



CITY OF FORT LAUDERDALE

DRAFT

**MINUTES OF THE MARINE ADVISORY BOARD
100 NORTH ANDREWS AVENUE
COMMISSION CONFERENCE ROOM – EIGHTH FLOOR
FORT LAUDERDALE, FLORIDA
THURSDAY, FEBRUARY 7, 2019 – 6:00 P.M.**

**Cumulative Attendance
May 2018 - April 2019**

Board Members

	<i>Attendance</i>	<u>Present</u>	<u>Absent</u>
Grant Henderson, Chair	A	6	1
Ed Strobel, Vice Chair	A	6	1
Cliff Berry II (dep. 7:47)	P	6	1
George Cable	A	4	3
Robyn Chiarelli	P	2	2
Richard Graves	A	5	2
Rose Ann Lovell (dep. 7:00)	P	5	1
Kitty McGowan	P	4	2
Norbert McLaughlin	P	5	1
Ted Morley	P	4	3
Curtis Parker (dep. before adjournment)	P	4	1
Rossanna Petreccia	P	1	0
Roy Sea (dep. 7:47)	P	7	0
Randy Sweers (dep. before adjournment)	P	5	1
Bill Walker	P	5	2

As of this date, there are 15 appointed members to the Board, which means 8 would constitute a quorum.

Staff

Jonathan Luscomb, Supervisor of Marine Facilities
Sergeant Todd Mills, Fort Lauderdale Police Department
Division Chief Stewart Ahearn, Fort Lauderdale Fire Department
Dr. Nancy Gassman, Public Works Department
Vice Mayor Ben Sorensen, City of Fort Lauderdale
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. Call to Order / Roll Call

The meeting was called to order at 6:07 p.m.

As both the Chair and Vice Chair were absent, it was necessary to select an Acting Chair (A/Chair) for the meeting. Both Mr. McLaughlin and Mr. Walker were nominated. In a show of hands, the Board elected Mr. Walker as A/Chair.

Roll was called at this time.

II. Approval of Minutes – January 3, 2019

Motion made by Mr. Morley, seconded by Ms. McGowan, to approve. In a voice vote, the **motion** passed unanimously.

III. Statement of Quorum

It was noted a quorum was present at the meeting.

IV. Introduction of New Member – Rossanna Petreccia

New Board member Rossanna Petreccia introduced herself at this time.

V. Waterway Crime & Boating Safety Report / Fire Department Report

Sergeant Todd Mills of the Fort Lauderdale Police Department reported the following Marine Unit activity from January 2019:

- 30 citations
- 80 warnings
- 39 safety inspections
- 1 boating accident
- 2 burglaries

Sgt. Mills recalled that in 2018, a regulation was passed permitting vessels to be inspected only once and not again. He advised that this policy has changed, and new inspection stickers will now be good for one year. He reviewed details of the burglaries and other miscellaneous calls to which the Marine Unit responded.

Division Chief Stewart Ahearn of the Fort Lauderdale Fire Department reported the following activity from January 2019:

- 17 fire boat calls
- 1 medical emergency
- 2 boat fires
- 1 search and rescue
- 2 HAZMAT calls
- 1 boating accident

Division Chief Ahearn continued that there were 318 calls to the Fire Department regarding incidents on the water in 2018. This number reflects a steady progression in the number of calls. Sundays have proved to be the Department's busiest day for these calls. More than 80% of calls occur between 8 a.m. and 8 p.m., although calls received at night are typically more severe.

A/Chair Walker welcomed Fort Lauderdale Vice Mayor Ben Sorensen to the meeting.

VI. Presentation – Proposed Dock Permit Ordinance Revisions / Dr. Nancy Gassman

Dr. Nancy Gassman of the Public Works Department showed a PowerPoint presentation on a proposed dock permit Ordinance, which was distributed to the Marine Advisory Board (MAB) members earlier in the week. The City owns several seawalls throughout Fort Lauderdale, most of which are adjacent to public streets or street ends. The Code of Ordinances establishes the City's riparian rights at these locations, as well as the right to regulate docks.

Under Code Section 8-144, the City Commission may grant permits for the private use of public property where private property abuts waterways. The MAB has played a key role in reviewing dock permit applications. The City is considering modification of this Ordinance due to the effects of sea level rise.

A new seawall elevation standard was adopted in 2016. In order to comply with this standard, the City is currently elevating a number of seawalls, including the structure along Cordova Road, where a significant number of dock permits have been issued. In the process of elevating the seawall at this location, all existing docks will be removed. This provides an opportunity to update dock permit requirements.

The current Ordinance includes the following 11 provisions:

- Revocability
- Maintenance of seawall by the permit holder
- Maintenance of public swale
- Permits are non-transferable
- Dock cannot be rented or leased
- No private signage may be posted
- The City is held harmless in the event of damage or injury
- Street ends and swales must be kept open to the public
- Permit holders must remove improvements upon request
- Resolutions of approval may include additional terms and conditions
- Only public areas not needed by the City are eligible for these permits

Because the terms and conditions of Resolutions approving these dock permits have varied greatly over time, the administrative fee charged for an application no longer

covers the cost to process Resolutions. Permits typically remain active until the point of sale of the permit holder's property, which can trigger certain issues, such as abandonment of the dock. This also creates a financial burden on the City. The revised Ordinance will also address the effects of sea level rise on seawalls and docks.

Permit holders have expressed the desire for better guidelines regarding who can or cannot apply for a dock permit. The revised Ordinance will also include additional language regarding the width of docks. Other concerns include the effects of private docks on the public swale and the public seawall itself.

Dr. Gassman emphasized that the Ordinance provided to Board members is a draft for discussion purposes. The City's intent is to hear feedback from the MAB and the public, and to make adjustments to the proposed Ordinance as appropriate.

Key provisions in the proposed Ordinance include:

- Clarifying who may apply for a dock permit
- Definition of upland and neighboring upland parcels
- Clarifying allowable dock height and width

Dr. Gassman explained that individuals on Cordova Road who live across the street from the waterway, for example, have upland parcels. Width of the dock is related to the extension of side yards, minus an applicable setback. Neighboring upland parcel owners within 300 ft. of the parcel on which they would like to construct a dock are also eligible for dock permits.

Another key provision of the proposed Ordinance is the obligation of the permit holder to remove the dock and related improvements upon expiration or termination of the permit. The permit holder must post a security deposit to remove the dock at the time of application. The City also requires the dock permit to be recorded by the permit holder, which provides the opportunity for discovery of the permit and insurance that the dock is removed or a new homeowner applies for the permit.

While the current Ordinance states that dock permits will be available for a fixed time period and are intended to be temporary, the revised Ordinance sets the initial term of the permit at four years, with two three-year renewal options. Additional language provides the opportunity for a new homeowner to apply for the dock permit, which would mean the previous permit holder would not have to remove the dock. Administrative fees for the permit application process and the renewals are included.

The revised Ordinance would prohibit penetration of the City's seawall or attaching improvements to the seawall unless authorized. This recognizes that the purpose of the City's seawall is to protect the public right-of-way.

The seawall and dock heights must address sea level rise over the expected lifespan of the dock and seawall. If an existing City seawall is below the elevation standard,

issuance of a dock permit would require the permit holder to raise the City's seawall to the new height. Dr. Gassman advised that all applications received over the past several months include a requirement to raise the City's seawall to the new standard. Docks must be either floating docks, fixed structures at the minimum sea level elevation standard, or the same height as the City's seawall, whichever is greater.

The current Ordinance includes language referring to the public's access right to both the public swale and dockage. This language is maintained and the public's access rights are more clearly defined for the swale area; however, the dock itself would now remain private under the proposed Ordinance.

Other provisions of the revised Ordinance include limitations to parking on the swale to on- and off-loading, as well as a prohibition for land-side fueling of boats associated with these parcels. Dr. Gassman noted that a list of frequently asked questions (FAQs) will be updated with information from the Board. A public stakeholder meeting is scheduled for February 26, 2019 at 6 p.m. in City Commission Chambers. The target audience for this meeting is Cordova Road residents, as part of the discussion will focus on the Cordova Road Seawall Elevation Project; however, all members of the public are welcome at the meeting.

Dr. Gassman noted that one provision of the proposed Ordinance addresses not only street ends, but areas where a curvature of the roadway exists, resulting in more than one property owner located directly across the street. The revision also establishes what would happen if there is competition between property owners for a given space.

A/Chair Walker recalled that Dr. Gassman had previously shown the Board a presentation relating to sea level rise. Dr. Gassman advised that seawalls on Cordova Road, Isle of Palms, and other locations are being raised over the next two years. If the City's Stormwater Master Plan is funded by the end of summer 2019, renovation of an additional 10 seawalls would be included in its drainage improvements.

Ms. McGowan requested an overview of what the public's objections to the proposed Ordinance might be. Dr. Gassman replied that she could not speak to these potential concerns, particularly as tonight's MAB meeting is the City's first public hearing for the proposal.

Mr. McLaughlin asked if a new homeowner would have the first chance to take over a dock if they purchase a parcel sold by a permit holder, or if other nearby property owners would have equal opportunity to apply for a new permit. Dr. Gassman explained that the Ordinance addresses this on a "first come, first served" basis. If an existing dock is attached to a property, the dock permit does not expire until the point of sale for that property as long as it remains within the term of the Resolution. The new property owner may request an application prior to the expiration of the previous owner's permit. Dr. Gassman strongly emphasized that dock permits are not transferable.

Ms. Lovell asked if private property owners in Fort Lauderdale are currently required to raise the height of their seawalls. Dr. Gassman stated that if a seawall is in disrepair or if tidal waters flow over the structure and cause flooding to adjacent properties or the public right-of-way, that property owner may be cited. Raising the seawall to the new standard may be one outcome of the citation. This is not a mandate for homeowners whose seawalls are not in disrepair or do not create issues for neighboring properties.

Ms. McGowan asked what would happen at the end of a permit's 10-year term. Dr. Gassman replied that once both three-year renewals have been exhausted, the permit holder must submit a new application. The City is currently working to determine the fees for renewals, which will be determined by separate Resolution. She estimated that the permit application itself may cost approximately \$1500, with the renewal in the range of roughly \$300.

There being no further questions from the Board at this time, A/Chair Walker opened the public hearing.

Connie Kaplan, private citizen, asked what is expected to happen to dock structures and their amenities when the seawall is raised. Dr. Gassman explained that legal water and electrical connections to docks would be left intact during seawall construction as long as they do not impede the process. All docks along Cordova Road, however, will be removed, and utilities must be disconnected in these locations. It is not the City's intention to revoke all dock permits on Cordova Road at this time, although permit holders will need to apply for amended permits, as the Resolutions for those permits provide guidance regarding what type of dock the permit holder may install.

John Roth, private citizen, asked if he would be required to completely replace a City seawall in poor condition, or if he could only replace the cap. Dr. Gassman replied that if a dock permit is requested for a City seawall that is degraded, he would need to completely replace the structure.

Heather Withers, private citizen, requested clarification of "neighboring upland" parcels. Dr. Gassman advised that this is a new definition that will be part of the proposed Ordinance. The intent is that individuals who currently live across the waterways have a defined privilege to apply for a dock. Existing permit holders have requested that property owners who live across the waterway have the right to apply for the permit as well. Random individuals may not come into a neighborhood where they do not live and apply for a dock permit there.

Ms. Withers asked how she would be notified when her dock permit is set for renewal or expiration, expressing concern that a second application could be filed for the same dock permit. Dr. Gassman confirmed that preference would be given to the current permit holder if s/he is the immediate upland property owner. The City will ensure that the permit holder is aware that the permit is set to expire by sending out renewal notices.

Ms. Withers asked what would happen if she did not wish to renew her dock permit, asking if it would be preferable to maintain the area as open space rather than issue a dock permit to another neighboring upland property owner. Dr. Gassman stated that the City does not pursue the issuance of dock permits: it is an opportunity that is open to residents. The provision for neighboring upland property owners is included in the proposed Ordinance because the City is already dealing with this issue in some locations. The renewal process is intended in part to give City inspectors the opportunity to visit the property and ensure that activity there is consistent with City Ordinances.

Greg Lica, private citizen, asserted that Code Enforcement is not aware of the rules regarding the rental of private dock space and therefore cannot enforce them. He felt the proposed Ordinance would increase the likelihood that permit holders would rent dock space. Dr. Gassman explained that the intent of adding new definitions is to address this and similar concerns.

John Rouster, private citizen, expressed concern with Subsection 6 of the proposed Ordinance, which prohibits penetration of or attachment to the City seawall unless specifically permitted during the dock building permit review process and upon demonstration of extreme hardship. He asked how penetration of the seawall affected the dock permitting process, as well as how a dock could be installed without penetrating the seawall.

