



Application # 2002-141CS  
Case # (legal) 2002-0031

**Hamlet at Tuscany, Ltd.**

12550 Biscayne Blvd., Suite 215  
Miami, Florida 33181  
Tel: (305) 891-3331 Fax: (305) 891-0086

Monday, August 12, 2002

Corporation Clerk  
Florida Housing Finance Corporation  
227 North Bronough Street, Suite 5000  
Tallahassee, FL 32301-1329

RECEIVED  
2002 AUG 13 AM 9:29  
FLORIDA HOUSING  
FINANCE CORPORATION

Re: *Hamlet at Tuscany, Ltd.*  
*Petition – Application Scoring Number 2002-141CS*  
*2002 Universal Application*

Dear Corporation Clerk:

We have reviewed the Florida Housing Finance Corporation (“FHFC”) preliminary scoring of our application for the 2002 Universal Rental Application Cycle. Based on our review of the FHFC decision, Hamlet at Tuscany, Ltd. (“Applicant”) hereby respectfully petitions for review the following scoring recommendations:

**Failure to Achieve Selected Proximity Tie-Breaker Points:**

<u>Item</u>	<u>Part</u>	<u>Section</u>	<u>Subsection</u>	<u>Description</u>
1P	III	A	11.b.(1)	Grocery Store
2P	III	A	11.b.(3)	Medical facility
3P	III	A	11.b.(4)	Bus Stop or Metro-Rail Stop
4P	III	A	11.c	Address/Location on Development Proximity List

In order to be consistent with Rule 28-106.301 Initiation of Proceedings, we have outlined our petition to include the following information:

**(a) The name and address of each agency affected and each agency’s file or identification number, if known:**

1) Hamlet at Tuscany, Ltd.  
12550 Biscayne Blvd., Suite 215  
Miami, Florida 33181  
Application Scoring Number 2002-141CS

2) Florida Housing Finance Corporation  
227 North Bronough Street, Suite 5000  
Tallahassee, FL 32301-1329

- (b) **The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination:**

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It is our opinion that without these Tie-Breaker points, our Application will not be competitive.

- (c) **A statement of when and how the petitioner received notice of the agency decision:**

On July 22, 2002, we received the Memorandum from Kerey Carpenter, Deputy Development Officer, via facsimile with the Subject line: Final Scores and Notice of Rights.

- (d) **A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action:**

On June 26, 2002, representatives from Hamlet at Tuscany, Ltd. submitted Exhibit 21, Surveyor Certification and an accompanying Land Survey Map in order to demonstrate Proximity Tie-Breaker Points. We have enclosed a copy for your review. According to the 2002 Universal Scoring Summary that we received from Kerey Carpenter on July 22, 2002, Hamlet at Tuscany, Ltd. failed to achieve *any* Tie-Breaker Points for the following reason:

FHFC unable to determine boundaries of proposed Development site as required by the Application Instructions and Exhibit 21.

- (e) **A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action:**

According to FHFC Rule 67.48 and the Universal Application General Instructions Part III. Development, Subsection A. General Development Information, Part 11: in order to be eligible for tie-breaker points, the Applicant must indicate the proximity of the proposed Development to:

- Services; and
- Development Address or location coordinates identified on the FHFC Development Proximity List serving the same demographic group as the proposed Development.

To determine proximity, the Applicant must first identify a Tie-Breaker Measurement Point on the proposed Development site and provide the latitude and longitude coordinates determined in degrees and minutes truncated after three decimals. If the minutes are not stated to three decimals, Florida Housing will utilize "o" for any missing decimals. The Surveyor Certification Form and a land survey map (no larger than 11" x 17") must be provided behind a tab labeled "Exhibit 21." The map must clearly show the boundaries of the proposed Development site, the location of the latitude/longitude coordinates for the Tie-Breaker Measurement Point on the proposed Development site, and the scale of the map.

