will comply will all provisions and regulations of the Town of Hillsboro Beach Florida. I certify that all drawings and specifications for buildings or structures costing \$5,000 or over for commercial buildings or \$10,000 for residential building must be drawn or verified by a state registered architect or engineer and his seal of office imprinted thereon. Additionally, I certify that the drawings that the drawings and specifications show full compliance and do fully comply with the Zoning Code. I understand that if any drawings or specifications are not in full compliance, the application will be rejected. If approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be a part of the Town of Hillsboro Beach and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive Plan and Zoning Code. I further certify that all statements and diagrams submitted herewith are true and accurate to the best of my knowledge and belief. Further, I understand that this Application and attachments become part of the Official Records of the Town of Hillsboro Beach, Florida, and are not returnable.


Signature

Debbie M. Orshefsky, Esq.
Print Name

STATE OF FLORIDA, COUNTY OF BROWARD

The foregoing instrument was acknowledged before me on this 6th day of May, 2021, by Debbie M. Orshefsky as Authorized Agent for BNH IV TRI, LLC and 1159 Hillsboro Mile, LLC

Personally know X or has produced identification _____. Type of Identification _____

Patricia Kearns
Notary Signature

Patricia Kearns
Print Notary Name



PATRICIA KEARNS
Commission # HH 068564
Expires November 4, 2022
Bonded Thru Budget Notary Services

CHECK BELOW WHERE APPLICABLE

FINAL PLAT - \$1,000.00	REZONING - \$3,500.00
LAND USE PLAN AMENDMENT - \$3,500.00	SITE PLAN REVIEW - \$2,000.00
PRELIMINARY PLAT - \$1,000.00	VARIANCE - \$1,050.00

Conditional Use Approval pursuant to Ordinance # 2021-03

Hillsboro Beach Town Code Sec. 12.1.3d provides for the collection of service charges or fees, consultant review fees, etc. for the administrative processing and review of applications for development permits submitted to the Town for review and approval. The owner, architect or other authorized agents are urged to attend the Zoning Board of Appeals and Town Commission meetings. Each applicant must familiarize himself with the criteria and procedures. **If all required information is not presented with this application by the submittal date, the project will not be placed on the agenda for review and consideration.** PLEASE NOTE: THE FEES LISTED ABOVE ARE **ADMINISTRATIVE FEES ONLY**. YOU WILL BE BILLED BY THE TOWN OF HILLSBORO BEACH FOR ANY AND ALL ADDITIONAL EXPENSES WHICH WILL BE INCURRED BY THE TOWN THROUGH THE SERVICES OF THE TOWN ENGINEER/PLANNER, LEGAL ADVERTISING, REBUTTALS, CONSULTATION AS WELL AS POSTAGE FOR MAILINGS AND COURIER SERVICES RELATED TO YOUR PROJECT.

Items Required for Submittal: Must be submitted **30 days prior** to the Town Commission Meeting date.

1. This application and all applicable fees
2. Narrative letter describing the request
3. Letters from each adjoining property owners (with approvals, if possible) – Variance Application only
4. Approval letter from the Association and minutes (when applicable)
5. Agent's authorization letter (when applicable)
6. 1 electronic copy and 2 signed and sealed – Plans are to be standard architectural size
7. 1 set of plans for the City of Deerfield Fire Inspector / Plans Examiner (when applicable)

Code References: (All sections are available for viewing and printing on the website)

- Chapter 12 – Division 1. General Provisions
- Chapter 12 – Division 2. Development Review Requirements

- Chapter 12 – Division 3. Platting and Subdivision Regulations
- Chapter 12 – Division 4. Site Plan Procedures & Requirements
- Chapter 12 – Division 5. Zoning

GENERAL DATA

Project Location: 1159 Hillsboro Mile District: _____

Proposed Zoning: RM-30 no change

Existing Comprehensive Plan Designation: Residential

Proposed Comprehensive Plan Designation: no change

Existing Land Use: hotel

Proposed Land Use: no change

Total Site Area: 46,993 Sq. Ft. 1.08 Acres

Flood Zone Category: X/VE

Is site currently serviced by public water? Yes ☒ No ☐

Is site currently serviced by public sewer? Yes ☒ No ☐

Describe briefly the nature of any improvements presently located on the subject property. 72 Room hotel and related amenities

Describe the type of operation or business proposed; or the proposed construction. Addition of a full service restaurant within the existing hotel

Estimated construction cost: \$2.206M _____

Describe in detail the phasing of the proposed development. The hotel is currently being renovated. The renovations include a full service restaurant. The renovations are expected to be completed within the next 30 days.

State the reasons or basis for the Approval request, and explain why this request is consistent with good planning and zoning practice, will not be contrary to the Town's Comprehensive Plan, and will not be detrimental to the promotion of public appearance, comfort, convenience, general

welfare, good order, health, morals, prosperity, and safety of the Town. Additionally, all standards set forth in the Town Code of Ordinances must be addressed. (Attach a separate Justification Statement if insufficient space.

See attached statements (i) Conformance with Criteria for Conditional Use" and (ii) "Food and Beverage Operations at the Hillsboro Resort" which reflects that the proposed conditional use within the existing hotel meets the requirements of newly enacted Ordinance No. 2021-03, including dimensional requirements that the "restaurant seating area be no more than 1,000 square feet and that the "conditional use" occupy not more than 10% of the building area of the hotel (excluding any parking area). The proposed full service restaurant with beer, wine and alcoholic beverage service will be for the exclusive use of hotel guests. Also attached is a report from Joaquin Vargas, Traffic Tech Engineering, Inc., Senior Transportation Engineer, confirming that the incorporation of a full service hotel will result in a reduction in the amount of traffic generated by the existing hotel.

Has any previous Application been filed within the last year in connection with the subject property?

Yes ☒ No ☐ If yes, briefly describe the nature of the Application.

No.

Has a site plan been previously approved by the Town Commission for this property?

Yes ☒ No ☐ If yes, please note date of previous approval. Building Permit No. 1914236-0 for renovation of the existing hotel issued 12/04/2019 and 7/8/2019

- (A) Every general contractor or other person being issued a building permit, shall deposit with the Town Clerk a bond in the amount of \$500 per each \$100,000 with a minimum of \$1,000 for any complete new building or an addition to existing building. The bond shall be in the form of a cashier's check.
- (B) By the deposit of the funds the contractor authorizes the Town of Hillsboro Beach, through its proper officials, to expend all or any portion of the bond to effect cleanup, during and after construction, if not satisfactorily performed by the contractor or person. Subsequent to the satisfactory cleanup of the vicinity of the construction, unused funds in whole or in part will be refunded to the contractor or person.

- (C) (1) It shall be the duty of the general contractor or other person receiving the permit to see that the premises and adjoining public areas shall be policed at all times during and after construction to prevent debris from being discarded on adjoining properties.
- (2) The DRO or the DRO's designate shall certify in writing to the Town Commission his or her determination and recommendation. The building plans and specifications shall be approved by the Town Commission prior to the issuance of a building permit. (1976 Code, CH. 12, Div. 5, Art. XV § 9)

1159 HM Manager, LLC

819 NE 2 Avenue, Suite 500
Fort Lauderdale, FL 33304

May 5, 2021

William "Mac" Serda
Town Manager
TOWN OF HILLSBORO BEACH
1210 Hillsboro Mile
Hillsboro Beach, FL 33062

Hillsboro Beach Resort Renovation Project

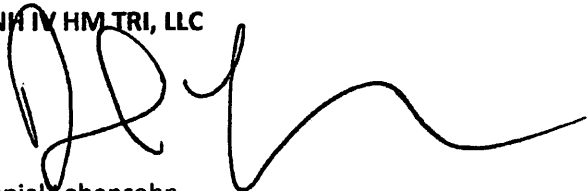
Dear Mr. Serda:

Please accept this letter as our authorization for our agent, Debbie M. Orshefsky, to represent our interests as it relates to the forthcoming application being presented to the Town Commission. Ms. Orshefsky's information is as follows:

Debbie M. Orshefsky | Holland & Knight
Partner
Holland & Knight LLP
515 East Las Olas Boulevard, Suite 1200 | Fort Lauderdale, Florida 33301
Phone 954.468.7871 | Mobile 954.328.6424
debbie.orshefsky@hklaw.com | www.hklaw.com

Should you have any questions, please do not hesitate to contact our office.

Regards,
1159 HILLSBORO MILE, LLC
BNH IV HM TRI, LLC



Daniel Lebensohn
Managing Principal

STATEMENT OF CONFORMANCE WITH CRITERIA FOR CONDITIONAL USE

Section 12-110(C) Review criteria. The Town Commission shall not approve a conditional use, unless and until it determines that:

- (1) The conditional use is deemed desirable for the public convenience or welfare, and the use is in harmony with the purpose and intent of this Article and will not be detrimental or injurious to the surrounding area;*

Response: A full service restaurant with alcoholic beverage service within this hotel will allow the hotel to meet customary standards for a full service resort and allow the Owners to upgrade this facility to meet contemporary resort standards in the industry. The restaurant and alcoholic beverage service is provided interior to the site with no exterior signage, thus it will be for the exclusive use of hotel guests and will not create any additional traffic by drawing patrons from outside the hotel.

- (2) When granting approval for conditional use, the Town Commission may attach conditions and safeguards as it determines is necessary for the protection of the surrounding area and to preserve the spirit and intent of this Article;*

Response: Understood and suggest that the "Food and Beverage Service Operations at the Hillsboro Resort" statement submitted with this conditional use application be included as a condition of approval in granting this conditional use.

- (3) The conditional use shall be an accessory use to a hotel use and not occupy more than 10% of the total square footage of the building exclusive of any parking areas;*

Response: The restaurant with alcoholic beverage service is accessory to the existing hotel and, as reflected on the "Food and Beverage Service Area Plan" submitted with this conditional use application, the conditional use area occupies less than 10% of "the total square footage of the building...."

- (4) *An application for a conditional use must also meet all of the following criteria, where appropriate:*

- (a) *Conformance with comprehensive plan.*

Response: The Comprehensive Plan includes policies to preserve and protect the residential character of the Town, while permitting commercial use in areas designated for residential use. As reflected in the "Food and Beverage Service Operations at the Hillsboro Resort", the restaurant and alcoholic beverage uses have been designed and will operate in a manner which furthers this policy in the Town Comprehensive Plan.

- (b) *Harmony with adjacent uses (existing or zoned).*

Response: The hotel use is existing and is being upgraded to a contemporary standard for resorts by adding restaurant and alcoholic beverage use primarily within the existing hotel; any exterior restaurant seating area and patio and pool service areas are designed to be within covered areas to capture exterior noise.

- (c) *Facility levels of service maintained.*

Response: Since the restaurant and beverage service uses are for hotel guests only, the impacts of the hotel use on levels of service will be maintained.

- (d) *Use not hazardous to nearby housing, particularly traffic (see (B) above).*

Response: See attached memo regarding traffic impacts of restaurant and alcoholic beverage service uses which concludes that there is no negative impact from these uses.

- (e) *The architectural and site design are compatible with the character of the surrounding area.*

Response: The architectural and site design are not changing from the existing hotel which is under renovation for which building permits were issued in 2019.