Dr. Gassman advised that the seawall structure is not intended to assist in the construction of a dock, but to protect the roadway. The City does not provide a permit holder the right to drill into, attach to, or otherwise affect the integrity of the seawall. She clarified that an individual who plans to raise the City's seawall and attach a dock to it may be subject to a different condition, depending upon the seawall.

Mr. Rouster pointed out that the majority of the City's seawall seems to have docks attached to it. Dr. Gassman stated that the City is preparing to invest approximately \$6 million in replacing the seawall on Cordova Road, which means it has a vested interest in protecting that structure and ensuring nothing is attached that might potentially damage the structure.

Mr. Rouster asked if there are studies suggesting that attaching a dock to a seawall compromises the integrity of the structure. Dr. Gassman noted that seawalls on Cordova Road are in disrepair at locations where a dock, cleat, or other structure was attached to or drilled into it. The City is seeking to protect its investment in the neighborhood by preventing further attachment or intrusion.

Mr. Rouster noted that the proposed Ordinance does not refer to the process by which permit holders will be notified when their permits are up for renewal or set to expire. He suggested that a notice provision be added to the Ordinance. Dr. Gassman agreed that this could be considered, further clarifying that notice of the upcoming public meeting

would be provided to all current dock permit holders as well as upland property owners. Mr. Rouster asked if boat lifts are allowed with dock permits. Dr. Gassman confirmed this, noting that lifts may be installed without attachment to the seawall.

Austin Forman, private citizen, asserted that the proposed Ordinance should protect the rights of abutting property owners by not allowing upland property owners to construct docks on public properties next to other homes. He noted that homes on Cordova Road are appraised and taxed as waterfront properties: by removing existing docks, the City would affect the properties' assessed value.

Mr. Forman continued that many homeowners on Cordova Road have installed and maintained docks on public property without having applied for permits. He stated that every homeowner should be provided with notice of the proposed Ordinance. He concluded that the issue of a revised Ordinance should be tabled until the issues he has raised can be addressed.

John Milledge, attorney representing Mr. Forman, suggested that the Board refrain from endorsement of the proposed Ordinance until additional public meetings have been held and Staff has heard more feedback. He pointed out that while owners of seawalls on private property have more time to comply with the City's new height standard, the seawall on Cordova Road would be raised to this standard immediately. He advised that the revised process by which individuals could apply for private use of public property could result in pitting neighbors against one another, and recommended that existing permits be grandfathered.

A/Chair Walker clarified that the Item is before the Board for presentation only: no vote would be taken regarding the Ordinance at tonight's meeting.

Neil Kalus, private citizen, commented that requiring the permit holder to record his/her permit in public records so it would be available during a title search would be a positive change, as this could add value to a property. He expressed concern with the 10-year time frame for permits, however, as allowing for the automatic renewal of permits would maintain property value and contribute to the City's tax base. He was also concerned with the expense of securing a bond for a private dock constructed on public property. He felt the Ordinance requires additional study before it is enacted.

As there were no other individuals wishing to speak on this Item, Chair Henderson closed the public hearing and brought the discussion back to the Board.

Mr. McLaughlin asked if seawalls will be required in places where a natural bank exists. Dr. Gassman replied that while the proposed Ordinance allows for the existence of natural banks, the property owner is still required to prevent tidal flows from intruding onto neighboring properties or the public right-of-way. This includes City properties as well as private properties. Mr. McLaughlin also addressed attachment to seawalls,

noting that other South Florida cities allow for specific types of attachment that are less likely to compromise the seawall.

Dr. Gassman concluded that the City is not seeking to make a decision at this time, but to hear input and concerns from the public regarding the proposed Ordinance. She thanked all present for their feedback.

VII. Discussion – February 20, 2019 Marine Summit Topics

A/Chair Walker requested input from the Board regarding potential topics for the upcoming Broward County Marine Summit.

Mr. McLaughlin provided a handout to the Board members listing his proposed topics, noting that the increasing size of boats on the New River affects space for navigation. He felt the City should seek to prevent any further obstructions in the navigational channel by allowing additional waivers for docks or mooring piles on the New River.

A/Chair Walker stated that he has heard concerns from the Marine Industries Association of South Florida (MIASF) as well as the Greater Fort Lauderdale Chamber of Commerce regarding Brightline train service, which affects bridge openings and closures. There has been discussion of constructing a new bridge south of the New River, which could cost approximately \$660 million. Current regulations require that the bridge may be down for one hour within every two-hour period. A/Chair Walker suggested that the proposed new bridge could be funded using surtax revenue from the recently passed one-cent sales tax in Broward County, which is intended to fund transportation projects.

Mr. Morley commented that another bridge issue affecting marine trade on the New River is construction on the 3rd Avenue Bridge to accommodate the Wave streetcar. He asked if this project is expected to proceed, as the Wave project has been cancelled. A/Chair Walker replied that he did not know the answer to this question, and recommended that this issue be raised at the upcoming Marine Summit.

Mr. Morley also requested an update on the status of a proposed pedestrian bridge over the New River. A/Chair Walker replied that an engineering study remains underway, although the Board has stated its opposition to this project.

Mr. Luscomb requested clarification of how the Board wished to raise the issue of bridge project notifications. Ms. McGowan suggested that an industry-wide call list be compiled so notifications are sent to appropriate parties when work is planned on bridges. It was noted that bridge issues related to Brightline service would also be raised at the upcoming Marine Summit.

Ms. McGowan continued that another key topic is dredging. Mr. Luscomb advised that approximately one year ago, City Staff retained a consultant for a study of the City's

waterways to determine which ones are in need of dredging. The City had intended to assess the cost of dredging to property owners who live on these canals; in addition, only the center 40% of the canal would be dredged to 5.5 ft. Because this proposal was not positively received, the issue was tabled and the existing system, which budgets a certain amount for dredging each year, will continue. Canals in need of dredging are placed on a waiting list. There is currently no maintenance dredging program in effect for Fort Lauderdale.

Mr. Berry and Mr. Sea left the meeting at 7:47 p.m.

VIII. Reports

John Roth, private citizen, advised that technology is in use in Europe that can raise or lower a railroad drawbridge in less than one minute. He concluded that the City's website should include easily accessible information on the proposed Ordinance regarding dock permits.

IX. Old / New Business – August 1, 2019 MAB (July 4, 2019 Alternate Meeting Date)

Ms. Chiarelli stated that the operator of the Water Trolley is now Water Taxi of Fort Lauderdale. Service hours will increase from 9.5 hours to 12 hours per day.

A/Chair Walker noted that there is an upcoming vote regarding a parks bond and Police station bond. The parks bond is expected to increase to \$200 million. The Police station bond would fund the construction of a new facility. Flyers are available from the City with more information on these proposals.

Mr. McLaughlin advised that MIAASF's waterway cleanup is scheduled for March 2, 2019, beginning at 9:00 a.m.

X. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 8:00 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

ITEM V

MEMORANDUM MF NO. 19-03

DATE: February 21, 2019

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: March 7, 2019 MAB Meeting - Dock Waiver of Distance Limitations – Kenneth M. Ricketts / 1 Hendricks Isle

Attached for your review is an application from Kenneth M. Ricketts / 1 Hendricks Isle.

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for installation of a boat lift extending a maximum of +/-43 into the adjacent Lago Karen. The distances this structure will extend from the property line into waterway is shown in the survey and summarized in Table 1 below:

TABLE 1

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	AMOUNT OF DISTANCE REQUIRING WAIVER
Boat Lift	+/-43'	25'	+/-18'

The City's Unified Land and Development Regulations (UDLR) Secs. 47-19.3.C limits the maximum distance of mooring structures to 25' or 25% of the width of the waterway, whichever is less. Section 47-19.3.E authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances. The applicant indicates that the proposed boat lift is necessary to stabilize and secure their vessel, as high winds are can potentially damage vessels in the +/- 334' wide Lago Karen.

PROPERTY LOCATION AND ZONING

The property is located within the RMM-25 Residential Mid Rise Multi Family / Medium High Density District. It is situated on the eastern shore of Lago Karen where the width between the applicant's property line to the adjacent shoreline's property line is +/-334 feet, according to the Project Summary provided in **Exhibit 1**.

DOCK PLAN AND BOATING SAFETY

Marine Facilities' records reflect there has been two (2) Waivers of Limitation approved by the City Commission within close proximity to 1 Hendricks Isle (**Table 2**).

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
July 2007	101 Hendricks Isle	Pilings – 30'
April 2013	91 Isle of Venice	Pilings – 45'

RECOMMENDATIONS

Should the Marine Advisory approve the application, the resolution under consideration by the City Commission should include at least the following as prescribed in the ULDR and City Code of Ordinances:

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers.
2. The applicant is required to provide guide poles on any portion of the mooring device that is capable of being submerged in accord with Code Section 8-91(d).
3. As a general condition of approval and in order to review for final consistency with construction of facilities in accord with this application and City building permits the applicant is required to provide the City's Supervisor of Marine Facilities with copies of "As Built" drawings from a certified and licensed contractor.

AC
Attachment

cc:
Enrique Sanchez, Deputy Director of Parks and Recreation
Jon Luscomb, Supervisor of Marine Facilities

Exhibit I

Application for Waterway Waiver

**CITY OF FORT LAUDERDALE
MARINE FACILITIES
APPLICATION FOR WATERWAY PERMITS, WAIVERS AND LICENSES**

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, licenses, permits and approvals involving municipal docking facilities or private uses in the waterways as regulated by Section 8 of the City Code of Ordinances or Section 47-19.3 of the City's Urban Land Development Regulations, shall be preceded by the execution and filing of the following application form available at the Office of the Supervisor of Marine Facilities. The completed application must be presented with the applicable processing fee paid before the agreement is prepared or the application processed for formal consideration (see City of Fort Lauderdale Code Section 2-157). If legal publication is necessary, the applicant agrees to pay the cost of such publication in addition to the application fee.

**APPLICATION FORM
(Must be in Typewritten Form Only)**

1. LEGAL NAME OF APPLICANT - (If corporation, name and titles of officers as well as exact name of corporation. If individuals doing business under a fictitious name, correct names of individuals, not fictitious names, must be used. If individuals owning the property as a private residence, the name of each individual as listed on the recorded warranty deed):

NAME: Kenneth M. Ricketts

TELEPHONE NO: 609-462-8502 N/A FAX NO. N/A
(home) (business)

2. APPLICANT'S ADDRESS (if different than the site address):

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:

The applicant requests a waiver of limitations for a proposed boat lift beyond 25 feet from property line

4. SITE ADDRESS: 1 Hendricks isle, #1, Fort Lauderdale, FL 33301 ZONING: RMM-25

LEGAL DESCRIPTION: LAUDERDALE ISLE AMEN PLAT 16-33 B PT OF BLK 3 FPA LOT 18 LESS N 16.83 BLK 3 TOG WITH DOCK SPACE 1 AND 2 S

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).
Warranty Deed, Project Plans, Site Photographs, Survey, Aerial Exhibit

Kenneth M. Ricketts
Applicant's Signature

2/14/2019
Date

The sum of \$ 300.00 was paid by the above-named applicant on the _____ of _____, 2019 Received by: _____

City of Fort Lauderdale

=====For Official City Use Only=====

Marine Advisory Board Action

Formal Action taken on _____

Commission Action

Formal Action taken on _____

Recommendation _____
Action _____

Exhibit II

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Broward County Environmental Resource General License	10

Warranty Deed

This instrument was prepared by:
Daniel A. Jacobson, Esquire
901 S Federal Highway - Suite 201
Ft. Lauderdale, FL 33316

Property Appraiser's Parcel Identification No.:
504211-24-0101

Space above this line for recording data

WARRANTY DEED

(STATUTORY FORM - SECTION 689.02, F.S.)

THIS INDENTURE, made this 27th day of June, 2012, by and between

LAS OLAS, LLC a/k/a LAS OLAS, L.L.C., a Massachusetts limited liability company

whose post office address is 13 Wheeling Ave, Woburn, MA 01801, grantor*, and

KENNETH M. RICKETTS, a married man

whose post office address is 1 Hendricks Isle, #1, Ft. Lauderdale, FL 33301, grantee*.

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00)-----Dollars, and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Broward County, Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

SUBJECT TO zoning restrictions, prohibitions and other requirements imposed by governmental authority, restrictions, easements and matters appearing on the plat or otherwise common to the subdivision; public utility easements of record provided that this instrument shall not reimpose same and taxes for the year 2012 and subsequent years.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whosoever.

"Grantor" and "grantee" are used for singular or plural, as context requires.