(f) **A statement of relief sought by the petitioner, stating precisely the action petitioner wished the agency to take with respect to the agency's proposed action:**

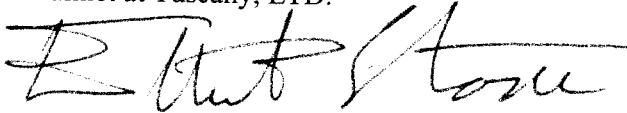
We have listed the Longitude and Latitude coordinates of our Tie-Breaker Measurement Point on the map and our engineers at Fortin, Leavy, Skiles, Inc. have drawn to scale the proposed development site's boundaries and outlined the property in black. Additionally, we have listed a scale of 1" = 1000' on the map therefore we should be eligible for the following Tie-Breaker points:

1. Proximity of Proposed Development to a Grocery Store	1.25 Points
2. Proximity of Proposed Development to a Medical Facility	1.00 Points
3. Proximity of Proposed Development to a Bus Stop or Metro-Rail Stop	1.25 Points
4. Proximity of Proposed Development to Developments on the FHFC Development Proximity List which serve the same demographic group	<u>3.75 Points</u>
<b>Total Eligible:</b>	<b>7.25 Points</b>

Thank you for your consideration of our Petition of the FHFC preliminary scoring of our application for the 2002 Universal Rental Application Cycle. Please do not hesitate to contact us if you require additional information.

Sincerely,

Hamlet at Tuscan, LTD.



Elliot Stone

President, Hamlet at Tuscan, Inc.; General Partner

SURVEYOR CERTIFICATION

Name of Applicant: Hamlet at Tuscany LTD.

020503

Name of Development: Hamlet at Tuscany

Address: NW 215th Street, Between Florida Turnpike and 2nd Avenue, Unincorporated Miami-Dade County

The undersigned Florida licensed surveyor confirms the following:

	Latitude		Longitude	
State the Tie-Breaker Measurement Point. Tie-Breaker Measure Point means a single point selected by the Applicant on the proposed Development site that is located within 100 feet of a residential building existing or to be constructed as part of the proposed Development.	<u>25</u> Degrees	<u>58.336</u> Minutes (truncated after 3 decimals)	<u>80</u> Degrees	<u>13.288</u> Minutes (truncated after 3 decimals)
Location of closest public bus stop or metro-rail stop <u>COUNTY LINE ROAD &amp; SW 68<sup>TH</sup> LANE (BROW)</u>	<u>25</u> Degrees	<u>58.337</u> Minutes (truncated after 3 decimals)	<u>80</u> Degrees	<u>13.491</u> Minutes (truncated after 3 decimals)
A land survey map (no larger than 11" x 17") must be provided which clearly shows the following information: 1. Boundaries of the proposed Development site; 2. Location of the Tie-Breaker Measurement Point; and 3. The scale of the map.				
If an Address for the service(s) is not included on Street Atlas USA, Version 9.0, state the name and latitude/longitude coordinates of the closest service(s) on the chart below. Determination of the location coordinates should be made at the main entrance used by the general public.				
	Latitude		Longitude	
Name of grocery store <u>WINN DIXIE</u> <u>1301 COUNTYLINE RD. MIRAMAR</u>	<u>25</u> Degrees	<u>58.405</u> Minutes (truncated after 3 decimals)	<u>80</u> Degrees	<u>12.709</u> Minutes (truncated after 3 decimals)
Name of public school	___ Degrees	___ Minutes (truncated after 3 decimals)	___ Degrees	___ Minutes (truncated after 3 decimals)
Name of medical facility <u>DOCTOR'S MEDICAL CENTER</u> <u>20215 NW 2<sup>ND</sup> AVE MIAMI</u>	<u>25</u> Degrees	<u>57.637</u> Minutes (truncated after 3 decimals)	<u>80</u> Degrees	<u>12.373</u> Minutes (truncated after 3 decimals)

If Florida Housing discovers that there are any false statements made in this certification, Florida Housing will forward a copy to the State of Florida Department of Business and Professional Regulation for investigation.