- (f) *All food and beverages served to patrons of a hotel shall be prepared in an enclosed kitchen and/or bar.*

Response: Understood and see "Food and Beverage Service Area Plan" submitted with this application.

- (g) *Cash and credit card payments shall not be accepted. All payments shall be made utilizing a payment system of key cards or charges to a hotel room or a motel room.*

Response: Understood, and see "Food and Beverage Service Operations at the Hillsboro Resort" statement included with this application.

Holland & Knight

515 E. Las Olas Boulevard, Suite 1200 | Fort Lauderdale, FL 33301 | T 954.525.1000 | F 954.463.2030
Holland & Knight LLP | www.hklaw.com

Debbie Orshefsky
+1 954-468-7871
debbie.orshefsky@hklaw.com

Food and Beverage Service at the Hillsboro Resort

Restaurant Operations

Floridian coastal cuisine will be celebrated at the Restaurant at the Hillsboro Resort. The restaurant will be a full-service restaurant open for Breakfast, Lunch and Dinner, a full beverage operation (including beer, wine and alcohol) will be available for all guests staying at the resort. The Hotel has purchased a 4COP-quota license (license #BEV1601736) to permit service of beer, wine and alcohol as described in this operations plan.

Breakfast 7 -10.30

Lunch 11.30 – 2.30

Dinner 5 – 10.30

Lunch and Dinner will require reservations.

Service will be conducted principally within the restaurant with a small capacity for outside dining weather permitting. All food and beverage preparation will be in the restaurant kitchen and attached beverage preparation station, neither of which will be directly accessible to guests only employees. The restaurant will not include a bar with seating, but rather service will be from a beverage preparation station within the "back of house" kitchen area; thus, there is no "Restaurant Bar" as defined in Ordinance No. 2021-03. Attached is a "Food and Beverage Service Area Plan" reflecting that the restaurant use meets the dimensional requirements for this use within a hotel pursuant to Ordinance No.2021-03.

Pool / Room Service

Poolside waiter/waitress food and beverage service for guests enjoying the pool deck will be available from 9am daily through 6pm. Wireless iPad will capture the order and send for production, charges directly going to guest's room account.

Guest rooms will have another specifically designed menu for our guests along with a beverage menu for dining within our guest rooms and suites; room service will be available 24 hours per day and serviced by our room service team.

Some guest rooms will have honor bars with a limited offering of premade cocktails / water for consumption within the room.

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515 E. Las Olas Boulevard, Suite 1200 | Fort Lauderdale, FL 33301 | T 954.525.1000 | F 954.463.2030
Holland & Knight LLP | www.hklaw.com

Debbie Orshefsky
+1 954-468-7871
debbie.orshefsky@hklaw.com

There will be a small boutique store within the main reception area, and this will also have some limited food and beverage snacks and premade cocktails for sale to hotel guests.

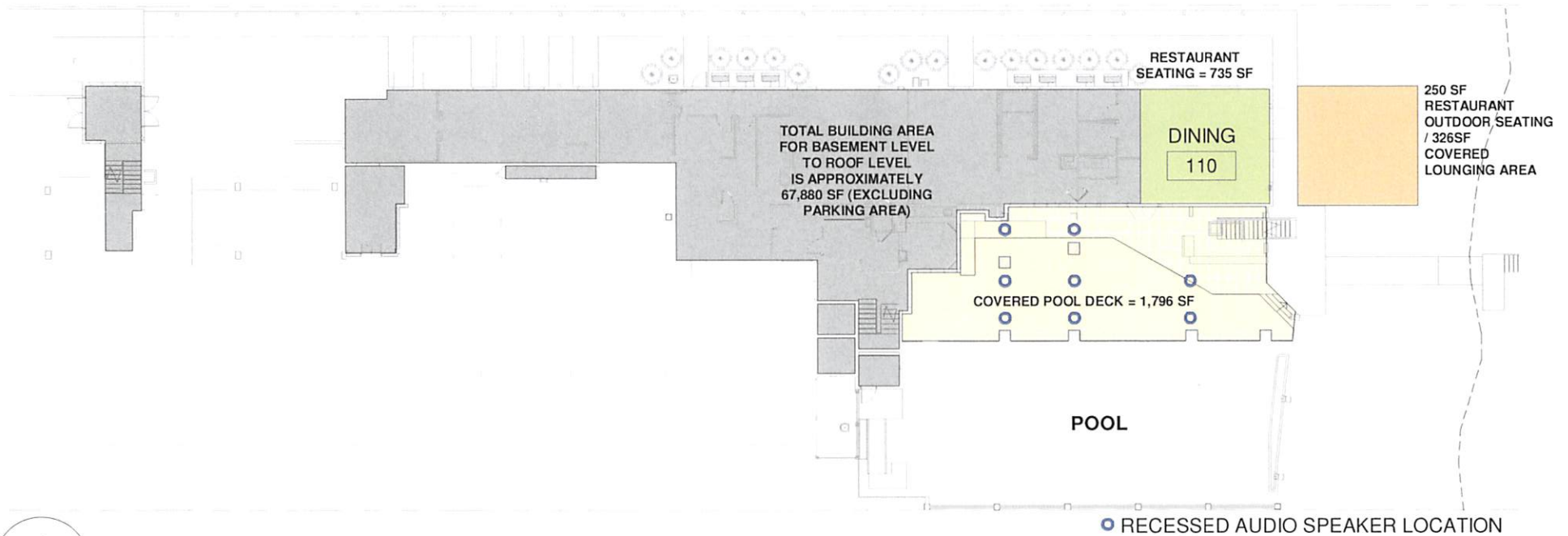
Music

The only exterior speakers are within the covered pool deck area (locations identified on attached "Food and Beverage Service Area Plan") which are recessed into the ceiling on the covered portion of the pool deck thus preventing noise from emanating beyond the pool deck. The music will be ambient/background with a specified controlled volume to assure no noise impacts to neighbors. Our goal is to create a relaxing space where guests can enjoy their time at the resort.

Payment

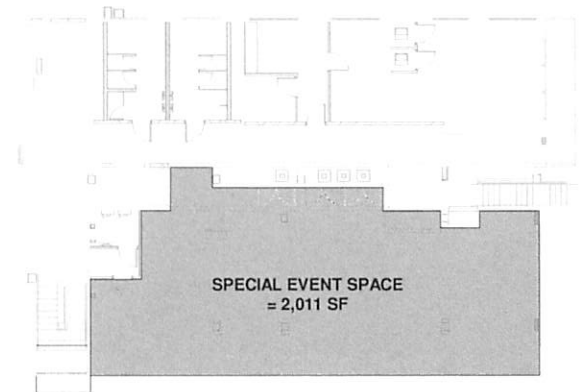
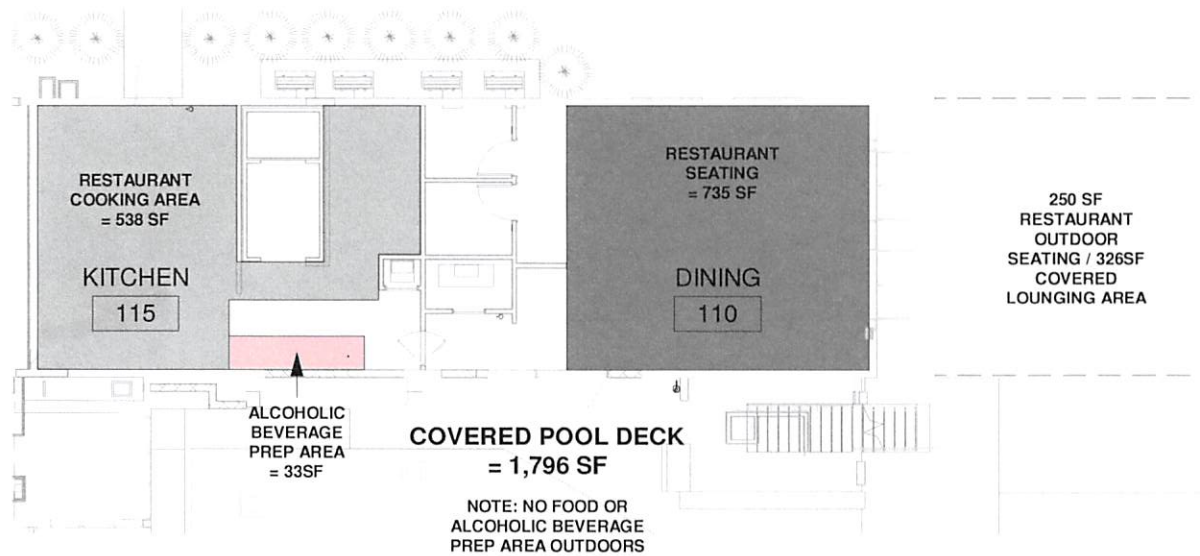
All charges for food and beverage service will be to guest rooms. We will operate using iPad and wireless technology with guest signatures via these devices whilst moving across the hotels service areas. Credit cards will be required at check in to cover all food and beverage charges.

FOOD AND BEVERAGE SERVICE AREA PLAN



1 1ST FLOOR HOTEL AREAS

EX7 1" = 30'-0"



3 2ND SPECIAL EVENT SPACE

EX7 1" = 30'-0"

NOTE: AREA OCCUPYING CONDITIONAL USE = 5,136 SF; LESS THAN 10% TOTAL BUILDING AREA OF HOTEL

2 1ST FLOOR PREPARATION AREAS

EX7 1/16" = 1'-0"

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Holland & Knight LLP | www.hklaw.com

Debbie M. Orshefsky
(954) 468-7871
debbie.orshefsky@hklaw.com

May 12, 2022

VIA EMAIL: mserda@townofhillsborobeach.com and Hand Delivery

William "Mac" Serda, Town Manager
Town of Hillsboro Beach
1210 Hillsboro Mile
Hillsboro Beach, FL 33062

Re: Amendment to Conditional Use for Hillsboro Beach Resort, 1159 Hillsboro Mile

Dear Mr. Serda,

On July 6, 2021, the Town Commission approved a Development Order granting a Conditional Use to permit "a Restaurant with Beer, Wine and Alcoholic Beverage Service within the Hillsboro Beach Resort" (the "Conditional Use"; copy enclosed for your convenience.) The Hillsboro Beach Resort (the "Resort") received its "Certificate of Completion" for the hotel use on September 7, 2021 (copy enclosed for your convenience) and the "Certificate of Completion" for the "Food Service" on February 18, 2022 (copy enclosed for your convenience.) The Owner/Operator of the Resort is now requesting the "re-evaluation of the conditions of approval" required pursuant to condition d. of the Conditional Use, as well as the following amendments to the Conditional Use:

1. ~~Delete condition d. The Town Commission shall re-evaluate the conditions of approval and ensure compliance with all conditions of approval six (6) months subsequent to the issuance of the Certificate of Occupancy for the hotel and every twelve (12) months thereafter.~~
2. Revise condition g. to read as follows: The internal space labeled "BOH/Office" on the construction plans approved by the Town for renovation of the hotel ~~shall be used for only office space. The use of the "BOH/Office" space for any other purpose is prohibited unless a new application for a conditional use is filed and subsequently approved by the Town Commission~~ may be used for special events, provided that: (i) the maximum capacity for any special event does not exceed 85 persons; (ii) a minimum of 50% of the attendees at any special event shall be registered guests of the hotel; and (iii) in the 9 months following approval of this amendment to the Conditional Use, the Resort may conduct a maximum of 18 non-hotel sponsored special events (the "9 Month Special Event Pilot Program") and will submit a report (the