3

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in our presence:

**LAS OLAS, LLC a/k/a LAS OLAS, L.L.C.,
a Massachusetts limited liability company**

Tyrone G. Gerry
(signature of 1st witness)

Paul J. Maggiore
By: Paul J. Maggiore, Manager
13 Wheeling Ave. Woburn, MA 01801

Tyrone G. Gerry
(printed name of 1st witness)

Beatriz Torres
(signature of 2nd witness)
(printed name of 2nd witness)

STATE OF FLORIDA)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 27 day of June, 2012, by
PAUL J. MAGGIORE, as Manager for **LAS OLAS, LLC a/k/a LAS OLAS, L.L.C.**, a
Massachusetts limited liability company, who is/are personally known to me or who produced the
following as identification _____

Tyrone G. Gerry
NOTARY PUBLIC
TYRONE G. GERRY
Printed Name of Notary Public

My Commission Expires:

NOTARY SEAL



EXHIBIT "A"

UNIT 1, RIO LAS OLAS, LOCATED AT 1 HENDRICKS ISLE, FORT LAUDERDALE, FLORIDA 33301, MORE PARTICULARLY DESCRIBED AS:

LOT 18 LESS THE NORTH 16.83 FEET THEREOF, BLOCK 3 OF UNIT A LAUDERDALE ISLES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 9, PAGE 28, OF THE PUBLIC RECORDS OF BROWARD COUNTY FLORIDA;

Together with that part of land Southerly of Block 3, according to the Plat of UNIT A, LAUDERDALE ISLES, as recorded in Plat Book 9, at Page 28, of the Public Records of Broward County, Florida, lying Southerly of and adjacent to Lot 18, described as follows:

Beginning at the Southeast corner of said Lot 18 in Block 3, according to said Plat; thence run South $80^{\circ}15'00''$ West, (on an assumed bearing) 92.10 feet along the Southerly boundary of said Lot 18 to a point of curvature of a curve to the right; thence along said Southerly boundary on the arc of said curve to the right, having a radius of 25 feet and a central angle of $99^{\circ}45'$, run Northwesterly 43.52 feet; thence run due South 12.15 feet along the Southerly projection of the Westerly boundary of said Lot 18, also forming the face of the existing bulkhead, as now located and constructed, to a point of curvature of a curve to the left; thence along said existing bulkhead on the arc of said curve to the left, having a radius of 25 feet and a central angle of $99^{\circ}02'37''$, run Southeasterly and Northeasterly 43.22 feet to a point of tangency; thence run North $80^{\circ}57'23''$ East, 92.22 feet along said existing bulkhead line, being the tangent extended, to an intersection with the South projection of the East Boundary of said Lot 18; thence run due North 13.30 feet along said projection to the POINT OF BEGINNING, said land situate in the City of Fort Lauderdale, Broward County, Florida.

Proposed Project Plans



LOCATION MAP

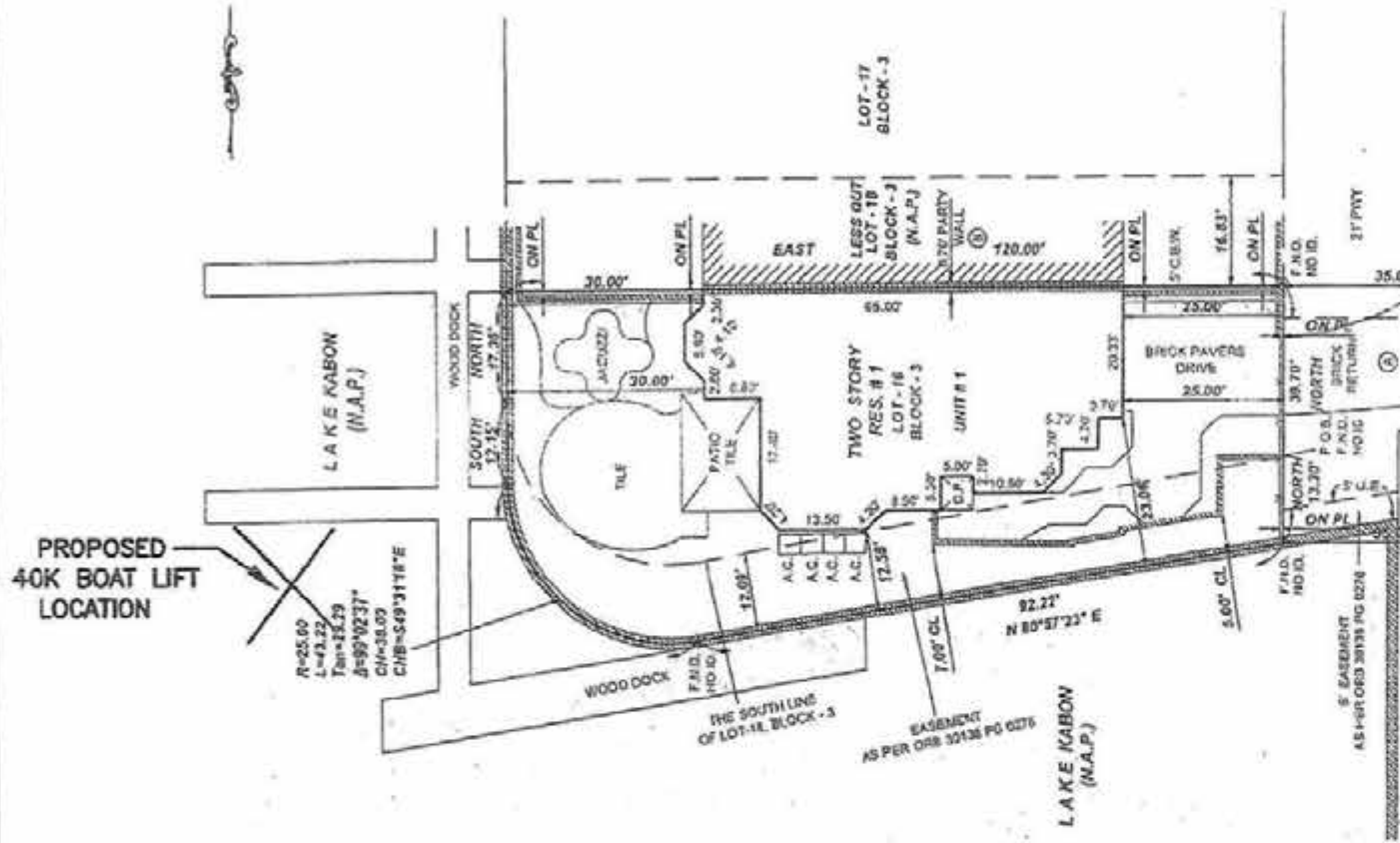
Site Address
 1 HENDRICKS ISLE, FORT LAUDERDALE FL 33301
 Property Owner
 RICKETTS, KENNETH M
 Mailing Address
 1 HENDRICKS ISLE #1 FORT LAUDERDALE FL 33301

ID #
 5042 11 24 0101
 Millage
 0312
 Use
 01 *

Abbreviated Legal Description
 LAUDERDALE ISLE AMEN PLAT 16-33 B PT OF BLK 3 FPA LOT 18 LESS N
 16.83 BLK 3 TOG WITH DOCK SPACE 1 AND 2 S AND TOGET WITH POR DESC
 IN CASE NO 98-015446 (25) IN OR 30076/199 AKA: UNIT 1 TOGETHER WITH
 DOCK SPACES 1 & 2 S RIO LAS OLAS



<p>LINDA RIFFLE DRAFTING & DESIGN 772-834-1906 LindaDraft1@att.net</p>	<p>KENNETH RICKETTS 1 HENDRICKS ISLE FORT LAUDERDALE FL. 33301</p> <hr/> <p>PROPOSED 40,000lb (8) POLE BOATLIFT</p>	<p>B&B Consulting Engineers 2237 Woods Edge Circle Orlando Florida 32817 (772)-708-7765 (772)-708-7767</p>	<p>OSCAR M. BERMUDEZ, P.E., P.F. Reg. Florida No. 55141 12/12</p>	<p>12/12/2018 S-1</p>
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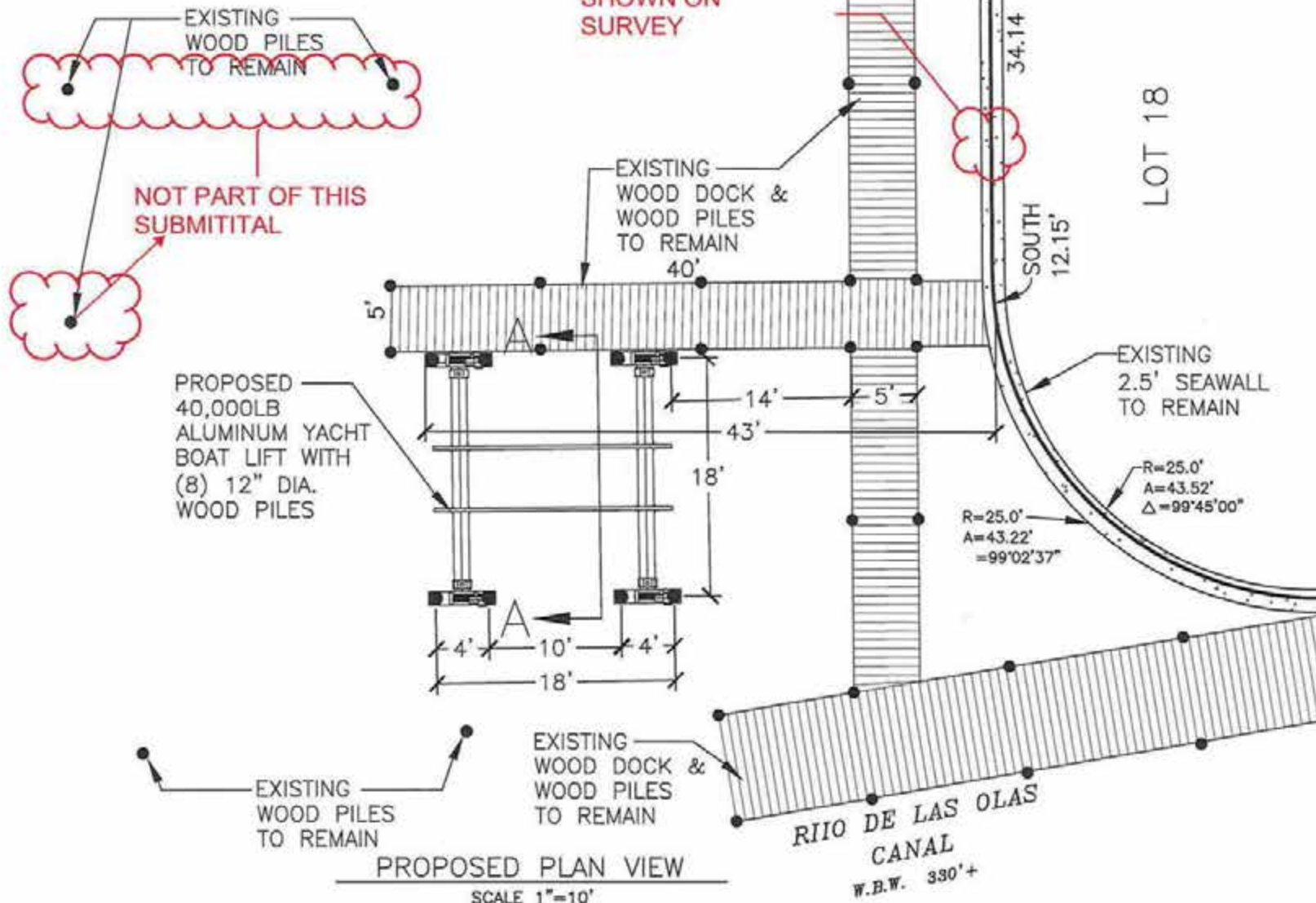
PROPOSED PLAN VIEW
SCALE 1"=30'

THE WORK SPECIFIED HEREIN HAS BEEN DESIGNED & ALL WORK SHALL BE IN ACCORDANCE WITH STRUCTURAL PROVISIONS OF THE 6th EDITION, 2017 FLORIDA BUILDING CODE. BEST MANAGEMENT PRACTICES: FLOATING TURBIDITY CURTAIN EXTENDING WITHIN 1' OF BOTTOM TO BE INSTALLED DURING PILING INSTALLATION.