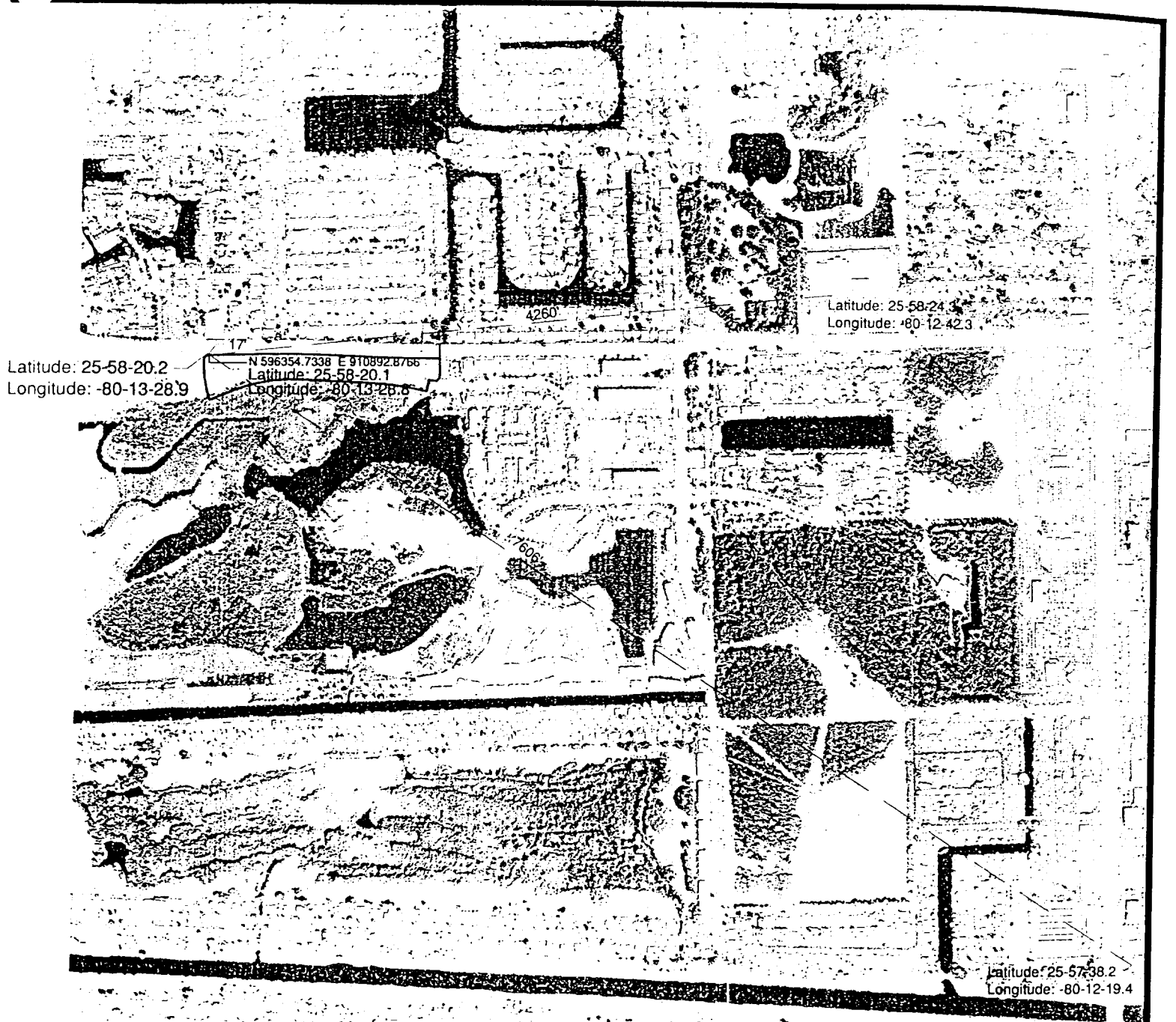
CERTIFICATION

Under penalties of perjury, I declare that the foregoing statement is true and correct.

Signature: [Signature] Date: FORTIN, LEANY, SKILES, INC.  
 Print or Type Name: DANIEL C. FORTIN Address: 180 N.E. 168<sup>TH</sup> STREET  
 Print or Type Title: VICE PRESIDENT NORTH MIAMI BEACH, FL. 33162  
 Florida License Number: 152853 Telephone Number (including area code): 305-653-4493

This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant. If the certification is inappropriately signed, the Application will not receive proximity tie-breaker points. If this certification contains corrections or 'white-out', or if it is scanned, imaged, altered, or retyped, the Application will fail to meet threshold and will be rejected. The certification may be photocopied.

Revised



Drawn By	JJB
No	020503
Ref Dwg	-
Plotted	6/24/02 159p

**HAMLET AT TUSCANY**

**FORTIN, LEAVY, SKILES, INC.**  
CONSULTING ENGINEERS, SURVEYORS AND MAPPERS  
180 Northeast 168th Street / North Miami Beach, Florida 33162  
Ph 305-853-4493 / Fax 305-851-7152

Date	6/23/02
Scale	1" = 1000'
Job No	020503
Dwg No	1002A-040
Sheet	1 of 1