"Special Event Pilot Program Report") to the Town Manager for his review which report will evaluate the onsite parking and valet management operations (including a re-evaluation of any queuing onto SR A1A experienced during such non-hotel sponsored special event) and compare the findings of this report with the conclusions in the "Valet Operations and Parking Needs Study" prepared by Traf Tech and submitted with the application for amendment to this Conditional Use (the "Valet and Parking Study"). In the event the Special Event Pilot Program Report reveals that the valet and parking operations are performing as anticipated in the Valet and Parking Study, the Resort may conduct special events in conformance with the operational conditions set forth in this amendment to the Conditional Use. In the event the Special Event Pilot Program Report reveals that the valet operations and parking are not operating as expected in the Valet and Parking Study, the Applicant will work with the Town Manager and appropriate Town staff and/or consultants to modify the special event valet and parking operations to assure that any unanticipated impacts are mitigated; in such event, an additional 9 month pilot program (the "Second Special Event Pilot Program") for an additional 18 special events shall be instituted and a re-evaluation conducted by the Town Manager in the same fashion as for the first Special Event Pilot Program. In the event this re-evaluation reveals that the identified adverse impacts to SR A1A are not being mitigated, the Resort will be required to obtain a further amendment to the Conditional Use to permit any non-hotel sponsored special events. In the event, the Second Special Event Pilot Program Report reveals that the valet and parking operations as modified are mitigated any adverse impacts to SR A1A, the Resort may conduct special events in conformance with the operational conditions set forth in this amendment to the Conditional Use without further limitation or study.

3. Add new condition h. to read as follows: in addition to guests of the Resort, the Resort food and beverage service may be provided to the following additional individuals, subject to the terms as noted below:
(i) Town of Hillsboro Beach residents who provide a Florida driver's license or proof of residency in the Town such as a recent utility bill reflecting their Hillsboro Beach residence; and
(ii) Individuals who purchase a Daily Resort Pass or an Annual Resort Pass for which a folio for all guest daily expenses may be charged, although that individual is not an overnight guest of the Resort, provided further that residents of the Town of Hillsboro Beach and individuals who purchase an Annual Resort Pass will be provided a discount at the Resort food and beverage services.

Enclosed are the Application to Amend the Conditional Use (with attached Agent Authorization and Valet and Parking Needs Study, as well as the \$1,050.00 filing fee for a conditional use approval. If you require any additional information please do not hesitate to contact me.

Best regards,

A handwritten signature in blue ink, appearing to read "Debbie M. Orshefsky", with a long, sweeping horizontal line extending to the right.

Debbie M. Orshefsky Esq.

cc: D.J. Doody, Town Attorney (via email: ddoody@cityatty.com)
Mr. Daniel Lebensohn (via email: daniel@bh3llc.com)
Mr. Charles Carreno (via email: ccarreno@bh3llc.com)
Mr. Joaquin Vargas (via email: joaquin@traftech.biz)

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Holland & Knight LLP | www.hklaw.com

Debbie M. Orshefsky
(954) 468-7871
debbie.orshefsky@hklaw.com

August 25, 2022

VIA EMAIL: mserda@townofhillsborobeach.com

William "Mac" Serda, Town Manager
Town of Hillsboro Beach
1210 Hillsboro Mile
Hillsboro Beach, FL 33062

Re: **REVISED** Amendment to Conditional Use for Hillsboro Beach Resort, 1159 Hillsboro Mile

Dear Mr. Serda,

We are hereby requesting that the Application for Amendment to Conditional Use for the Hillsboro Beach Resort dated May 12, 2022, be revised as follows:

The Owner/Operator of the Resort is now requesting the "re-evaluation of the conditions of approval" required pursuant to condition d. of the Conditional Use, as well as the following revised amendments to the Conditional Use (revisions in *italics*):

1. Delete condition d. ~~The Town Commission shall re-evaluate the conditions of approval and ensure compliance with all conditions of approval six (6) months subsequent to the issuance of the Certificate of Occupancy for the hotel and every twelve (12) months thereafter.~~

2. Revise condition g. to read as follows: The internal space labeled "BOH/Office" on the construction plans approved by the Town for renovation of the hotel ~~shall be used for only office space. The use of the "BOH/Office" space for any other purpose is prohibited unless a new application for a conditional use is filed and subsequently approved by the Town Commission~~ may be used for special events, provided that: (i) the maximum capacity for any special event does not exceed 85 persons; (ii) a minimum of 50% of the attendees at any special event shall be registered guests of the hotel *unless the special event has been organized by a "Resident of Hillsboro Beach" (as defined in the attached "Hillsboro Beach Resort Resident Programs")*; and (iii) in the 9 months following approval of this amendment to the Conditional Use, the Resort may conduct a maximum of 18 non-hotel sponsored special events (the "9 Month Special Event Pilot Program") and will submit a report (the "Special Event Pilot Program Report") to the Town Manager for his review

which report will evaluate the onsite parking and valet management operations (including a re-evaluation of any queuing onto SR A1A experienced during such non-hotel sponsored special event) and compare the findings of this report with the conclusions in the "Valet Operations and Parking Needs Study" prepared by Traf Tech and submitted with the application for amendment to this Conditional Use (the "Valet and Parking Study"). In the event the Special Event Pilot Program Report reveals that the valet and parking operations are performing as anticipated in the Valet and Parking Study, the Resort may conduct special events in conformance with the operational conditions set forth in this amendment to the Conditional Use. In the event the Special Event Pilot Program Report reveals that the valet operations and parking are not operating as expected in the Valet and Parking Study, the Applicant will work with the Town Manager and appropriate Town staff and/or consultants to modify the special event valet and parking operations to assure that any unanticipated impacts are mitigated; in such event, an additional 9 month pilot program (the "Second Special Event Pilot Program") for an additional 18 special events shall be instituted and a re-evaluation conducted by the Town Manager in the same fashion as for the first Special Event Pilot Program. In the event this re-evaluation reveals that the identified adverse impacts to SR A1A are not being mitigated, the Resort will be required to obtain a further amendment to the Conditional Use to permit any non-hotel sponsored special events. In the event, the Second Special Event Pilot Program Report reveals that the valet and parking operations as modified are mitigated any adverse impacts to SR A1A, the Resort may conduct special events in conformance with the operational conditions set forth in this amendment to the Conditional Use without further limitation or study.

3. Add new condition h. to read as follows: in addition to guests of the Resort, the Resort food and beverage service may be provided to "Residents of Hillsboro Beach" as defined in the attached "Hillsboro Beach Resort Resident Programs".

If you require any additional information please do not hesitate to contact me.

Best regards,



Debbie M. Orshefsky Esq.

cc: D.J. Doody, Town Attorney (via email: ddoody@cityatty.com)
Mr. Daniel Lebensohn (via email: daniel@bh3llc.com)
Mr. Charles Carreno (via email: ccarreno@bh3llc.com)
Mr. Joaquin Vargas (via email: joaquin@traftech.biz)

HILLSBORO BEACH RESORT RESIDENT PROGRAM

The Hillsboro Beach Resort is implementing a "Resident Program" to allow residents of the Town of Hillsboro Beach who are not guests of the Resort to utilize the food and beverage services available at the Resort. For purposes of this "Resident Program", "Residents of Hillsboro Beach" shall be defined as follows: owners or renters of residential property within the Town of Hillsboro Beach who have submitted a governmental ID reflecting residency in the Town of Hillsboro Beach, or a utility bill or real property tax bill evidencing such residency and been issued a "Resident Card" by the Resort Management.

OPERATIONAL REQUIREMENTS OF THE RESIDENT PROGRAM

Hillsboro Beach Residents will be required to:

1. Renew their Resident status annually and pay an initial and annual fee of \$10.00. Multiple owners or renters in the same residence will be issued a single Resident Card per residence.
2. Utilize food and beverage services at the Resort, provided that they have made a reservation prior to arriving at the Resort and that the party or parties issued the Resident Card is limited to no more than 3 guests per day per dining reservation.
3. Utilize the Special Event Space without the necessity of meeting the 50% hotel guest requirement applicable to non-Hillsboro Beach Residents.
4. If arriving at the Resort by private vehicle, utilize the Resort valet parking services, usual valet charges and terms apply.
5. Utilize the onsite payment method of credit card only.

In addition, Hillsboro Beach Residents will be provided a 10% discount on all food and beverage services and Special Event fees and costs.

Holland & Knight

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Holland & Knight LLP | www.hklaw.com

Debbie M. Orshefsky
(954) 468-7871
debbie.orshefsky@hklaw.com

October 18, 2022

VIA EMAIL: mserda@townofhillsborobeach.com and Hand Delivery

William "Mac" Serda, Town Manager
Town of Hillsboro Beach
1210 Hillsboro Mile
Hillsboro Beach, FL 33062

Re: **SECOND REVISED** Amendment to Conditional Use for Hillsboro Beach Resort, 1159
Hillsboro Mile

Dear Mr. Serda,

The Conditional Use for restaurant and alcoholic beverage use at the Hillsboro Beach Resort was originally approved by the Town Commission on July 6, 2021 (the "Original Development Order", copy attached for your convenience as "Attachment 1"). On October 4, 2022, the Town Commission approved an amendment to the Original Development Order to allow Hillsboro Beach Residents to utilize the Resort restaurant and permit "hotel sponsored" events within the "Special Event Space" on the second floor of the Resort (the "Second Amendment to Development Order", copy attached for your convenience as "Attachment 2"). On October 4, 2022, the Town Commission suggested that the Applicant work with the Town Administration to address the Applicant's additional requests to amend the Conditional Use to permit "Special Events" at the Resort. The Applicant is hereby requesting that the aforesaid Conditional Use Development Orders be further amended as follows:

As to the Original Development Order: the Applicant requests that Conditions d., f. and g. be deleted and Condition a. be amended to read as follows:

a. The hours of operation for restaurant food and beverage service shall be limited to 7:00 am to 10:30 pm daily.

The additional amendments to the Development Orders requested to be considered by the Town Commission on November 1, 2022, are as reflected on "Attachment 3."

If you require any additional information please do not hesitate to contact me.