<p>LINDA RIFFLE DRAFTING & DESIGN 772-834-1906 LindaDraft1@att.net</p>	<p>KENNETH RICKETTS 1 HENDRICKS ISLE FORT LAUDERDALE FL. 33301 PROPOSED 40,000lb (8) POLE BOATLIFT</p>	<p>B&B Consulting Engineers 2237 Woods Edge Circle Orlando Florida 32817 (772)-708-7785 (772)-708-7782</p>	<p>OSCAR M. BERMUDEZ, P.E., P.E. Reg. Florida License No. 55141 STATE OF FLORIDA PROFESSIONAL ENGINEER 1/2018 12/12/18 S-2</p>
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LAGO KAREN



PROPOSED PLAN VIEW

SCALE 1"=10'

THE WORK SPECIFIED HEREIN HAS BEEN DESIGNED & ALL WORK SHALL BE IN ACCORDANCE WITH STRUCTURAL PROVISIONS OF THE 6th EDITION 2017 FLORIDA BUILDING CODE. BEST MANAGEMENT PRACTICES: FLOATING TURBIDITY CURTAIN EXTENDING WITHIN 1' OF BOTTOM TO BE INSTALLED DURING PILING INSTALLATION.

LINDA RIFFLE
DRAFTING & DESIGN
 772-834-1906
 LindaDraft1@att.net

KENNETH RICKETTS
 1 HENDRICKS ISLE
 FORT LAUDERDALE FL. 33301

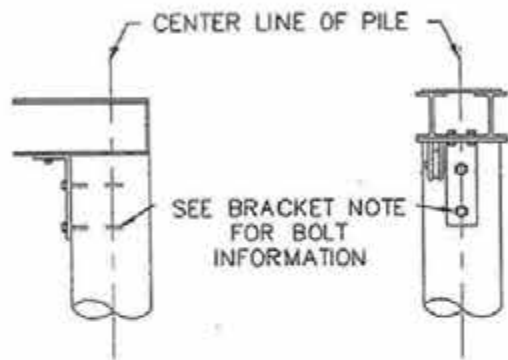
PROPOSED 40,000lb (8) POLE BOATLIFT

B&B Consulting Engineers
 2237 Woods Edge Circle
 Orlando Florida 32817
 (772)-708-7785 (772)-708-7787

OSCAR M. BERMEDEZ, P.E., P.E. Date:
 Reg. Florida No. 55141

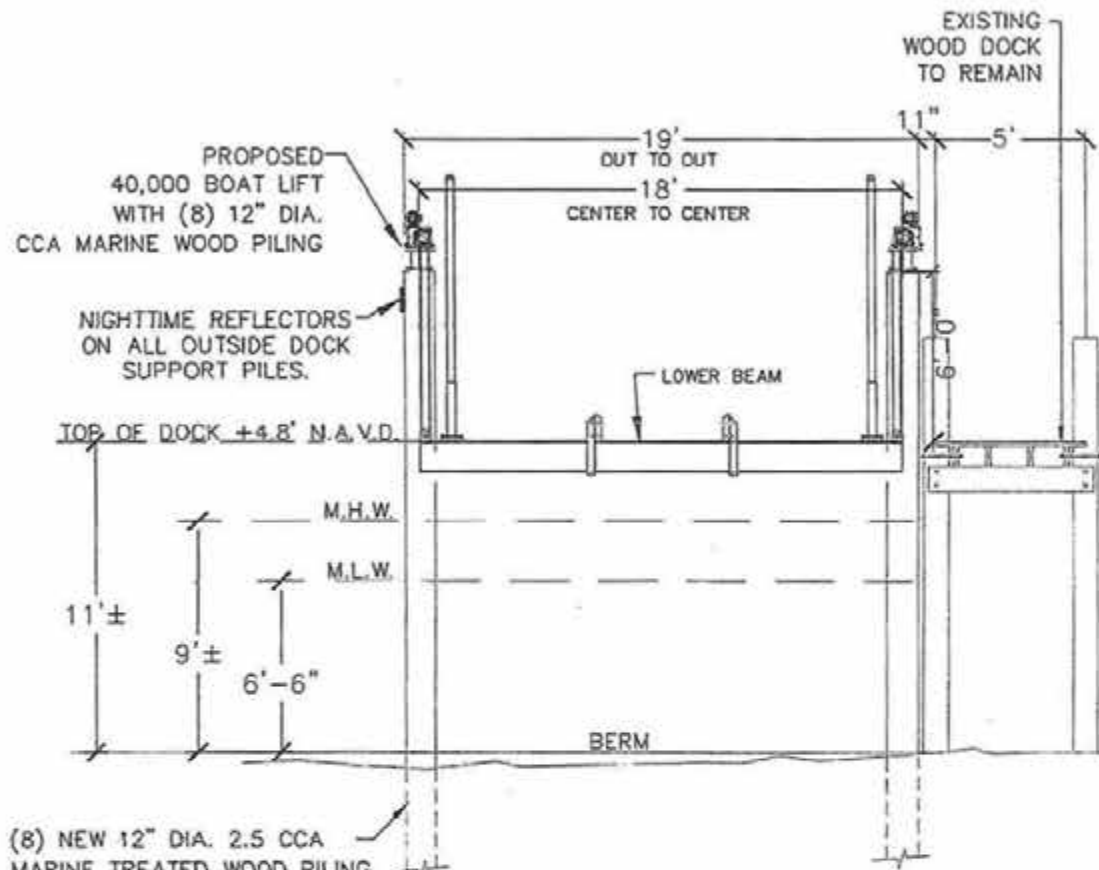
DATE: 12/11/2018
 REVISION: 2/19/2019

S-3



PILE MOUNTING DETAIL

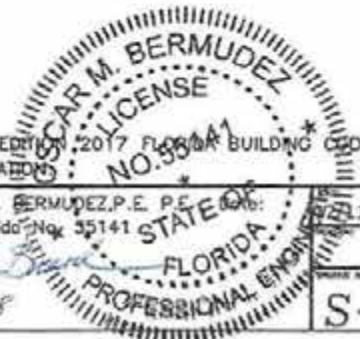
(2) 1/2" Log Bolts into Wood Piles
 5" Minimum Embedment, 2 1/2" Min. Apart,
 3" Min. Clearance From Top of Piles at
 Center of Piles



(8) NEW 12" DIA. 2.5 CCA
 MARINE TREATED WOOD PILING
 PILINGS TO BE VIBRATORY HAMMER
 TO 10 TON LOAD
 AS NECESSARY TO
 PROVIDE ADEQUATE
 BEARING & STABILITY

VIEW A
 N.T.S.

THE WORK SPECIFIED HEREIN HAS BEEN DESIGNED & ALL WORK SHALL BE IN ACCORDANCE WITH STRUCTURAL PROVISIONS OF THE 6th EDITION, 2017 FLORIDA BUILDING CODE.
 BEST MANAGEMENT PRACTICES: FLOATING TURBIDITY CURTAIN EXTENDING WITHIN 1' OF BOTTOM TO BE INSTALLED DURING PILING INSTALLATION



<p>LINDA RIFFLE DRAFTING & DESIGN 772-834-1906 LindaDraft1@att.net</p>	<p>KENNETH RICKETTS 1 HENDRICKS ISLE FORT LAUDERDALE FL. 33301 PROPOSED 40,000lb (8) POLE BOATLIFT</p>	<p>B&B Consulting Engineers 2237 Woods Edge Circle Orlando Florida 32817 (772)-708-7785 (772)-708-7787</p>	<p>OSCAR M. BERMUDEZ, P.E. Reg. Florida No. 35141 12/11/18</p>	<p>11/2018 S-4</p>
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Zoning Aerial



CITY OF FORT LAUDERDALE

Map Created by GIS Mailer

1 Hendricks Isle



GIS

Fort Lauderdale

Printed on: 2/14/2019

Summary of Project Description

February 25, 2019

Marine Advisory Board
City of Fort Lauderdale
2 South New River East
Fort Lauderdale, Florida 33301

**Re: Project Summary – Waiver of Limitations for Boat Lift
ULDR Section 47-19.3(c) and (e)
Applicant: Kenneth M. Ricketts
1 Hendricks Isle #1
Fort Lauderdale, Florida 33301**

Dear Marine Advisory Board Members:

Kenneth M. Ricketts (the "Applicant") requests a waiver of limitations to install a new boat lift within the Applicant's current boat slip adjacent to its residence located at 1 Hendricks Isle, Fort Lauderdale, Florida (the "Property"). The Property consists of a 6,000 square foot corner lot surrounded on two sides by waterways (the intersection of Lago Karen to the west and Sospiro/Las Olas Canal to the south) at the beginning of Hendricks Isle. The Property is a townhome within the 7-unit Hendricks Isle Condo Association.

ULDR Section 47-19.3(c) requires a waiver if mooring structures (i.e., boat lifts or hoists) will extend more than 25 percent of the width of the waterway or 25 feet from the property line, whichever is less. Pursuant to ULDR Section 47-19.3(e), the City Commission may waive the limitation of Section 47-19.3(c) under extraordinary circumstances, but in no event shall the extension exceed 30 percent of the width of the waterway. As further explained below, there are extraordinary circumstances and conditions surrounding the Property that warrant Applicant's installation of the proposed boat lift to protect its boat from damage.

The project site consists of an existing 2.5' seawall, a 5' wood dock that extends north and serves the remaining units in the Association, and a 40' x 5' finger pier, to which the boat lift will be attached, that extends out into Lago Karen. These existing features were previously approved by the City. The Applicant proposes to install an 18' x 18' boat lift within the Applicant's current boat slip. The boat lift will not extend beyond the existing finger pier and it will not create any impacts, as the dock and finger pier are already in place. Additionally, due to the Property's location on the south end and corner unit of the development, the boat lift will not block any views. The immediate neighbor and the condominium association have reviewed the

plans and issued letters in support of this application (*the letters are included in application package*).

The Applicant requests this waiver to allow the proposed boat lift to extend an additional 18 feet beyond the 25 foot limit of the ULDR, for a total of 43 feet from the Property. The width of Lago Karen at this location is extremely wide at 334 feet and the boat lift will only extend approximately 12% the width of the waterway. Additionally, the proposed boat lift will not impact navigation within the waterway, as the location of the Property is at the waterway's widest point.

While it is beneficial for the waterway to be wide for navigation purposes, it is not beneficial for boats to be parked in a boat slip adjacent to this Property. The Property is under extraordinary circumstances because is located on the eastern side of the widest part of the Lago Karen and at the intersection of two waterways. Being so exposed, there is nothing to block the prevailing winds coming from the south and it can be so windy in this area that the vessel could be damaged. This is even more of an issue during storm events and hurricanes. Leaving the boat in the slip will cause the vessel to be battered by the waves and wind, causing severe damage. Additionally, in this area low tides can be less than 1 foot. According to the NOAA tidal charts, tides around the Applicant's property can fluctuate significantly and can be as low as -0.92'. With soundings of Lago Karen at approximately 5 feet, the Applicant is facing a severe hardship if the boat is left in the water. The tidal and sounding data support the applicant's hardship, because even with a shallow draft boat, the Applicant's slip and the surrounding area are so shallow for many hours of the day that they are unnavigable and therefore, unusable. Without a boat lift, the boat would lie on the bottom of Lago Karon, as well as pound against the seawall and dock during wind events causing dangerous conditions and severe damage to the boat, propellers and to passenger safety.

Lifting the boat out of the water on to a boat lift will protect the boat from damage due to high winds and shallow depths of the surrounding waters. There is a great need for the boat lift to properly protect, stabilize and secure the Applicant's boat to withstand these powerful winds that come across Lago Karen. These conditions warrant the need for a boat lift.

The Applicant satisfies the justifications for this waiver request as follows:

1. The Florida Department of Environmental Protection and the Broward County Environmental Protection and Growth Management Department have reviewed the application and issued the necessary permits, exemptions and licenses based on the fact that the requested boat lift will not create a hazard or obstruct navigational waters or be a detriment to the surrounding area.
2. As stated above, the proposed boat lift structure will not exceed 30% of the width of the waterway. Based on the width of the waterway at this location - 334 feet - 30% of Lago Karen would permit a structure to extend 100 feet from the Property line. The Applicant

is requesting only to extend the boat lift 43 feet from the Property (25 feet of which is already permitted), which is 12% the width of the waterway.

3. The design and location of the lift will not adversely impact the navigation of vessels traveling within Lago Karen, nor create a hazard to navigation. The lift is being constructed adjacent to the existing finger pier and will not extend out further than the finger pier. Additionally, there are existing wood piles that extend approximately 30 feet further out into Lago Karen than the wood finger pier. Because this is the widest part of Lago Karen at 334 feet, the lift will be located far enough away from any navigable channel and will not create a navigational hazard or obstruction.
4. The boat lift has been carefully designed so as to not unreasonably interfere with adjacent riparian owners, impede navigation or limit access to future docking facilities that could be constructed by neighbors. The Applicant's property is the corner unit and the largest of the townhouses in the development, and as such will not interfere with adjacent riparian owners, impede navigation or limit access to future facilities by neighbors. The immediate neighbor and the condominium association have issued letters in support of the Applicant's waiver of limitations for the boat lift.

The Applicant will comply with all applicable requirements of ULDR Section 47-19.3 for construction and installation, and respectfully requests approval of the Waiver of Limitations to install the boat lift.

Sincerely,

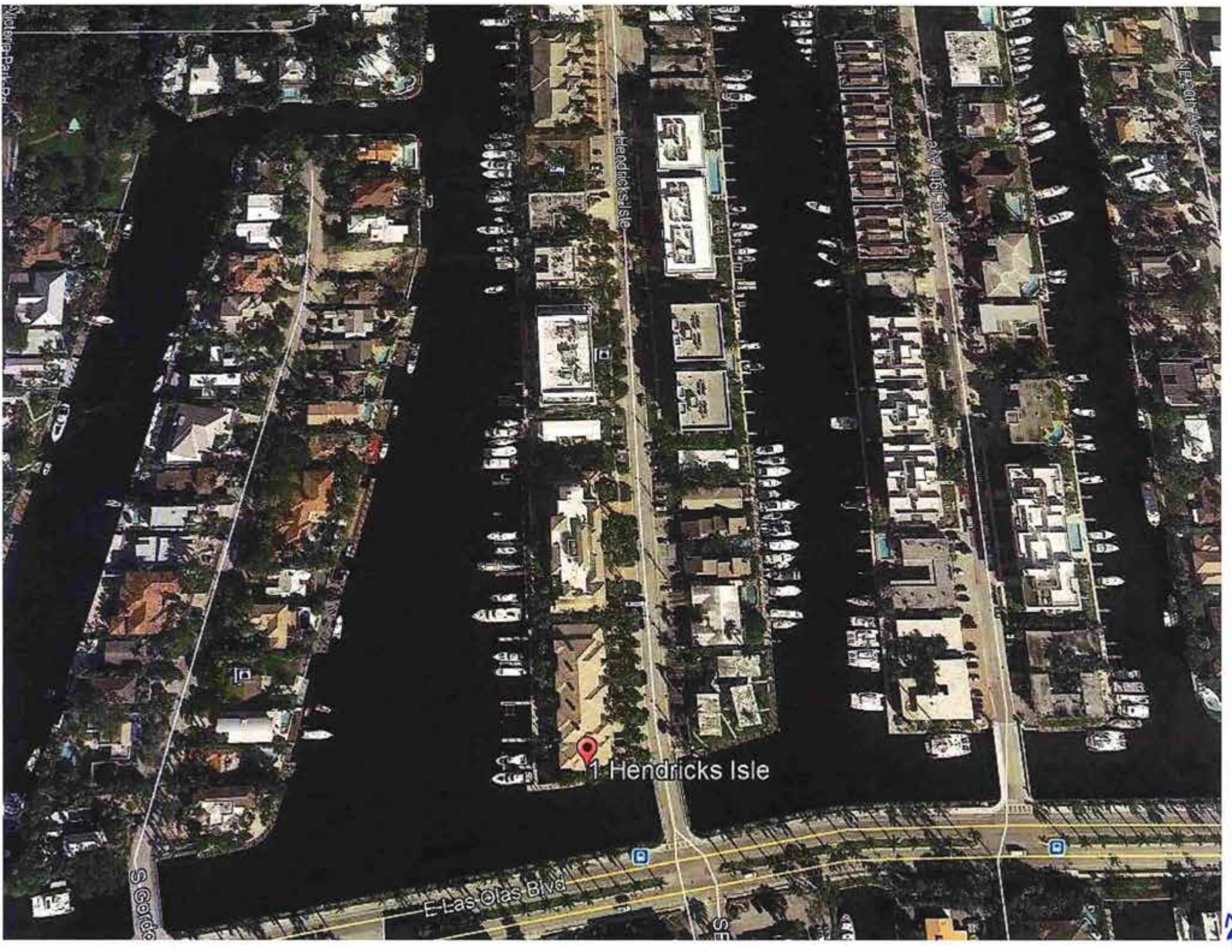


Heidi Davis Knapik

cc: Mr. Andrew Cuba
Kenneth M. Ricketts
Frank Marmondo

FTL_ACTIVE 5281276.2

Site Photographs and Tide Charts



1 Hendricks Isle

Hendricks Isle

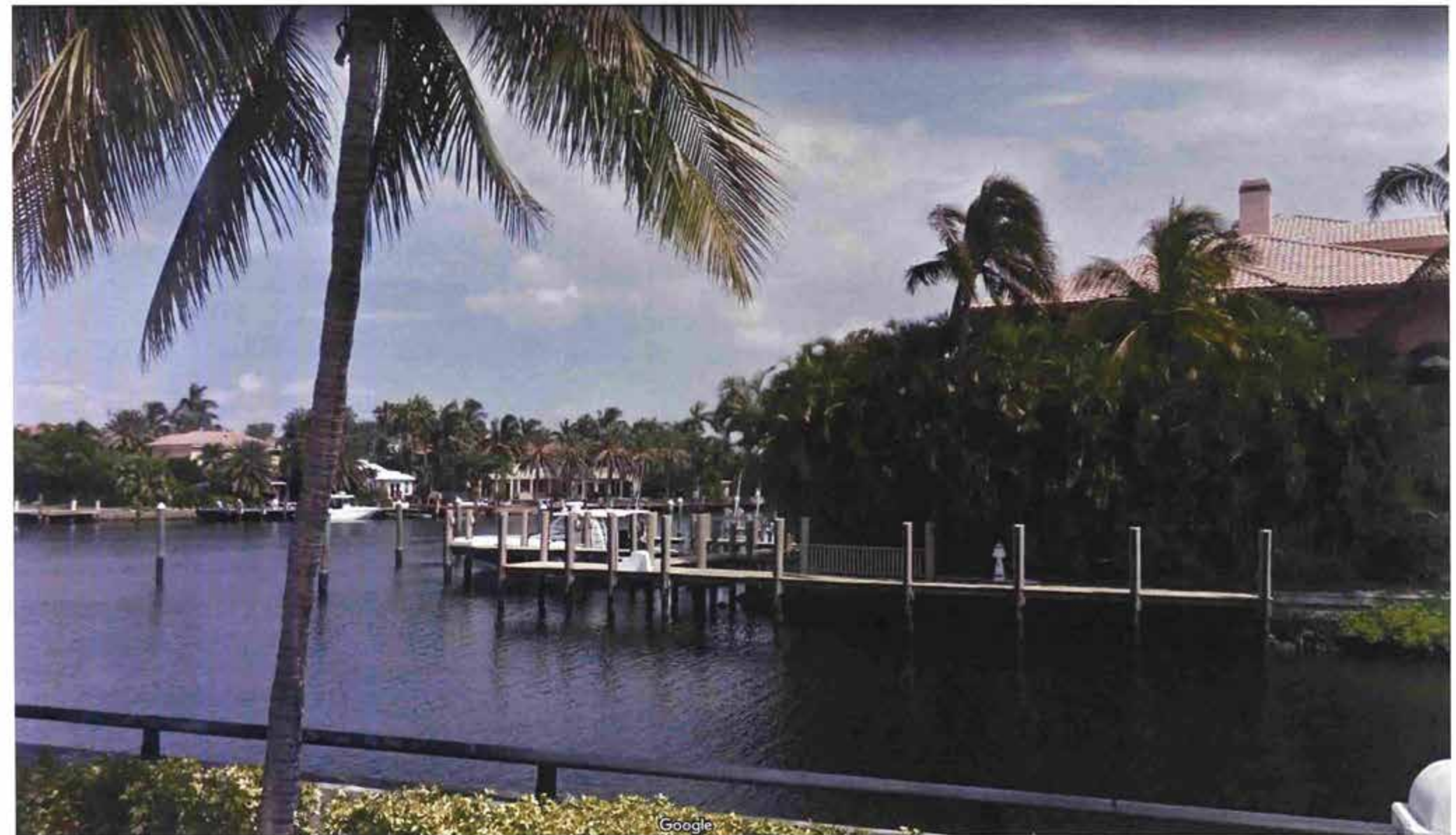
NE 19th Ave

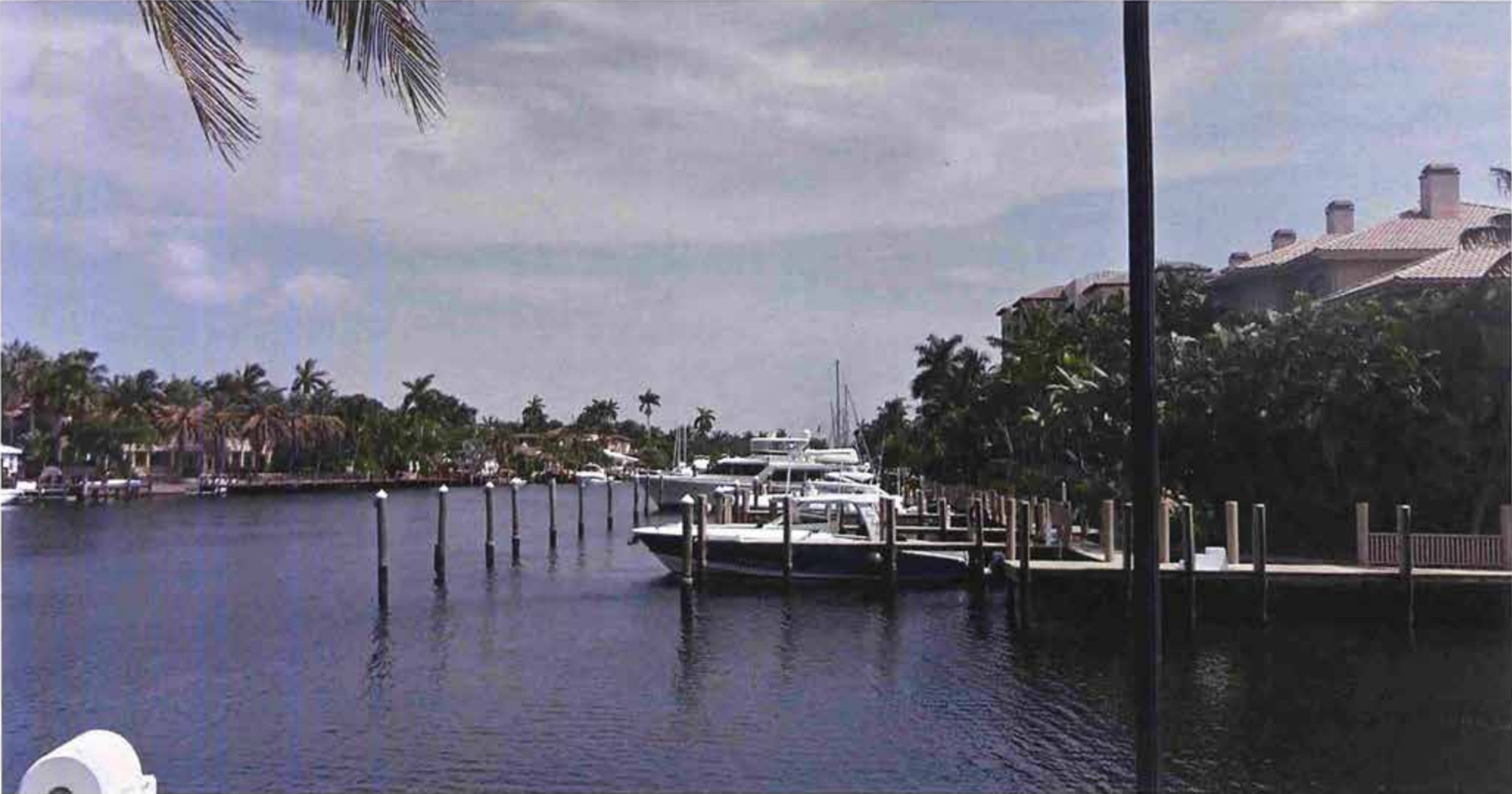
E Las Olas Blvd

S Gordon

















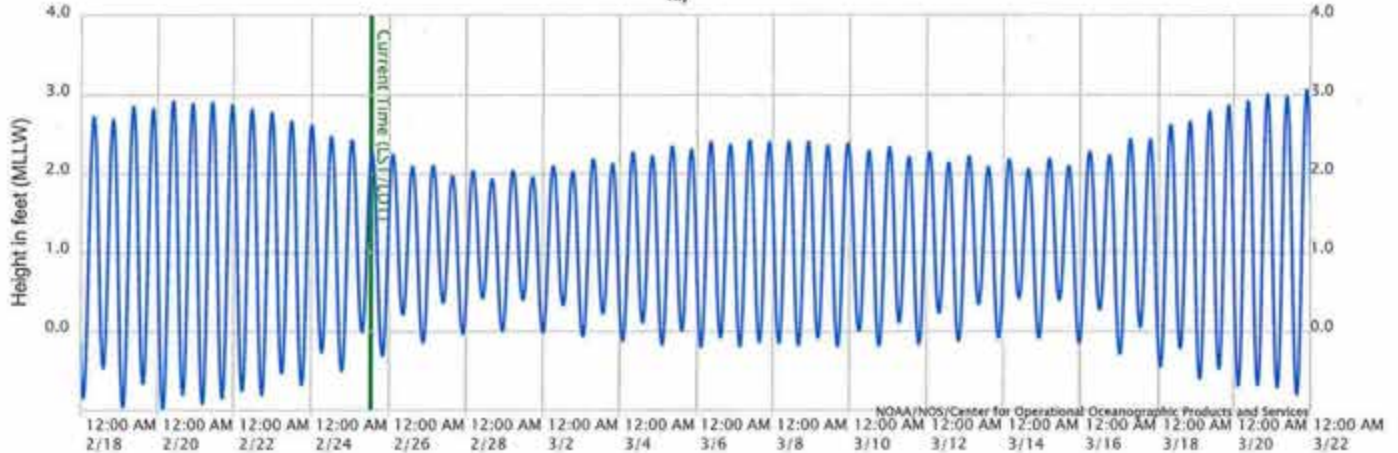




[Help](#)