Best regards,

Debbie M. Orshefsky

Debbie M. Orshefsky Esq.

cc: D.J. Doody, Town Attorney (via email: ddoody@cityatty.com)
James Hickey, Town Planner (via email: jhickey@cgasolutions.com)
Mr. Daniel Lebensohn (via email: daniel@bh3llc.com)
Mr. Daniel Fiske (via email: dfiske@bh3llc.com)
Mr. Matthew Hege (via email: matth@mhcpcolab.com)
Mr. Ann Durso (via email: adurso@hillsbororesort.com)
Mr. Joaquin Vargas (via email: joaquin@trafttech.biz)

ATTACHMENT 3
HILLSBORO BEACH RESORT
ADDITIONAL CONDITIONS OF APPROVAL FOR AMENDED CONDITIONAL USE
FOR SPECIAL EVENT OPERATIONS
Revised 10/14/22

1. For a period of one (1) year from the date of this Development Order, the Resort may conduct a maximum of twenty-four (24) Special Events per year. The Special Events subject to this frequency limitation shall not include Special Events which are business or non-social events (birthday parties, corporate retreats and the like) involve no live or amplified music or are scheduled between the hours of 8am and 8pm.
2. During Special Events, the Resort will hire two (2) off-duty police officers to monitor and if necessary, control, vehicular access at the Resort driveway to mitigate queuing on A1A at the Resort driveway and patrol the building and premises. The Special Events subject to the requirement for off-duty police officers shall not include Special Events which are business or non-social events, involve no live or amplified music or are scheduled between the hours of 8am and 8pm.
3. The maximum number of attendees at any Special Event at the Resort shall not exceed 65 attendees.
4. All Special Events will be conducted within the Special Event Space identified on the second floor of the Resort Site Plan submitted with the May 12, 2022 application for amendment to conditional use.
5. Special Events may only be conducted during the following times: 8am-10pm Sunday-Thursday and 8am-12am Friday-Saturday.
6. The Town Manager will be advised of an upcoming Special Event at least 7 calendar days before the scheduled Special Event and may send the Town Fire Marshal and will send a Town Code Enforcement Officer to perform a site visit during any Special Event and confirm compliance with the conditions of this Conditional Use for Special Events by completing the attached Special Event Checklist and submitting it to the Town Manager and the Resort within 3 business days of any Special Event which the Code Enforcement Officer attends. The Special Events subject to the requirement for attendance by a Town Code Enforcement Officer shall not include Special Events which are business or non-social events, involve no live or amplified music or are scheduled between the hours of 8am and 8pm. The costs incurred by the Town for the Town Code Enforcement Officer attending any Special Event will be paid by the Resort.

7. In the event a completed and submitted Special Event Checklist reveals failure to comply with these conditions at three (3) Special Events in a calendar year, the Town Manager will place an item on the Town Commission agenda for the Town Commission to consider whether to temporarily or permanently revoke the Conditional Use approval for Special Events or impose additional conditions to address the incidence of non-compliance; the record title owner of the Resort will be provided a minimum of 60 days notice prior to the date of any such Town Commission hearing. In the event the Town Commission passes a resolution terminating the Conditional Use approval for Special Events, any Special Events already scheduled to occur during the upcoming eighteen months (18) will be permitted to occur as scheduled.

8. The Town Commission shall re-evaluate the conditions of approval of this Conditional Use for Special Events at its regularly scheduled meeting during the month of December 2023, and commencing in December 2025, this re-evaluation will occur every two (2) years. In the event the Special Event Audits submitted during the prior reporting period evidence no incidences of non-compliance with the conditions of approval for Special Events, the Special Event use will be automatically extended for another two (2) year period.

Hillsboro Beach Resort Special Event

Town Code Enforcement Officer Checklist

Date of Special Event: _____

- ☐ The maximum number of attendees did not exceed 65
- ☐ The Special Event was conducted within the Special Event Space
- ☐ The Special Event was conducted within the permitted hours of operation for Special Events

Notes/Complaints:

_____/

Town Code Enforcement Officer Name/Signature

Date of completion of Special Event Checklist: _____/

City Clerk Confirmation of Receipt of Completed Special Event Checklist:

DEVELOPMENT ORDER OF THE TOWN OF HILLSBORO BEACH, FLORIDA

APPLICANT: BNH IV HM TRI, LLC, a Florida Limited Liability Company

FOR PROPERTY LOCATED AT: 1159 Hillsboro Mile, Hillsboro Beach, FL 33062

DATE OF COMMISSION MEETING: July 6, 2021

TYPE OF ACTION SOUGHT:

Conditional Use Approval to permit a Restaurant with Beer, Wine and Alcoholic Beverage Service within the Hillsboro Beach Resort.

LEGAL DESCRIPTION: SEA BONAY BEACH RESORT 140-8 B PARCEL A

THIS MATTER came to be heard before the Board of Zoning Appeals of the Town of Hillsboro Beach, Florida on July 6, 2021. The Board having considered the action sought by the applicant and heard testimony from the Town's planning consultant, the applicant and the public. After reviewing the record and hearing the sworn testimony of the witnesses, the Board determines as follows:

1. The Applicant's application for a Conditional Use approval is hereby:

☒ **GRANTED**

☐ **DENIED:**

With the following condition(s):

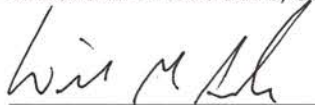
- a. The hours of operation for food and beverage service shall be limited to 7:00 am to 10:30 pm daily.
- b. Any outdoor music associated with the resort and generated by the resort shall be limited to the times food and alcoholic are served onsite. No amplified music shall be allowed in the outside areas of the resort.
- c. No food or drinks shall be prepared outside the resort building at any time.
- d. The Town Commission shall re-evaluate the conditions of approval and ensure compliance with all conditions of approval six (6) months subsequent to the issuance of the Certificate of Occupancy for the hotel and every twelve (12) months thereafter.
- e. Applicant shall work with the Town to establish trash pick-up relative to the restaurant facility.
- f. For any hotel-sponsored event or any special event, the owner must contact the Town staff within three (3) working days of the event to determine if an off-duty officer is required.
- g. The internal space labeled "BOH/Office" on the construction plans approved by the Town for renovation of the hotel shall be used for only office space. The use of the "BOH/Office" space for any other purpose is prohibited unless a new application for a conditional use is filed and subsequently approved by the Town Commission.

2. This Order shall take effect immediately upon issuance by the Chair.
3. All further development on the property shall be made in accordance with the terms and conditions of this Development Order.

DATED: JULY 7, 2021




DEBORAH L. TARRANT, CHAIR


WILLIAM M. SERDA, TOWN MANAGER

TOWN OF HILLSBORO BEACH
1210 HILLSBORO MILE
HILLSBORO BEACH, FL 33062

FIRST AMENDED DEVELOPMENT ORDER OF THE TOWN OF HILLSBORO BEACH, FLORIDA

APPLICANT: BNH IV HM TRI, LLC, a Florida Limited Liability Company

FOR PROPERTY LOCATED AT: 1159 Hillsboro Mile, Hillsboro Beach, FL 33062

DATE OF BOARD MEETING: September 13, 2022

TYPE OF ACTION SOUGHT:

Conditional Use Approval to permit a Restaurant with Beer, Wine and Alcoholic Beverage Service within the Hillsboro Beach Resort.

LEGAL DESCRIPTION: SEA BONAY BEACH RESORT 140-8 B PARCEL A

THIS MATTER came to be heard before the Board of Zoning Appeals of the Town of Hillsboro Beach, Florida on September 13, 2022 as a result of the Applicant seeking an amendment to the Development Order entered on July 6, 2021. The Board having considered the action sought by the Applicant and heard testimony from the Town's planning consultant, the applicant and the public. After reviewing the record and hearing the sworn testimony of the witnesses, the Board determines as follows:

1. The Applicant's application for an amendment to the Conditional Use approval is hereby:

☒ **GRANTED**

☐ **DENIED:**

With the following condition(s):

- a. The Conditions of the Development Order of July 6, 2021 are ratified and confirmed.
 - b. Effective October 1, 2022, in addition to being open for hotel guests, the Restaurant and Bar shall be opened to Hillsboro Beach residents and their guests. The Hillsboro Beach resident use of the Restaurant and Bar shall be approved for one year and extension of the use by Hillsboro Beach residents shall be reviewed by the Town Commission at its first meeting in September, 2023. Proof of residency will be required in the form of a Florida driver's license, voter's registration, or utility bill. Residents will be issued a membership card by the Property Owner.
2. This Order shall take effect immediately upon issuance by the Chair.
3. All further development on the property shall be made in accordance with the terms and conditions of this Development Order.

DATED: _____, 2022

DEBORAH L. TARRANT, CHAIR

**SECOND AMENDED DEVELOPMENT ORDER OF THE TOWN OF HILLSBORO BEACH,
FLORIDA**

APPLICANT: BNH IV HM TRI, LLC, a Florida Limited Liability Company

FOR PROPERTY LOCATED AT: 1159 Hillsboro Mile, Hillsboro Beach, FL 33062

DATE OF BOARD MEETING: October 4, 2022

TYPE OF ACTION SOUGHT:

Amendment to the Conditional Use Approval dated July 6, 2021 to permit a Restaurant with Beer, Wine and Alcoholic Beverage Service within the Hillsboro Beach Resort.

LEGAL DESCRIPTION: SEA BONAY BEACH RESORT 140-8 B PARCEL A

THIS MATTER came to be heard before the Board of Zoning Appeals of the Town of Hillsboro Beach, Florida on October 4, 2022 as a result of the Applicant seeking an amendment to the Development Order entered on July 6, 2021 and the First Amended Development Order dated September 13, 2022. The Board having considered the action sought by the Applicant and heard testimony from the Town's planning consultant, the applicant and the public. After reviewing the record and hearing the sworn testimony of the witnesses, the Board determines as follows:

1. The Applicant's application for a second amendment to the Conditional Use approval is hereby:

☒ **GRANTED**

☐ **DENIED:**

With the following condition(s):

- a. The Conditions of the Development Order of July 6, 2021 and the First Amended Development Order dated September 13, 2022 are ratified and confirmed.
- b. Effective October 1, 2022, in addition to being open for hotel guests, the Restaurant and Bar shall be opened to Hillsboro Beach residents and their guests. The Hillsboro Beach resident use of the Restaurant and Bar shall be approved for one year and extension of the use by Hillsboro Beach residents shall be reviewed by the Town Commission at its first meeting in September, 2023. Proof of residency will be required in the form of a Florida driver's license, voter's registration, or utility bill. All Residents shall be required to make reservations in advance of any dining experience at the Restaurant and Bar. Prior to any use of the Hotel Restaurant and Bar, residents shall be issued a membership card by the Property Owner. All payments made by Hillsboro Beach residents shall be made to the Member Master List on file at the hotel.

- c. The internal space labelled BOH/ Office shall be available but limited to only hotel sponsored events. The hotel sponsored events shall be limited solely to hotel guests and held only between the hours of 8am -10pm Sunday through Thursday and 8am -12am Friday through Sunday.
2. This Order shall take effect immediately upon issuance by the Chair.
3. All further development on the property shall be made in accordance with the terms and conditions of this Development Order.

DATED: _____, 2022

DEBORAH L. TARRANT, CHAIR



TOWN OF HILLSBORO BEACH
DEVELOPMENT REVIEW COMMENTS

Discipline: Traffic Engineering
Reviewed by: Diana White, P.E.; James Kemp, E.I.
Review Date: 6/13/22
Phone: (954) 921-7781
Application: Valet Operations and Parking Needs for The Hillsboro Beach Resort -1159 Hillsboro Mile

Comments Based on Submittal: Traffic statement dated June 2021 prepared by TrafTech.

<u> X </u>	No comments
<u> </u>	Comments as follows or attached
<u> </u>	Approved with comment

All review comments for the above-mentioned submittal have been addressed, based on the responses provided by the applicant's traffic consultant and the valet services operating on a 24-7 basis.

The Valet Operations and Parking Needs evaluation for The Hillsboro Beach Resort dated June 10, 2022, and prepared by TrafTech Engineering is acceptable to this office.

History of Review Comments

1. Please confirm the operational path for the Valet. As shown on Figures 1 and 3, the cars are shown to be using 3 existing parking spaces to turn around on each level. Additionally, the path appears to conflict with existing support columns for the hotel.

TrafTech Response 6/9/22: Figures 1 and 3 were updated to reflect a more-realistic turn-around movement (one parking space may be required for this purpose)

CGA Response 6/10/22: Satisfied.

2. Any existing parking space dedicated to the operation of the valet should be subtracted from the number of available parking spaces on site, as they would need to be left unoccupied for proper use of the valet operations.

TrafTech Response 6/9/22: The report was updated to reflect one (1) parking stall dedicated for turn-around purposes near the valet station.

CGA Response 6/10/22: Satisfied.

3. The provided analysis assumes 30% of off-site patrons for the restaurant use. In the event that a larger percentage of patrons would come to use the restaurant, is there a parking plan to handle the excess?

TrafTech Response 6/9/22: The parking/valet management plan conservatively assumes that all three uses (hotel, restaurant, and event space) peak at the same time, which is unlikely. Moreover, when and if the restaurant is full, valet personnel will notify additional restaurant patrons that the restaurant is full and will guide them to turn around to exit the resort premises.

CGA Response 6/10/22: Satisfied.

4. The previous methodology assumed 30% of special event patrons would stay on site. Please revise the analysis to 30% or provide a proposed plan on how the 50% on-site requirement would be enforced.

TrafTech Response 6/9/22: The hotel's plan is to require that 50% of the special event patrons would stay on site. However, for a conservative analysis, only 30% was assumed in the revised report dated June 10, 2022.

CGA Response 6/10/22: Satisfied.

5. According to the US Access board an access aisle must be provided immediately adjoin to the designated accessible parking stall for driver or passengers using mobility aids, wheelchairs, walkers, medical chairs, etc. The access parking stall in the basement level does not provide one. Please address this issue.

TrafTech Response 6/9/22: There are two (1) handicap parking stalls on the upper parking level and the ground-floor parking is intended for the exclusive use of valet personnel.

CGA Response 6/13/22: Satisfied, based on a 24-7 valet operation.



Date: June 13, 2022

Diana White. P.E
Director of Transportation & Mobility Department
Calvin Giordano & Associates, Inc.

Order ID: 7311847

* Agency Commission not included

GROSS PRICE * : **\$140.65**

PACKAGE NAME: SSC Other Legal Notices

Order ID: 7311847

* Agency Commission not included

GROSS PRICE * : \$140.65

PACKAGE NAME: SSC Other Legal Notices

Product(s): Sun Sentinel, Affidavit, Floridapublicnotices.com, Classified.ss.com_Legal

AdSize(s): 1 Column

Run Date(s): Saturday, October 22, 2022

Zone: Full Run

Color Spec. B/W

Preview

Order ID: 7311847

* Agency Commission not included

GROSS PRICE * : \$140.65

PACKAGE NAME: SSC Other Legal Notices

**TOWN OF HILLSBORO BEACH, FLORIDA
PUBLIC HEARING RE-EVALUATION
OF THE CONDITIONS OF APPROVAL
FOR CONDITIONAL USE PERMIT FOR
RESTAURANT AND HOTEL BAR AT
HILLSBORO BEACH RESORT, 1159 HILL-
SBORO MILE
TUESDAY, NOVEMBER 1, 2022 AT
9:00AM**

NOTICE IS HEREBY GIVEN that prior to the Town of Hillsboro Beach, Florida Board of Zoning & Appeals consideration of the Re-Evaluation of the Conditions of Approval for Conditional Use Permit for Restaurant and Hotel Bar at Hillsboro Beach Resort, a Public Hearing will be held on Tuesday, November 1, 2022, at 9:00 AM.

The Hearing on this matter was previously set for September 13, 2022, and October 4, 2022, but was tabled until November 1, 2022, for consideration of approval.

The Public can attend in-person at Town Hall, located at 1210 Hillsboro Mile, Hillsboro Beach, Florida or provide public comments via Zoom Video Conference. Zoom Meeting details are provided on the Town website.

All interested parties may appear at said meeting and be heard with respect to the proposed Re-evaluation of Conditions. Information on the matter can be obtained at Town Hall 10 days prior to the Public Hearing. If any person decides to appeal any decision with respect to any matter considered at the Public Hearing, he/she will need a record of the proceedings and for such purposes may need to ensure that a verbatim recording of the proceedings is made, which record include the testimony and evidence upon which the Appeals is to be based.

In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this proceeding because of that disability should contact the Office of the Town Clerk, telephone number 954-427- 4011 no later than two (2) business days prior to such proceeding.

Sherry D. Henderson, CMC Town Clerk
TOWN OF HILLSBORO BEACH, FLORIDA
10/22/2022 7311847

Nick Lombardo
1236 Hillsboro Mile

August 26, 2022

Dear Mayor and Commissioners,

I am writing in support of the Hillsboro Beach Resort's pending application to the Town of Hillsboro Beach for an Amendment to the Resort's Conditional Use approval which we understand will residents of Hillsboro Beach to enjoy the Resort's food and beverage services and provide a local venue for small special events. The current conditional use approval only permits guests staying at the Resort to enjoy its food and beverage services and prohibits any "Special Events" at the Resort.

The Hotel parking consists of 77 spaces plus an additional 8 valet spaces providing a total of 85 spaces onsite. Based on the TrafTech Study, dated May 2022, the Hillsboro Beach Resort currently only requires 54 parking spaces to accommodate its peak parking demand. Current parking needs for the Hillsboro Resort were determined by collecting actual parking counts during the 2022 peak season (January-March). The trip generation analysis determined that the hotel had a monthly average of 544 parked cars, with a daily average of 22.8 cars daily. This amounted to a daily average parking capacity utilization rate of 27%.

Namely, we support the following changes as requested by the Hillsboro Beach Resort:

To allow Hillsboro Beach residents (permanent and seasonal residents) to enjoy the Hillsboro Beach Resort food and beverage services and allow the Resort to undertake a 9-month "Special Event Pilot Program" to allow the Resort to host up to 18 Special Events for no more than 85 people with 50% being registered hotel guests with the opportunity to renew another 9 months and then without further limitation if there are no adverse impacts to SR A1A in terms of traffic and valet parking.

As we understand these proposed changes, they will make it easier to dine and enjoy the only Resort and restaurant on Hillsboro Mile, with adequate open and covered parking, new and modern resort facilities with both indoor and outdoor seating areas, all for the residents to enjoy. The opportunity to book and reserve the banquet space will be a nice amenity for all Hillsboro Beach residents and for the Town.

Please record my support.

Sincerely,



Lucia DeGrazia
1167 Hillsboro mile 316
Hillsboro Beach FL 33062

Dear Mayor and Commissioners,

We are writing in support of the Hillsboro Beach Resort's requests with the Town of Hillsboro Beach an Amendment to the hotel's Conditional Use Permit, to allow more flexibility in its food and beverage services. The current conditional use approval only permits guests staying at the hotel to enjoy its food and beverage services and prohibits any "Special Events" at the Resort.

Namely, we support the following changes as requested by the Hillsboro Beach Resort:

Hillsboro Beach residents (permanent and seasonal residents) can enjoy the Hillsboro Beach Resort food and beverage services and create a 9-month "Special Event Pilot Program" to allow the Resort to host up to 18 Special Events for no more than 85 people with 50% being registered hotel guests with the opportunity to renew another 9 months and then without further limitation if there are no adverse impacts to SR A1A in terms of traffic and valet parking.

Why wouldn't we want to allow Hillsboro residents to have access to dining, resort and banquet amenities? As we understand these propose changes will make it easier to dine and enjoy the only hotel restaurant on Hillsboro Mile, with adequate open and covered parking, new and modern resort facilities with both indoor and outdoor seating areas, all for the residents to enjoy. The opportunity to book and reserve the banquet space will be a nice amenity for all Hillsboro residents and for the town.

Please record our support.

Sincerely,
Lucia DeGrazia

**MARC & TALI GINSBERG
10778 GARDEN RIDGE COURT
DAVIE, FL. 33328**

August 22, 2022

Town of Hillsboro Beach

Re: Hillsboro Beach Resort (HBR) Variance Request

Dear Town Council:

My wife and I own and are frequent weekend residents at the Sea Club located at 1221 Hillsboro Mile. We were very excited when we heard that a new resort with a restaurant and cocktail bar was coming to Hillsboro Beach, only to be disappointed when we learned that the Town restricted use of the bar and restaurant to hotel guests only.

As the Town Council knows, the Town is mostly vacant from April to November, except for local residents. We would very much like to support the only local business in Hillsboro Beach by having breakfasts, lunches and dinners there on occasion, as well as having the opportunity to make private functions there.

We are keenly aware of the traffic and parking issues during "season," and it appears HBR has taken measures to ensure that its operations do not adversely impact traffic and parking.

We urge the Town Council to support the request.

Thank you

Sincerely Yours,

s/Marc R Ginsberg, Esq.

Marc R. Ginsberg, Esq.

marcrginsberg@yahoo.com

tel: 305-725-5993

- 11) Tibur Vaga - Overlook #603
- 12) Mink Kody - Overlook #409
- 13) Red Kody - Overlook #409
- 14) Jimmy Finkert - Overlook #208
- 15) Alana Zator - Overlook #107

(This letter is to be placed on Condominium letterhead and/or with address along with name and contact information of signer.)

June 10, 2022

Dear Mayor and Commissioners:

We are writing in support of the Hillbore Beach Resort's pending application to the Town of Hillbore Beach for an amendment to the Town's Conditional Use approval which we understand will residents of Hillbore Beach to enjoy the Resort's food and beverage services and provide a local venue for small special events. The current Conditional Use approval only permits guests staying at the Resort to enjoy its food and beverage services and prohibits any "Special Events" at the Resort.

The hotel parking consists of 77 spaces plus an additional 3 valet spaces providing a total of 80 spaces on-site. Based on the Traffic Study, dated May 2022, the Hillbore Beach Resort currently only requires 54 parking spaces to accommodate its peak parking demand. Current parking needs for the Hillbore Beach Resort were determined by collecting actual parking counts during the 2022 peak season (January-March). The trip generated analysis determined that the hotel had a monthly average of 544 parked cars, with a daily average of 22.8 cars daily. This amounted to a daily average parking capacity utilization rate of 27%.

Therefore, we support the following changes as requested by the Hillbore Beach Resort:

To allow Hillbore Beach residents (permanent and seasonal residents) to enjoy the Hillbore Beach Resort food and beverage services and allow the Resort to undertake a 9-month "Special Event Pilot Program" to allow the Resort to host up to 15 Special Events for no more than 85 people with 60% being registered hotel guests with the opportunity to renew another 9 months and then without further limitation if there are no adverse impacts to SR A1A in terms of traffic and valet parking.