NOAA/NOS/CO-OPS
Tide Predictions at 8722939, FT. LAUDERDALE BAHIA YACHT CLUB FL
From 2019/02/18 12:00 AM LST/LDT to 2019/03/21 11:59 PM LST/LDT

Subordinate Station | Ref. Station (MIAMI BEACH, GOVERNMENT CUT 8723178) | Time offsets (high: -5 min. low: 33 min.) | Height offsets (high: *1.05 ft. low: *1.21 ft.)



Note: The interval is High/Low, the solid blue line depicts a curve fit between the high and low values and approximates the segments between.
Disclaimer: These data are based upon the latest information available as of the date of your request, and may differ from the published tide tables.

High/Low Tide Prediction Data Listing

Station Name: FT. LAUDERDALE BAHIA YACHT CLUB, FL
Action: Daily
Product: Tide Predictions
Start Date & Time: 2019/2/18 12:00 AM
End Date & Time: 2019/3/21 11:59 PM

Source: NOAA/NOS/CO-OPS
Prediction Type: Subordinate
Datum: MLLW
Height Units: Feet
Time Zone: LST/LDT

Date	Day	Time	Hgt	Time	Hgt	Time	Hgt	Time	Hgt
2019/02/18	Mon	01:13 AM	-0.85 L	07:25 AM	2.72 H	1:43 PM	-0.47 L	7:39 PM	2.68 H
2019/02/19	Tue	02:06 AM	-0.97 L	08:15 AM	2.85 H	2:34 PM	-0.67 L	8:32 PM	2.82 H
2019/02/20	Wed	02:58 AM	-0.99 L	09:03 AM	2.92 H	3:25 PM	-0.81 L	9:23 PM	2.89 H
2019/02/21	Thu	03:49 AM	-0.92 L	09:49 AM	2.90 H	4:15 PM	-0.85 L	10:14 PM	2.87 H
2019/02/22	Fri	04:40 AM	-0.76 L	10:36 AM	2.81 H	5:06 PM	-0.81 L	11:05 PM	2.77 H
2019/02/23	Sat	05:31 AM	-0.53 L	11:23 AM	2.66 H	5:57 PM	-0.69 L	11:57 PM	2.61 H
2019/02/24	Sun	06:25 AM	-0.27 L	12:12 PM	2.46 H	6:52 PM	-0.51 L		
2019/02/25	Mon	12:51 AM	2.42 H	07:21 AM	-0.01 L	1:04 PM	2.26 H	7:49 PM	-0.31 L
2019/02/26	Tue	01:49 AM	2.24 H	08:21 AM	0.21 L	1:59 PM	2.09 H	8:49 PM	-0.15 L
2019/02/27	Wed	02:51 AM	2.10 H	09:24 AM	0.36 L	3:00 PM	1.97 H	9:51 PM	-0.04 L
2019/02/28	Thu	03:56 AM	2.03 H	10:26 AM	0.42 L	4:04 PM	1.92 H	10:50 PM	-0.00 L
2019/03/01	Fri	04:57 AM	2.03 H	11:23 AM	0.40 L	5:04 PM	1.94 H	11:44 PM	-0.02 L
2019/03/02	Sat	05:50 AM	2.09 H	12:14 PM	0.32 L	5:57 PM	2.02 H		
2019/03/03	Sun	12:33 AM	-0.07 L	06:36 AM	2.17 H	12:59 PM	0.22 L	6:43 PM	2.12 H
2019/03/04	Mon	01:16 AM	-0.13 L	07:16 AM	2.26 H	1:40 PM	0.11 L	7:25 PM	2.21 H
2019/03/05	Tue	01:56 AM	-0.18 L	07:53 AM	2.34 H	2:18 PM	0.00 L	8:04 PM	2.30 H
2019/03/06	Wed	02:33 AM	-0.20 L	08:28 AM	2.40 H	2:53 PM	-0.09 L	8:42 PM	2.36 H
2019/03/07	Thu	03:08 AM	-0.20 L	09:03 AM	2.42 H	3:26 PM	-0.15 L	9:20 PM	2.39 H
2019/03/08	Fri	03:42 AM	-0.16 L	09:37 AM	2.40 H	3:59 PM	-0.18 L	9:57 PM	2.40 H

2019/03/09	Sat	04:15 AM	-0.09 L	10:11 AM	2.35 H	4:32 PM	-0.20 L	10:35 PM	2.38 H
2019/03/10	Sun	05:51 AM	0.00 L	11:46 AM	2.28 H	6:08 PM	-0.19 L		
2019/03/11	Mon	12:16 AM	2.33 H	06:29 AM	0.11 L	12:23 PM	2.21 H	6:48 PM	-0.17 L
2019/03/12	Tue	01:00 AM	2.27 H	07:14 AM	0.23 L	1:04 PM	2.13 H	7:36 PM	-0.13 L
2019/03/13	Wed	01:50 AM	2.21 H	08:07 AM	0.34 L	1:53 PM	2.08 H	8:34 PM	-0.09 L
2019/03/14	Thu	02:50 AM	2.17 H	09:11 AM	0.41 L	2:55 PM	2.05 H	9:41 PM	-0.09 L
2019/03/15	Fri	03:58 AM	2.18 H	10:21 AM	0.40 L	4:06 PM	2.09 H	10:52 PM	-0.16 L
2019/03/16	Sat	05:08 AM	2.27 H	11:30 AM	0.27 L	5:20 PM	2.22 H	11:59 PM	-0.29 L
2019/03/17	Sun	06:12 AM	2.43 H	12:33 PM	0.05 L	6:28 PM	2.43 H		
2019/03/18	Mon	01:00 AM	-0.46 L	07:10 AM	2.62 H	1:31 PM	-0.22 L	7:29 PM	2.66 H
2019/03/19	Tue	01:57 AM	-0.61 L	08:03 AM	2.79 H	2:24 PM	-0.48 L	8:24 PM	2.86 H
2019/03/20	Wed	02:50 AM	-0.70 L	08:52 AM	2.92 H	3:15 PM	-0.69 L	9:16 PM	3.00 H
2019/03/21	Thu	03:41 AM	-0.72 L	09:39 AM	2.97 H	4:04 PM	-0.81 L	10:06 PM	3.06 H

Waterway Distance Exhibit

WATERWAY DISTANCE EXHIBIT

Kenneth M. Ricketts

1 Hendricks Isle

PROPOSED STRUCTURE	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING WAIVER
Boat Lift	43'	25'	18'

Letters of Support

[Date]

Mr. Ken Ricketts
1 Hendricks Isle #1
Fort Lauderdale, FL 33301

Re: Letter of Support – Waiver of Limitations to Install Boat Lift at 1 Hendricks Isle

Dear Mr. Ricketts:

I have reviewed the plans and specifications which you provided in connection with your request to install a boat lift at 1 Hendricks Isle.

I have no objection to the installation of the boat lift as long as it is installed in accordance with the documentation you provided and it is approved by all applicable government agencies.

Sincerely,

Quinn M. Shelley

Address: 3 Hendricks ISLE
Fort Lauderdale, FL.
33301

Hendricks Isle Condo Association
9 Hendricks Isle
Fort Lauderdale, FL 33301

Re: LETTER OF APPROVAL BOAT LIFT RICKETTS RESIDENCE
1 HENDRICK ISLE, FORT LAUDERDALE, FLORIDA 33301

To Whom it May Concern:

The board of directors has reviewed the plans and specifications which you provided in connection with your request to install a boat lift at 1 Hendricks Isle.

The board of directors has APPROVED the installation of the boat lift as long as it is installed in accordance with the documentation you provided and it is approved by all applicable government agencies.

Sincerely,



William Schaeffer, President
9 Hendricks Isle
Fort Lauderdale, Florida 33301

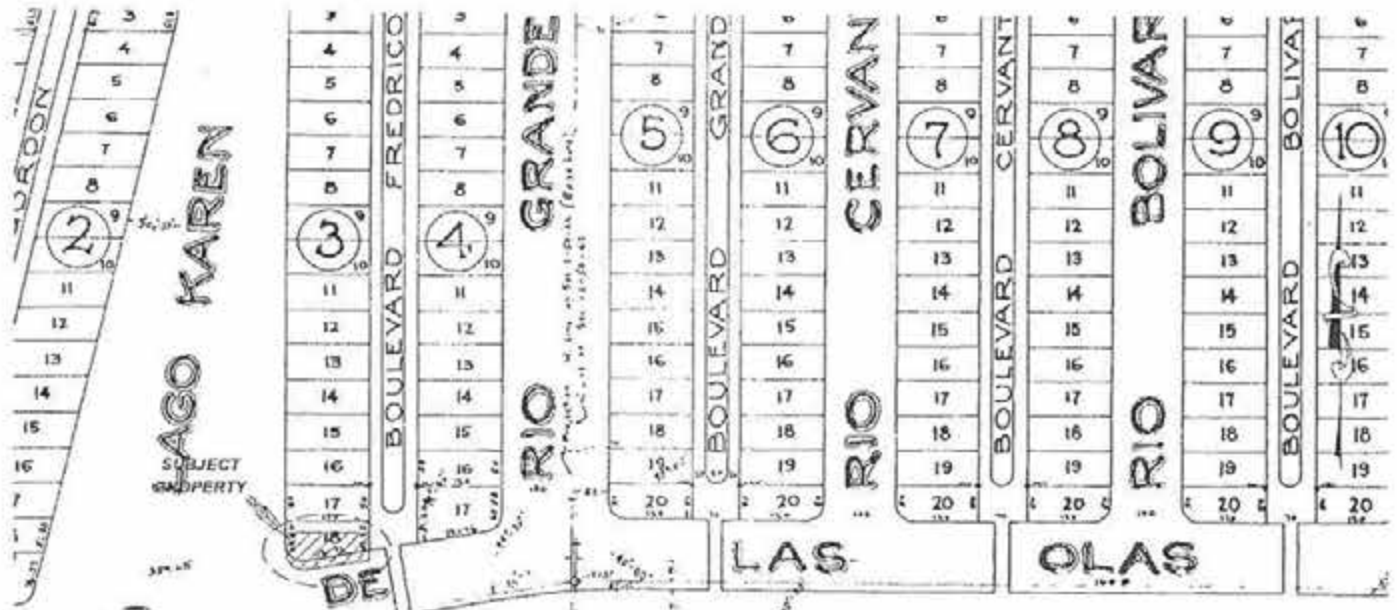
Survey

SURVEY OF, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK ., PAGE ., OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PROPERTY ADDRESS: 1 HENDRICKS ISLE, FT. LAUDERDALE, FL 33301
 FOR: KENNETH H. RICKETTS

LOCATION SKETCH

Scale 1" = 100 FT.