As we understand these proposed changes, they will make it easier to dine and enjoy the only Resort and restaurant on Hillbore Mile, with adequate open and covered parking, new and modern resort facilities with both indoor and outdoor seating areas, all for the residents to enjoy. The opportunity to book and reserve the banquet space will be a nice amenity for all Hillbore Beach residents and for the Town.

Please record our support.

Sincerely,

- 1) Ray Ginner - Overlook # 604
- 2) ToVi Vargen - Overlook # 603
- 3) Elque Calandia - Overlook # 416
- 4) Valerie Palumbo - Overlook # 508
- 5) Nicole Gross - Overlook # 112
- 6) B. Johnson - Overlook # 609
- 7) Melina De Luca - Overlook # 407
- 8) Christina Ginner - Overlook # 604
- 9) Tom Calandia - Overlook # 416
- 10)

August 16,2022

To: Mayor, Council Members and Town Administration

Re: Hillsboro Beach Resort Unfair Restrictions

David Ravanese
Port DeMer
1236 Hillsboro Mile
Town of Hillsboro Beach, FL

First of all, I truly believe there should be no restrictions. As past President of Port DeMer Condominium, I understand Hillsboro Mile and believe these unneeded restrictions that are currently in place at Hillsboro Beach Resort are anti-business!

This is a private resort which I have visited and found it to be beautiful and could be beneficial to the town and adding to the town's tax revenue. The idea of a resident who wants to have a meal there and must have an annual membership and costing any fee is ridiculous. Why is the town placing restrictions on this upper-scale resort that complements our town? Why can't we eat there now? Some of you must say traffic problems. I can't see it, the restaurant has 64 seats – they have only 72 rooms and parking for 83 vehicles. I find it ridiculous that if I wanted to have family over, I can really only have (3) people with me under this proposed ordinance change? I must pay with Credit Card? What if I want to use cash? And currently, I must be a overnight guest before I can have family with me for dinner? And this is the proposed change, an improvement from not even being allowed to dine there at all today.

While I respect all of you for your past decisions relating to our well run town to me personally, politically, it's overreach. These restrictions are an overreach and anti-business. I am for letting this resort operate free and clear of any town-imposed restrictions, which are unneeded and undeserved.

Thank you,


David Ravanese

Gregory Galaska

August 26, 2022

Dear Mayor and Commissioners,

I am writing in support of the Hillsboro Beach Resort's pending application to the Town of Hillsboro Beach for an Amendment to the Resort's Conditional Use approval which we understand will residents of Hillsboro Beach to enjoy the Resort's food and beverage services and provide a local venue for small special events. The current conditional use approval only permits guests staying at the Resort to enjoy its food and beverage services and prohibits any "Special Events" at the Resort.

The Hotel parking consists of 77 spaces plus an additional 8 valet spaces providing a total of 85 spaces onsite. Based on the TrafTech Study, dated May 2022, the Hillsboro Beach Resort currently only requires 54 parking spaces to accommodate its peak parking demand. Current parking needs for the Hillsboro Resort were determined by collecting actual parking counts during the 2022 peak season (January-March). The trip generation analysis determined that the hotel had a monthly average of 544 parked cars, with a daily average of 22.8 cars daily. This amounted to a daily average parking capacity utilization rate of 27%.

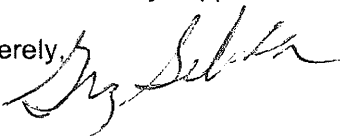
Namely, we support the following changes as requested by the Hillsboro Beach Resort:

To allow Hillsboro Beach residents (permanent and seasonal residents) to enjoy the Hillsboro Beach Resort food and beverage services and allow the Resort to undertake a 9-month "Special Event Pilot Program" to allow the Resort to host up to 18 Special Events for no more than 85 people with 50% being registered hotel guests with the opportunity to renew another 9 months and then without further limitation if there are no adverse impacts to SR A1A in terms of traffic and valet parking.

As we understand these proposed changes, they will make it easier to dine and enjoy the only Resort and restaurant on Hillsboro Mile, with adequate open and covered parking, new and modern resort facilities with both indoor and outdoor seating areas, all for the residents to enjoy. The opportunity to book and reserve the banquet space will be a nice amenity for all Hillsboro Beach residents and for the Town.

Please record my support.

Sincerely,



June 24, 2022

Dear Mayor and Commissioners,

We are writing in support of the Hillsboro Beach Resort's requests with the Town of Hillsboro Beach an Amendment to the hotel's Conditional Use Permit, to allow more flexibility in its food and beverage services. The current conditional use approval only permits guests staying at the hotel to enjoy its food and beverage services and prohibits any "Special Events" at the Resort.

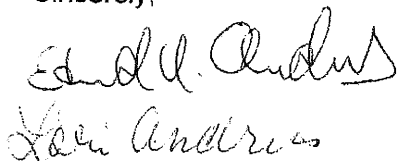
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Please record our support.

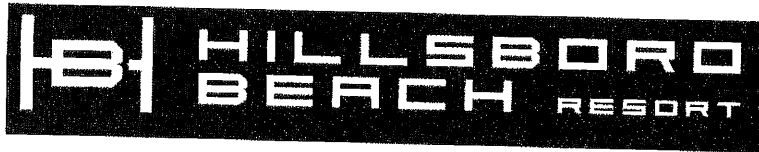
Sincerely,

Handwritten signature of Edward and Lori Andrus in cursive script.

Edward and Lori Andrus

1155 Hillsboro Mile #110

Hillsboro Beach, FL 33062

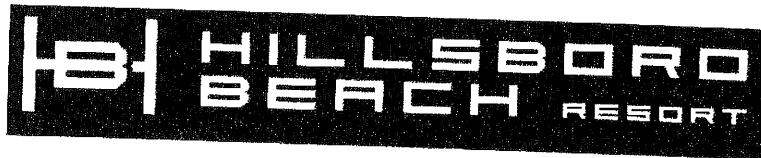


Hillsboro Beach Resort is working with the Town of Hillsboro Beach to amend our conditional use zoning approval to allow more flexibility in our food and beverage services. The current conditional use approval only permits guests of the Hillsboro Beach Resort to enjoy our food and beverage services and prohibits any "Special Events" at the Resort.

We ask that you please sign up as a supporter of our requested conditional use amendment which amendments provide that:

1. Hillsboro Beach residents (permanent and seasonal residents) can enjoy the Hillsboro Beach Resort food and beverage services, and
2. Create a 9-month "Special Event Pilot Program" to allow the Resort to host up to 18 Special Events for no more than 85 people with 50% being registered hotel guests with the opportunity to renew another 9 months and then without further limitation if there are no adverse impacts to SR A1A in terms of traffic and valet parking.

Date	Name:	Signature:	Address:	Phone number	Email
6/10	Andrew Haffner	[Signature]	15562 SW 15th Avenue Miami, FL 33187	561 400-1162	haffnerandrew@gmail.com
6/10	Ernie Haffner	[Signature]	15562 SW 15th Avenue Miami, FL 33187	(561) 400-1941	erhaffner@earthlink.net
6/10	Chris Clark	[Signature]	9940 Boat Club Rd FW TX 76124	817 538-0932	104's Club P gmoil.com
6/10	Sylvia Clark	[Signature]	9940 Boat Club Rd FW TX 76124	817 528 0864	clarksy17@aol.com
6/13	Franklin Suter	[Signature]	101614th St ASTORIA, OR 97103	360 413 4652	franklin2pc@yahoo.com
6/17	Edmund Basso	[Signature]	2293 Broadway L. VANZONER, BC	561-5500 2237	basso.edmund@gmail.com
7/18	DAVID RAVANER	[Signature]	1236 Hillsboro Mill Rd Hillsboro, OR	604 728 6294	CABIN@GMAIL.COM
7/24	Jeff Yarbott	[Signature]	14150 St. Harst	813 335 7818	JeffYarbott@hotmail.com
6/28	Alboe Bousquet	[Signature]	PARQUAN	(954) 650-1541	AlBousquet@univmiami.com
7/09	RAFAEL FORTA	[Signature]	2000 METROPOLITAN WAY Sunrise, FL 33323	(786) 603-5404	R.FORTA@VLOWSMICS.COM
7/14	SCOTT BOWEN	[Signature]	1815 N. BOWEN AVE SEATTLE, WA 98114	410 227 9577	BowenSC@CIC.com



Hillsboro Beach Resort is working with the Town of Hillsboro Beach to amend our conditional use zoning approval to allow more flexibility in our food and beverage services. The current conditional use approval only permits guests of the Hillsboro Beach Resort to enjoy our food and beverage services and prohibits any "Special Events" at the Resort.

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Date	Name:	Signature:	Address:	Phone number	Email
7	Danish Goto		413 Whiskey Dr	954 439 4463	Amor. h. ps D-goto.com
	Roy Giverson		116 711/6 Ave N.E.	514 993 0581	
	Kendall Flannery		1770 Hillsborough Rd	561 441 4221	law.cldc@adl.com
	Nancy Flannery		55 Hillsboro Mile	954-999-8835	nancy Flannery@gmail.com
	Jane + Charles Lechner		1194 Hillsboro Blvd		
	Dawn Lechner		Lechner		
	(Lechner)			267-760-1289	
	Brian Mc		1172 Quince Ln	954-705-4564	Brian Mc@hermann.com

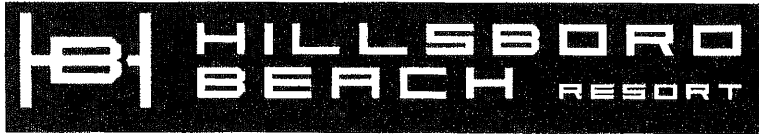


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[illegible]



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Date	Name:	Signature:	Address:	Phone number	Email
6/10	Archana Haffadhi	[Signature]	15562 SW 5th Avenue Ave WINTER GARDEN FL 32787	561 406 1162	fabian@hillsborobeachresort.com
6/10	Fabian Haffadhi	[Signature]	15562 SW 5th Avenue Ave WINTER GARDEN FL 32787	(561) 400 1941	fabian@hillsborobeachresort.com
6/10	Chris Clark	[Signature]	9940 Boat Club Rd FW TX 76129	817 538-0932	104's Clark P gmail.com
6/10	Sylvia Clark	[Signature]	9940 Boat Club Rd FW TX 76129	817 528 0864	clarksy17@aol.com
6/13	Franklin S. S.	[Signature]	10111 11th St ARIZONA AZ 85004	303 413 7652	franklin2p@yahoo.com
6/17	Edouard Bessa	[Signature]	2543 Bessie Pl W. VANCE OKLA, OK	456 789 00 2152	bessa.edouard@gmail.com
5/17	K. Bessie	[Signature]	2543 Bessie Pl W. VANCE OKLA, OK	624 328 6294	CRABHILL@gmail.com
7/18	DAVID RAVANUSI	[Signature]	1236 Hillsboro Mile ARIZONA AZ 85004	617-797-5711	DAVIDRANUSI@yahoo.com
7/24	Jeff Yaloff	[Signature]	14150 Stillhurst MICHIGAN	813 335 7818	JeffYaloff@hotmail.com
6/28	ALON BORAN	[Signature]	MICHIGAN	(954) 652-1541	ALBORAN@MICHIGAN.COM
7/09	RAFAEL FORT	[Signature]	2000 Metropark Way Sunrise, FL 33323	(786) 603-5404	R.FORT@VLOGLISTICS.COM
7/14	Brian Gross	[Signature]	4819 St Elmo Ave BETHESDA MD 20814	410 227 7597	Bgross@CIB.com