ABBREVIATION AND MEANING

LEGEND TYPICAL

A = ARC
 A/C = AIR CONDITIONER PAD
 A.E. = ANCHOR EASEMENT
 A/R = ALUMINUM ROOF
 A/S = ALUMINUM SHED
 ASPH = ASPHALT
 B.C. = BLOCK CORNER
 B.C.R. = BROWARD COUNTY RECORDS
 B.M. = BENCH MARK
 B.O.R. = BASIS OF BEARINGS
 C = CALCULATED
 C.B. = CATCH BASIN
 C.B.W. = CONCRETE BLOCK WALL
 CH = CHORD
 CH.B. = CHORD BEARING
 CL = CLEAR
 C.L.F. = CHAIN LINK FENCE
 C.M.E. = CANAL MAINTENANCE EASEMENTS
 CONC = CONCRETE
 C.P. = CONCRETE PORCH
 C.S. = CONCRETE SLAB
 D.E. = DRAINAGE EASEMENT
 D.M.E. = DRAINAGE MAINTENANCE EASEMENTS
 DRIVE = DRIVEWAY
 ENCR = ENCROACHMENT
 E.T.P. = ELECTRIC TRANSFORMER PAD
 F.F.E. = FINISHED FLOOR ELEVATION
 F.H. = FIRE HYDRANT
 F.I.P. = FOUND IRON PIPE
 F.I.R. = FOUND IRON ROD
 F.N. = FOUND NAIL
 F.N.D. = FOUND NAIL & DISK

F.N.P. = FEDERAL NATIONAL INSURANCE PROGRAM
 IN. & EG. = INGRESS AND EGRESS EASEMENT
 L.F.E. = LOWEST FLOOR ELEVATION
 L.M.E. = LAKE MAINTENANCE EASEMENT
 L.P. = LIGHT POLE
 M. = MEASURED DISTANCE
 M.H. = MANHOLE
 N.A.P. = NOT A PART OF
 NGVD = NATIONAL GEODETIC VERTICAL DATUM
 N.T.S. = NOT TO SCALE
 O.H.L. = OVERHEAD UTILITY LINES
 O.R.B. = OFFICIAL RECORD BOOK
 O.S. = OFFSET
 O.V.H. = OVERHANG
 P.B. = PLAT BOOK
 P.C. = POINT OF CURVE
 P.C.C. = POINT OF COMPOUND CURVE
 P.L. = PLANTER
 P.L.S. = PROFESSIONAL LAND SURVEYOR
 P.O.B. = POINT OF BEGINNING
 P.O.C. = POINT OF COMMENCEMENT
 P.P. = POWER POLE
 P.P.S. = POOL PUMP SLAB
 P.R.C. = POINT OF REVERSE CURVE
 PRIM = PERMANENT REFERENCE MONUMENT
 PT. = POINT OF TANGENCY
 P.V.M.T. = PAVEMENT
 P.W.Y. = PARKWAY
 R. = RECORD DISTANCE

RAD. = RADIUS OF RADIAL
 RGE = RANGE
 R.P. = RADIUS POINT
 R.O.E. = ROOF OVERHANG EASEMENT
 R.W. = RIGHT-OF-WAY
 SEC. = SECTION
 S.I.P. = SET IRON PIPE L.B. 38044
 S.W.K. = SIDEWALK
 T. = TANGENT
 TWP = TOWNSHIP
 U.E. = UTILITY EASEMENT
 U.P. = UTILITY POLE
 W.M. = WATER METER
 W.R. = WOOD ROOF
 W.S. = WOOD SHED
 ∠ = ANGLE
 Δ = CENTRAL ANGLE
 E = CENTER LINE
 M = MONUMENT LINE

—OH— OVERHEAD UTILITY LINES
 [Hatched] C.B.S. = WALL (CBW)
 [Dashed] C.L.F. = CHAIN LINK FENCE
 [Line with dots] I.F. = IRON FENCE
 [Line with triangles] W.F. = WOOD FENCE
 + 0.00 = EXISTING ELEVATIONS

SURVEYOR'S NOTES

- 1) IF SHOWN, BEARINGS ARE REFERRED TO AN ASSUMED MERIDIAN. BY SAID PLAT IN THE DESCRIPTION OF THE PROPERTY. IF NOT, THEN BEARINGS ARE REFERRED TO COUNTY, TOWNSHIP MAPS.
- 2) THIS IS A SPECIFIC PURPOSE SURVEY.
- 3) THE CLOSURE IN THE BOUNDARY SURVEY IS ABOVE 1:7500 FT.
- 4) IF SHOWN, ELEVATIONS ARE REFERRED TO BROWARD COUNTY.

B.M. _____ ELEV. _____ FEET OF N.G.V.D. OF 1929.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS "BOUNDARY SURVEY" OF THE PROPERTY DESCRIBED HEREON, AS RECENTLY SURVEYED AND DRAWN UNDER MY SUPERVISION, COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE PURSUANT TO 472.027, FLORIDA STATUTES.

BY: *George Ibarra*
 GEORGE IBARRA (DATE OF FIELD WORK) 04-20-20

LEGAL NOTES TO ACCOMPANY SKETCH OF SURVEY ("SURVEY")

- THERE MAY BE EASEMENTS RECORDED IN THE PUBLIC RECORDS NOT SHOWN ON THIS SURVEY.
- THE PURPOSE OF THIS SURVEY IS FOR USE IN OBTAINING TITLE INSURANCE AND FINANCING, AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
- EXAMINATIONS OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THE PROPERTY. THIS SURVEY IS SUBJECT TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS OR EASEMENTS OF RECORD, AND LEGAL DESCRIPTIONS PROVIDED BY CLIENT OR ATTESTING TITLE COMPANY.
- BOUNDARY SURVEY MEANS A DRAWING AND / OR A GRAPHIC REPRESENTATION OF THE SURVEY WORK PERFORMED IN THE FIELD. IT SHOULD BE DRAWN AT A SHOWN SCALE AND / OR NOT TO SCALE.
- EASEMENTS AS SHOWN ARE PER PLAT BOOK, UNLESS OTHERWISE SHOWN.
- THE TERM "ENCROACHMENT" MEANS VISIBLE AND ABOVE GROUND ENCROACHMENTS.
- ARCHITECTS SHALL VERIFY ZONING REGULATIONS, RESTRICTIONS AND SETBACKS, AND THEY WILL BE RESPONSIBLE FOR SUBMITTING PLAT PLANS WITH THE CORRECT INFORMATION FOR THEIR APPROVAL FOR AUTHORIZATION TO AUTHORITIES IN NEW CONSTRUCTIONS. UNLESS OTHERWISE NOTED, THIS SURVEY HAS NOT ATTEMPTED TO LOCATE

LEGAL DESCRIPTION

UNIT 1, RIO LAS OLAS, LOCATED AT 1 HENDRICKS ISLE, FORT LAUDERDALE, FLORIDA, 33301. MORE PARTICULARLY DESCRIBED AS:

LOT 18 LESS THE NORTH 16.83 FEET THEREOF, BLOCK 3 OF UNIT A LAUDERDALE ISLES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 9, PAGE 28, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

TOGETHER WITH THAT PART OF LAND SOUTHERLY OF BLOCK 3, ACCORDING TO THE PLAT OF UNIT A, LAUDERDALE ISLES, AS RECORDED IN PLAT BOOK 9, AT PAGE 28, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING SOUTHERLY OF AND ADJACENT TO LOT 18, DESCRIBED AS FOLLOWS:

POINT OF BEGINNING AT THE SOUTHEAST CORNER OF SAID WEST LOT 18 IN BLOCK 3, ACCORDING TO SAID PLAT; THENCE RUN SOUTH 80 DEGREES 15'00" WEST, (ON AN ASSUMED BEARING) 92.10 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 18 TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG SAID SOUTHERLY BOUNDARY ON THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 25 FEET AND A CENTRAL ANGLE OF 99 DEGREES 45', RUN NORTHERLY 43.52 FEET; THENCE RUN DUE SOUTH 12.15 FEET ALONG THE SOUTHERLY PROJECTION OF THE WESTERLY BOUNDARY OF SAID LOT 18. ALSO FORMING THE FACE OF THE EXISTING BULKHEAD, AS NOW LOCATED AND CONSTRUCTED, TO A POINT OF CURVATURE OF A CURVE TO THE LEFT; THENCE ALONG SAID EXISTING BULKHEAD ON THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 25 FEET AND A CENTRAL ANGLE OF 99 DEGREES 02' 37", RUN SOUTHERLY AND NORTHEASTERLY 43.22 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 80 DEGREES 57'23" EAST, 92.22 FEET ALONG SAID EXISTING BULKHEAD LINE, BEING THE TANGENT EXTENDED, TO AN INTERSECTION WITH THE SOUTH PROJECTION OF THE EAST BOUNDARY OF SAID LOT 18; THENCE RUN DUE NORTH 13.30 FEET ALONG SAID PROJECTION TO THE POINT OF BEGINNING.

**Florida Department of Environmental
Protection Approval**

Subject: **FDEP ERP Self-Certification Receipt**
Date: 11/20/2018 5:20:08 PM Eastern Standard Time
From: no-reply@dep.state.fl.us
To: fmnyc5@aol.com
Cc: FMNYC5@AOL.COM, ROBERT.B.BARRON@USACE.ARMY.MIL,
ERP.SELFCERTS@DEP.STATE.FL.US, BROWARD.COUNTY-
SP@USACE.ARMY.MIL, NMFS.SER.PROGRAMMATICREVIEW@NOAA.GOV



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

Receipt for Submission

SELF CERTIFICATION FOR A PROJECT AT A PRIVATE, SINGLE-FAMILY RESIDENCE

11/20/2018

Self Certification File No.: 0370835001EE
File Name: 1 Hendricks Isle Fort Lauderdale, FL 33301
- Self-Certification Modify With Boat Lift (General)

Dear Frank Paul Mormando: On, 11/20/2018, you used the Florida Department of Environmental Protection's electronic Self Certification Process to certify compliance with the terms and conditions of the Federal State Programmatic General Permit (SPGP) Self Certification Process for a project at private, single-family residence located at:

LAT - Degrees: 26 Minutes: 7 Seconds: 13.2789
LONG - Degrees: -80 Minutes: 7 Seconds: 19.9823
SITE ADDRESS: 1 Hendricks Isle Fort Lauderdale, FL 33301
COUNTY: Broward

For:
KENITH MICHAEL RICKETTS
1 HENDRICKS ISLE #1 Fort Lauderdale, FL 33301

You have certified that the project you propose to construct at the above location meets all the conditions of the Self-Certification Process. A project that is built in conformance to those conditions (attached for

reference) will:

1. Qualify for a regulatory exemption under Section 403.813(1)(b) of the Florida Statutes (F.S.) and Chapter 62-330, Florida Administrative Code (F.A.C.). As such, it is exempt from the need to obtain a DEP Environmental Resource Permit.;
2. Qualify for Consent by Rule or Letter of Consent (as applicable) under Chapter 253, F.S. and Chapter 18-21, F.A.C. (and Chapter 258, F.S. and Chapter 18-20, F.A.C., if applicable), when the project is located on submerged lands owned by the State of Florida.;

Your Self-Certification is based solely on the information you provided under this process, and applies only to the statutes and rules in effect when your certification was completed. The certification is effective only for the specific project proposed, and only if the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the Self-Certification Process. In addition, any substantial modifications in your plans should be submitted to the Department for review, as changes may result in a permit being required.

You have acknowledged that this Self Certification will automatically expire if:

1. Construction of the project is not completed within one year from the self-certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

Receipt of this Self-Certification constitutes authorization to use sovereignty/state-owned submerged lands, as required by rule 18-21.005, F.A.C.

The authorization must be visibly posted during all construction activities.

In waters that are accessible to manatees, obtain information on your mandatory Manatee Protection sign by [clicking here](#).

FEDERAL STATE PROGRAMMATIC GENERAL PERMIT (SPGP)

You have certified that the project you propose to construct at the above location meets all the conditions of the SPGP Self-Certification Process and will be built in conformance to those conditions (attached for reference). Your proposed activity as certified is in compliance with the SPGP program. U.S. Army Corps of Engineers (Corps) Specific conditions apply to your project, attached. No further permitting for this activity is required by the Corps. In the event of the transfer of ownership of the property by sale or by any other means, when the structures or work authorized by this SPGP Self-Certification are still in existence at the time the property is transferred, the terms and conditions of this SPGP Self-Certification will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire. To validate the transfer of this SPGP Self-Certification and the associated responsibilities associated with compliance with its terms and conditions, the attached transfer of SPGP Self-Certification request must be completed and submitted to the Department at the time of transfer of ownership. The address is given below on the attached transfer form. This SPGP Self-Certification is based solely on the information you provided under this process, and applies

only to the statutes and rules in effect when your certification was completed. You have recognized that your certification is effective only for the specific project proposed, and provided the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the SPGP Self-Certification Process. This Self-Certification will not apply if any substantial modifications are made to the project. You agree to contact the Department for review of any plans to construct additional structures or to modify the project, as changes may result in a permit being required. You have acknowledged that this Self-Certification will automatically expire if: 1. construction of the project is not completed by midnight, July 25, 2021, unless construction commenced or a contract to construct was executed before July 25, 2021, in which case the time limit for completing the work authorized by the SPGP ends at midnight, July 25, 2022. However, in no case can construction continue for more than one year beyond the Self-Certification date; 2. site conditions materially change; 3. the terms, conditions, and limitations of the Self-Certification are not followed; or 4. the governing statutes or rules are amended before construction of the project. Completion of the Self-Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance. If you have any questions, please contact your local Department District Office. Contact information can be found at: <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/documents/district-office-contacts>. For further information, contact the Corps directly at: <http://www.saj.usace.army.mil/Missions/Regulatory.aspx>. When referring to your project, please use the SPGP Self-Certification file number listed above. Authority for review - an agreement with the U.S. Army Corps of Engineers entitled Coordination Agreement between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection State Programmatic General Permit, Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.