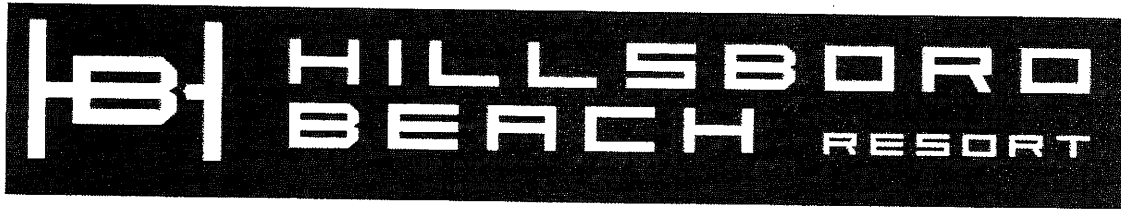
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Date	Name:	Signature:	Address:	Phone number	Email
6/18	PATRICIA ROSS	[Signature]	1238 Hillsboro M. 104A	954-205-0931	PROSS915@aol.com
6/18	Edward Rosco	[Signature]	1278 Hillsboro Mile 104A	954-415-5935	Rosco 7758@aol.com
6/18	Billy Dee	[Signature]	1237 Hillsboro Mile #108	910-467-9251	williamfdee3@gmail.com
6/18	James MORA	[Signature]	1237 Hillsboro Mile 4A	954-299-5582	JPMEAST@aol.com
6/18	Victoria Dee	[Signature]	1237 Hillsboro Mile #108	910-467-9082	vickideern@gmail.com
6/18	Elizabeth Hale	[Signature]	1236 Hillsboro Mile Unit 503	917-309-1787	haleelizabeth@hotmail.com
6/18	MARY RIVAS	[Signature]	1236 Hillsboro Mile	954-426-5550	MARY RIVAS@johno.com
6/18	PINA ESSEY	[Signature]	1236 Hillsboro Mile	215-530-4843	essey112@comcast.net
6/18	Fred Essey	[Signature]	1236 Hillsboro Mile	215-407-6414	essey112@comcast.net
6/19	Charles Berman	[Signature]	1236 Hillsboro Mile	954-596-8367	CHARLIE BERMAN@AOL.com
6/19	GUSTO DAMON	[Signature]	1236 Hillsboro M.	954-531-1319	MCS.MART@comcast.net
6/19	Ann Rosenberg	[Signature]	1236 Hillsboro Mile	203-671-5325	Pamela.DAVIS.Rosenberg@gmail.com
6/19	David Ravener	[Signature]	1236 Hillsboro Mile 401	617-797-5711	DAVIDRAVNER@yahoo.com

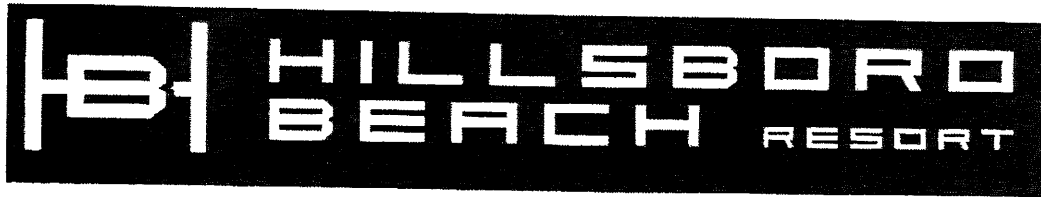
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PETITION TO OPEN RESTAURANT FOR OUTSIDE GUESTS

The undersigned supports the Hillsboro Beach Resort's request to allow non overnight hotel guests access to the on-site hotel restaurant for breakfast, lunch and / or dinner.

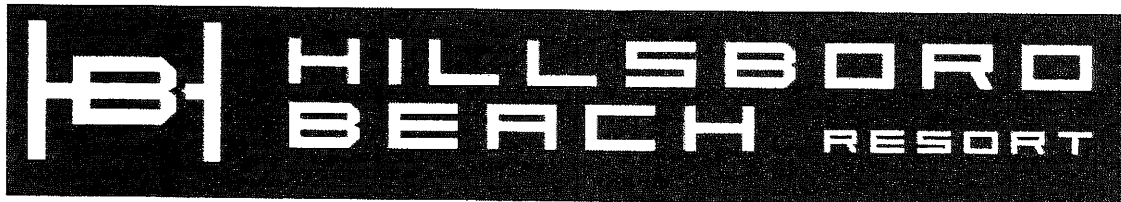
Name:	Signature:	Address:
Ross McNel		1039 Hillsboro Mile
Debbie Ray		1039 Hillsboro Mile #3
Maria Baines		1039 Hillsboro Mile #4
Hugh Baines		1039 Hillsboro Mile #4
Joe Bryan		7 Surf Rd Boynton Beach FL
Jim Bryan		2233 SE 12th St Pompano
Kelli Bryan		11111
Kelli Bryan		2233 SE 12th St Pompano Beach FL 33062
Miguel Valdes		718 Roma Aves Lehigh Acres FL 33974
Sissy Pérez		3981 NW 175 St Miami Gardens FL 33045
Edelis Gomez		3981 NW 175 St Miami Gardens FL 33045
Edelis Pérez		3981 NW 175 St Miami Gardens FL 33045
Benita Santana		3981 NW 175th St Miami Gardens FL 33056



PETITION TO OPEN RESTAURANT FOR OUTSIDE GUESTS

The undersigned supports the Hillsboro Beach Resort's request to allow non overnight hotel guests access to the on-site hotel restaurant for breakfast, lunch and / or dinner.

Name:	Signature:	Address:
Catherine Pullo-Bilasz	<i>Catherine Pullo-Bilasz</i>	1160 Hillsboro Mile Apt Hillsboro Beach, FL 3362406

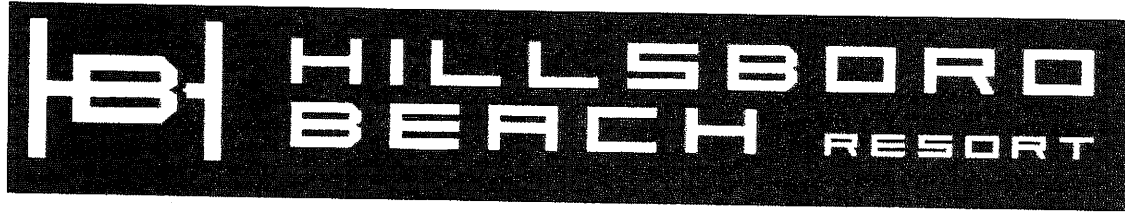


PETITION TO OPEN RESTAURANT FOR OUTSIDE GUESTS

*I support the Hillsboro Beach Resort to not only serve food and beverage hotel guests,
but also to Hillsboro Beach Residents that are able to walk to the Restaurant.*

NAME:	DATE:
Janet Spatz	4/7/22
Margie Spatz	4/7/22
Patrick Spatz	04/07/22
LIDA FRIEDICH	4/7/22
KEVIN DZILIBELA	4/7/22
Jackie Schulman	4/07
Jose Garcia	4/07

overlook

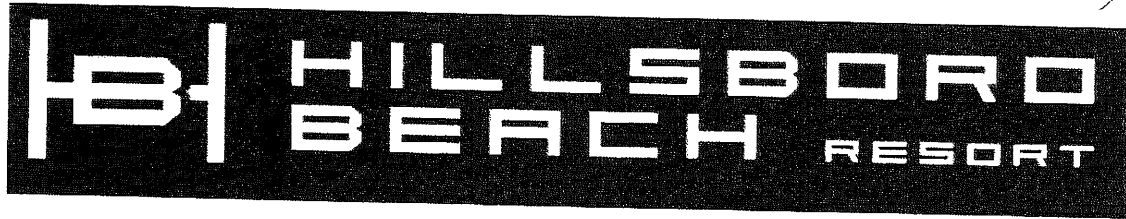


PETITION TO OPEN RESTAURANT FOR OUTSIDE GUESTS

*I support the Hillsboro Beach Resort to not only serve food and beverage hotel guests,
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NAME: Lucia DelGreya.	DATE: 4-9-2022
Alon Fyne	4-13-2022

From the overlook building

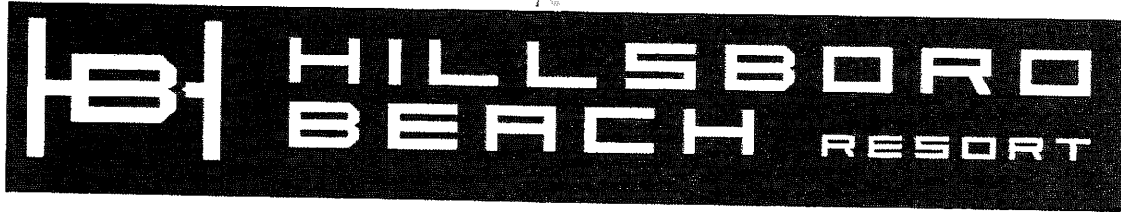


PETITION TO OPEN RESTAURANT FOR OUTSIDE GUESTS

I support the Hillsboro Beach Resort to not only serve food and beverage hotel guests,
but also to Hillsboro Beach Residents that are able to walk to the Restaurant.

NAME:	DATE:
Paul Bl	3/23/22
Dante Balsano	3/23/22
Kevin Y. Shui	3/23/22
Chuck Weger	3/30/22
Wanda Ray	3/30/22
Dr. Howard Feltersnatch	
BOB MARTIN	3/30/22
ROBERT HOLVATH	4/1/22
Julie J. Brown	4/4/22

Signed @ Restaurant. 1159 Hillsboro
Mile



PETITION TO OPEN RESTAURANT FOR OUTSIDE GUESTS

I support the Hillsboro Beach Resort to serve food and beverage not only to hotel guests.

NAME:	DATE:
MARC KUSHNER	3/13/22
David Atkins	3/13/22
Frederick Reyes	3/18/22

Signed @ 1150 Hillsboro Mile

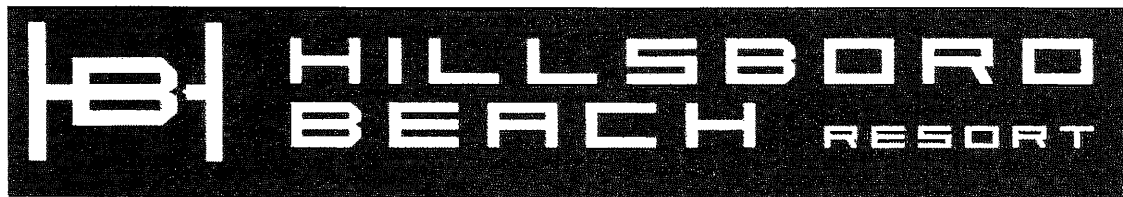


PETITION TO OPEN RESTAURANT FOR OUTSIDE GUESTS

I support the Hillsboro Beach Resort to serve food and beverage not only to hotel guests.

NAME:	DATE:
Cherie Wright	3.13.22
James Wright	3/13/22
Dale DeFazio	3/14/22
Patrick Byrnes	03/14/22
Eric Bottimer	3-14-22
Javier Molina	3-14-22
Larry Copagen	3/15/22
Jan De Silvestro	3-16-22
Hal G/S	3/16/22
Alan Pollack	3/16/22
Dawn LaFontaine	3/16/22
PAUL GOULD	3/17/22
FERNANDO	
Orlene Gould	3/17/22
KILKENNY	3/18/22
Annette Caspers	3/22/22

Signed @ 1167 Overlook

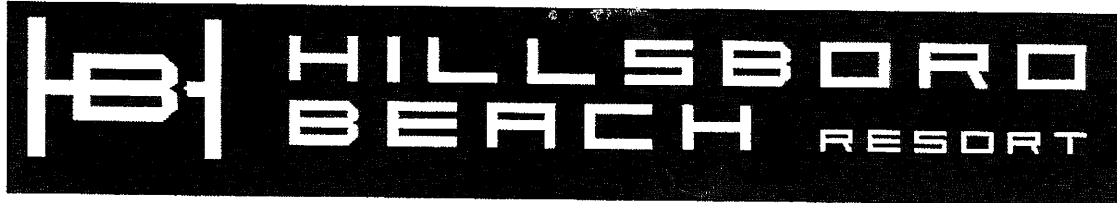


PETITION TO OPEN RESTAURANT FOR OUTSIDE GUESTS

*I support the Hillsboro Beach Resort to not only serve food and beverage hotel guests,
but also to Hillsboro Beach Residents that are able to walk to the Restaurant.*

NAME:	DATE:
Scott M. Rothman	3/15/22
Alan Spitzer	
Gloria Day	3/18/22
Ar T. Harris	3/20/22
Jackie Schwimer	3/21/22
Jane Balsano	3/22/22

Signed @ 1167 Overlook



PETITION TO OPEN RESTAURANT FOR OUTSIDE GUESTS

I support the Hillsboro Beach Resort to serve food and beverage not only to hotel guests, but to Hillsboro Beach residents who come walk here.

NAME:	DATE:
MARC NADRAU 	3/15/22
Jefferson Uno	3/15/22
Kailey Williams.	3/15/22
Trish Hall	3/15/22
Cynthia Hiland	3/15/22
Claire Calandra	3/15/22
	3-15-22
MARC KUSHNER	3/15/22
PATTI JEDREY	3-15-22
Robin T. Mplese	3-15-2022
	3-16-22
Margorie Green	3-16-22
JOEL + MARLENE EISEN	3-16-22
Yasemin Green	3-16-22
Paul Wilcox	3-16-22
Maria Zerlitti	3-21-22

Annamaria Kenny
1167 Hillsboro Mile #316
Hillsboro Beach, FL 33062

Dear Mayor and Commissioners,

We are writing in support of the Hillsboro Beach Resort's pending application to the Town of Hillsboro Beach for an Amendment to the Resort's Conditional Use approval which we understand will residents of Hillsboro Beach to enjoy the Resort's food and beverage services and provide a local venue for small special events. The current conditional use approval only permits guests staying at the Resort to enjoy its food and beverage services and prohibits any "Special Events" at the Resort.

The Hotel parking consists of 77 spaces plus an additional 8 valet spaces providing a total of 85 spaces onsite. Based on the TrafTech Study, dated May 2022, the Hillsboro Beach Resort currently only requires 54 parking spaces to accommodate its peak parking demand. Current parking needs for the Hillsboro Resort were determined by collecting actual parking counts during the 2022 peak season (January-March). The trip generation analysis determined that the hotel had a monthly average of 544 parked cars, with a daily average of 22.8 cars daily. This amounted to a daily average parking capacity utilization rate of 27%.

Namely, we support the following changes as requested by the Hillsboro Beach Resort:

To allow Hillsboro Beach residents (permanent and seasonal residents) to enjoy the Hillsboro Beach Resort food and beverage services and allow the Resort to undertake a 9-month "Special Event Pilot Program" to allow the Resort to host up to 18 Special Events for no more than 85 people with 50% being registered hotel guests with the opportunity to renew another 9 months and then without further limitation if there are no adverse impacts to SR A1A in terms of traffic and valet parking.

As we understand these proposed changes, they will make it easier to dine and enjoy the only Resort and restaurant on Hillsboro Mile, with adequate open and covered parking, new and modern resort facilities with both indoor and outdoor seating areas, all for the residents to enjoy. The opportunity to book and reserve the banquet space will be a nice amenity for all Hillsboro Beach residents and for the Town.

Please record our support.

Sincerely,



Antoinette Kenny
1167 Hillsboro Mile #316
Hillsboro Beach, FL 33062

Dear Mayor and Commissioners,

We are writing in support of the Hillsboro Beach Resort's pending application to the Town of Hillsboro Beach for an Amendment to the Resort's Conditional Use approval which we understand will residents of Hillsboro Beach to enjoy the Resort's food and beverage services and provide a local venue for small special events. The current conditional use approval only permits guests staying at the Resort to enjoy its food and beverage services and prohibits any "Special Events" at the Resort.

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Namely, we support the following changes as requested by the Hillsboro Beach Resort:

To allow Hillsboro Beach residents (permanent and seasonal residents) to enjoy the Hillsboro Beach Resort food and beverage services and allow the Resort to undertake a 9-month "Special Event Pilot Program" to allow the Resort to host up to 18 Special Events for no more than 85 people with 50% being registered hotel guests with the opportunity to renew another 9 months and then without further limitation if there are no adverse impacts to SR A1A in terms of traffic and valet parking.

As we understand these proposed changes, they will make it easier to dine and enjoy the only Resort and restaurant on Hillsboro Mile, with adequate open and covered parking, new and modern resort facilities with both indoor and outdoor seating areas, all for the residents to enjoy. The opportunity to book and reserve the banquet space will be a nice amenity for all Hillsboro Beach residents and for the Town.

Please record our support.

Sincerely,

A handwritten signature in black ink that reads "Antoinette Kenny". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Lucia DeGrazia
1167 Hillsboro Mile #316
Hillsboro Beach, FL 33062

Dear Mayor and Commissioners,

We are writing in support of the Hillsboro Beach Resort's pending application to the Town of Hillsboro Beach for an Amendment to the Resort's Conditional Use approval which we understand will residents of Hillsboro Beach to enjoy the Resort's food and beverage services and provide a local venue for small special events. The current conditional use approval only permits guests staying at the Resort to enjoy its food and beverage services and prohibits any "Special Events" at the Resort.

The Hotel parking consists of 77 spaces plus an additional 8 valet spaces providing a total of 85 spaces onsite. Based on the TrafTech Study, dated May 2022, the Hillsboro Beach Resort currently only requires 54 parking spaces to accommodate its peak parking demand. Current parking needs for the Hillsboro Resort were determined by collecting actual parking counts during the 2022 peak season (January-March). The trip generation analysis determined that the hotel had a monthly average of 544 parked cars, with a daily average of 22.8 cars daily. This amounted to a daily average parking capacity utilization rate of 27%.

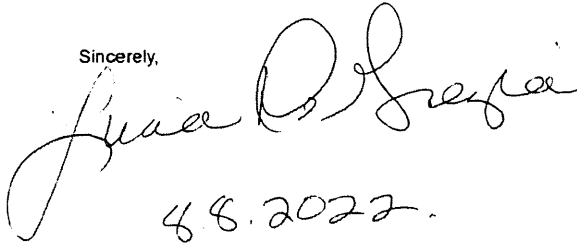
Namely, we support the following changes as requested by the Hillsboro Beach Resort:

To allow Hillsboro Beach residents (permanent and seasonal residents) to enjoy the Hillsboro Beach Resort food and beverage services and allow the Resort to undertake a 9-month "Special Event Pilot Program" to allow the Resort to host up to 18 Special Events for no more than 85 people with 50% being registered hotel guests with the opportunity to renew another 9 months and then without further limitation if there are no adverse impacts to SR A1A in terms of traffic and valet parking.

As we understand these proposed changes, they will make it easier to dine and enjoy the only Resort and restaurant on Hillsboro Mile, with adequate open and covered parking, new and modern resort facilities with both indoor and outdoor seating areas, all for the residents to enjoy. The opportunity to book and reserve the banquet space will be a nice amenity for all Hillsboro Beach residents and for the Town.

Please record our support.

Sincerely,



4.8.2022.

Cathy Pullo-Bilas

*1160 Hillsboro Mile
Apartment 406
Hillsboro Beach, FL 33062*

*320 East Shore Road
Apartment 7 B
Great Neck, NY 11023*

June 12, 2022

Dear Mayor and Commissioners,

I am writing in support of the Hillsboro Beach Resort's requests with the Town of Hillsboro Beach an Amendment to the hotel's Conditional Use Permit, to allow more flexibility in its food and beverage services. The current conditional use approval only permits guests staying at the hotel to enjoy its food and beverage services and prohibits any "Special Events" at the Resort.

Namely, I support the following changes as requested by the Hillsboro Beach Resort:

Hillsboro Beach residents (permanent and seasonal residents) can enjoy the Hillsboro Beach Resort food and beverage services and create a 9-month "Special Event Pilot Program" to allow the Resort to host up to 18 Special Events for no more than 85 people with 50% being registered hotel guests with the opportunity to renew another 9 months and then without further limitation if there are no adverse impacts to SR A1A in terms of traffic and valet parking.

Why wouldn't we want to allow Hillsboro residents to have access to dining, resort and banquet amenities? As we understand these propose changes will make it easier to dine and enjoy the only hotel restaurant on Hillsboro Mile, with adequate open and covered parking, new and modern resort facilities with both indoor and outdoor seating areas, all for the residents to enjoy. The opportunity to book and reserve the banquet space will be a nice amenity for all Hillsboro residents and for the town.

I would love the opportunity to just walk across the street and support a local business instead of having to get in my car and drive to Boca to enjoy fine dining.

Please record my support.

Sincerely,



Cathy Pullo-Bilas

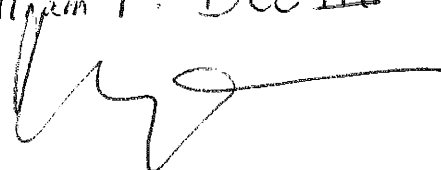
June 30, 2022

Re: Amendment to Conditional Use for
Hillsboro Resort, 1159 Hillsboro Mile

To Whom It May Concern,

My wife and I are residents of Hillsboro
Mile, Florida. We are also former restaurant
owners and would like to join the Hillsboro
Beach Resort request for an amendment to the
conditional use approval for the restaurant
granted by the town commission on July 6, 2021.

We feel the addition of the Hillsboro
Beach Resort restaurant would benefit the
residents of Hillsboro Mile to a great degree.

Sincerely,
Victoria Dee
Victoria Dee
William F. Dee III


Dee
1237 Hillsboro Mile
Apt 108 A
Hillsboro Beach, FL
33062