ADDITIONAL INFORMATION

This Self-Certification Process does not relieve you from the responsibility of obtaining other permits or authorizations from other agencies (federal, state, Water Management District, or local) that may be required for the project. Failure to obtain all applicable authorizations prior to construction of the project may result in enforcement.

If you have any problems with the attached documents, please call the ERP Coordinator at (850) 245-8495 or by e-mailing us at ERP_eApps@dep.state.fl.us.

Sincerely, Florida Department of Environmental Protection

Attachments:

FDEP Terms and Conditions

SPGP Terms and Conditions

SPGP Transfer Letter

- Aquatic Vegetation Guidelines

Sea Turtle And Sawfish Conditions

- Dep Customer Survey

**Broward County Environmental
Resource General License**



Environmental Protection and Growth Management Department
Environmental Engineering and Permitting Division
1 North University Drive, Mailbox 201, Plantation, FL 33324
Phone: 954-519-1483 Fax: 954-519-1412

**BROWARD COUNTY
ENVIRONMENTAL ENGINEERING AND PERMITTING DIVISION
ENVIRONMENTAL RESOURCE GENERAL LICENSE**

GL-FTL1812-020

Broward County Code of Ordinance(s): 27-336(a)(1)f.

Applicant: Kenneth Ricketts

1 HENDRICKS ISLE, Fort Lauderdale

Description: Installation of new boatlift and piles.

Issue Date: 12/13/2018

Expiration Date: 12/12/2020

The above project has been reviewed and was verified to meet the criteria outlined in Chapter 27-336(a)(1) of the Broward County Natural Resource Protection Code for the issuance of this Environmental Resource General License (GL). This approval is specific for the plans and description described on this verification. Any changes to project footprint, design or size must be reviewed by the Department and may require additional licensing.

Construction shall be in accordance with the submitted Application, the approved plans and the attached General Conditions. This approval does not authorize impacts to natural resources (mangroves, sea grasses, etc). Failure to comply with the license conditions may result in suspension or revocation of the license and/or enforcement actions.

Issuance of this license does not relieve the licensee from obtaining any other required federal, state or local permits or authorizations required for this project prior to commencement.

Per Section 27-58(b)(9), "The licensee, by acceptance of this license, specifically agrees to allow access and shall allow access to the licensed source, activity, or facility at times to the COUNTY personnel for the purposes of inspection and testing to determine compliance with this license and this chapter."

Aquatic and Wetland Resources Reviewer: Brandon Justice

Telephone: (954) 519-1228

email: bjustice@broward.org

Broward County General Conditions
(Required for all licenses)

GL-FTL1812-020

1. The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the licensee and enforceable by the Environmental Protection and Growth Management Department (EPGMD) pursuant to Chapter 27 of the Broward County Code of Ordinances. EPGMD will review this license periodically and may revoke the license, initiate administrative and/or judicial action for any violation of the conditions by the licensee, its agents, employees, servants or representatives or principals.
2. This license is valid only for the specific uses set forth in the license application, and any deviation from the approved uses may constitute grounds for revocation and enforcement action by EPGMD.
3. The licensee agrees to comply with Chapter 27 of the Broward County Code of Ordinances, as amended.
4. Enforcement of the terms and provisions of this license shall be at the reasonable discretion of EPGMD, and any forbearance on behalf of EPGMD to exercise its rights hereunder in the event of any breach by the licensee shall not be deemed or construed to be a waiver of EPGMD's rights hereunder.
5. In addition to the general conditions set forth above, each license issued by EPGMD shall contain specific conditions determined by site conditions and requirements pursuant to the regulations as determined by the director of EPGMD. The licensee agrees that specific conditions are enforceable by EPGMD for any violation thereof.
6. If the licensee wishes to renew a license or extend its term, the licensee shall make application sixty (60) days prior to its expiration. Expired licenses are not renewable.
7. This license does not constitute a waiver or approval of any other license that may be required for other aspects of the total project.
8. The licensee, by acceptance of this license, specifically agrees to allow access to the licensed source at reasonable times by EPGMD personnel for the purposes of inspection and testing to determine compliance with this license and Chapter 27 of the Broward County Code of Ordinances.
9. This license must be available for inspection on the licensee's premises during the entire life of the license.
10. The issuance of this license does not convey any vested rights or exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, or any violations of federal, state or local laws or regulations.
11. In the event the licensee is temporarily unable to comply with any of the conditions of the license, the licensee shall notify EPGMD within twelve (12) hours. Within five (5) working days of the event, the licensee shall submit a written report to EPGMD that describes the incident, its cause, the measures being taken to correct the problem and prevent its reoccurrence, the owner's intention toward repair, replacement, and reconstruction of destroyed facilities, and a schedule of action leading toward operation within the license conditions.
12. Any new owner of a licensed facility shall apply by letter for a transfer of license within thirty (30) days after sale or legal transfer. The transferor shall remain liable for performance in accordance with the license until the transferee applies for, and is granted the transfer of license. The transferee shall also be liable for performance in accordance with the license.
13. By accepting this license, the licensee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, that are submitted to EPGMD, may be used by EPGMD as evidence in any enforcement proceeding arising under Chapter 27 of the Broward County Code of Ordinances, except where such use is prohibited by Section 403.111, F.S.

Standard Specific Conditions
(Required for all licenses)

GL-FTL1812-020

1. Notify the Department in writing a minimum of forty-eight (48) hours prior to project commencement and a maximum of forty-eight (48) hours after project completion.
2. Any project caused environmental problem(s) shall be reported immediately to the Department's Environmental Response Line at 954-519-1499.
3. All project generated solid waste and/or spoil material must be disposed of in a suitable approved manner in accordance with current regulations at an upland location (not including surface waters and wetlands).
4. Turbidity screens or equivalent shall be properly deployed and maintained as necessary during construction activities so that turbidity levels do not exceed twenty-nine (29) Nephelometric Turbidity Units (NTU's) above natural background fifty (50) feet downstream of project.
5. Only clean fill and clean demolition materials shall be placed in the water bodies being filled. Clean demolition materials include things such as brick, stone, ceramic and concrete rubble which are uncontaminated by other materials. Any fill material used shall be free of garbage, rubbish, refuse, asphalt, hazardous materials, organic matter such (as) wood, lumber, tree or tree trimmings, or other contaminants. The disposal of any putrescible or deleterious debris in any water body is prohibited.
6. This license does not eliminate the necessity to obtain any required federal, state, local or special district permit/license/approval prior to the start of any activity authorized by this license.

Project Specific Conditions

GL-FTL1812-020

1. Construction shall be in accordance with the attached plans and drawings. Any deviation may require a new license and may cause enforcement actions to be initiated.

**APPLICATION FOR AN ENVIRONMENTAL RESOURCE
GENERAL LICENSE**

Mailing Address:

Planning & Environmental Regulation Department
1 North University Drive, Suite 201
Plantation, Florida 33324

Application Fee: \$ 100.00

Make Check payable to:
Broward County Board of
County Commissioners

To be completed by Department Staff:

Fee Statement No: _____ License No: _____

Questions 1 - 9 must be completed. The submittal of the following information with the application will help ensure timely processing and is necessary for staff to effectively evaluate each proposed project:

- The correct number of signed & scaled plans you will need for the city, contractor, etc.
plus one copy for the county to retain on 8 1/2 x 11" paper
- A copy of a property survey clearly depicting the **existing** conditions. Please be sure all over water structures are clearly labeled with the dimensions as **measured from the wet face of the seawall**.
- Photographs of existing conditions, if possible (*to be kept by THE COUNTY*);
- A location / street map with the project site identified;
- Proof of ownership or sufficient interest in the project property;
- Plan view and cross-sectional drawings showing the proposed project to include:
 - accurate dimension of length and width for **all structures** over water measured **from the wet face of the seawall** (seawall cap, docks, boardwalks, boatlifts, floating docks, etc.)
 - the Mean High Water Level (MHW), Mean Low Water and substrate elevation (referenced to NGVD or Mean Sea Level)
 - the height of the proposed dock above MHW
 - name and width of water body
 - presence of any **wetland** or **benthic** (seagrasses, oysters, etc.) communities;
- If maintenance dredging is proposed, please provide:
 - documentation of original dredged depth
 - plan view of dredging location, with approximate dimensions
 - cross-sectional drawings depicting historical, existing and proposed conditions with elevations labeled.
 - amount of material to be removed (in cubic yards); and,
- If the proposed project will be constructed on property owned by a homeowners or condominium association, a letter from the association approving the project is required.

1. **Agent processing application:** Frank Mormando / Bottom Line Construction Mgmt

Street: 340 Sunset Drive Suite 1605

City: Fort Lauderdale State: Florida Zip: 33301

Telephone: 954-274-9275 Fax: 954-274-9275

Email: FMNYC@AOL.com

SELECT ONE: Mail license back: _____ Hold for pick-up: _____ **X** _____

2. **Contractor to do work:** YACHT LIFTERS

Street: 1612 SW 3RD STREEET

City: FORT LAUDERDALE State: Florida Zip: 33316

Telephone: 954-934-4437 Fax: 954-274-9275

Email: FMNYC5@AOL.COM

3. **Property Owner** KENNETH RICKETTS

Street: 1 HENDRICKS ISLE #1

City: FORT LAUYDERDALE State: Florida Zip: 33301

Telephone: 609-462-8502 Fax: 954-356-8147

Email: FMNYC5@AOL.COM

APPLICATION FOR AN ENVIRONMENTAL RESOURCE GENERAL LICENSE

4. *Location of proposed work:* Folio #: 5042 11 24 0101
Street: 1 HENDRICKETS ISLE #1 City: FORT LADERDALE Zip: 33301

5. Are there any existing structures at the proposed work site that have been licensed by this agency? If so, provide license number _____. Are there any other pending applications with this agency? If so, for what type of license _____ and when was it submitted _____?

PLEASE BE ADVISED THAT THE PERSON(S) SIGNING BELOW IS/ARE CERTIFYING THAT THE PROPOSED PROJECT WILL BE IN COMPLIANCE WITH THE FOLLOWING CRITERIA FOR OBTAINING AN ENVIRONMENTAL RESOURCE GENERAL LICENSE.

A General License does not authorize any mangrove alteration activities, impacts to any submerged aquatic vegetation (seagrasses) or other natural resources.

2. 6. Provide a complete description of the proposed project
INSTALL NEW 40 K LIFT WITH (8) 12" WOOD CCM PILES

7. Description of proposed work (check all applicable items) Section 27-336(a)(1).

- (a) The repair or replacement of existing functional docks, provided that no additional waterward fill is used and the new or repaired dock is not enlarged beyond a total of 500 square feet over-water surface area for the new and existing structure.
- (b) The repair, maintenance, or restoration of existing functional seawalls no more than one foot waterward of their original authorized location.
- (c) The relocation within an already approved right-of-way, repair or maintenance of existing utility transmission or distribution lines and associated adjacent facilities required to effect the repair.
- (d) New lake or pond excavation of less than 2 acres, but equal to or greater than 1 acre, that are not connected with and do not exchange water with any other surface water body of wetland, except by means of a permitted overflow structure.
- (e) The installation of private, noncommercial docks of 500 square feet or less over water surface area, where no dredging or filling is required except to install the pilings.
- (f) Projects which are within isolated wetlands or lakes and/or otherwise, in the opinion of THE COUNTY, will not significantly degrade the environment (boatlifts, mooring pilings, headwalls, culverts, etc.)
- (g) Proposed or existing rock quarry excavations. (Please see Section 27-336(a)(1) for additional information)
- (h) The construction, repair, maintenance or operation of any permitted storm water control/treatment structure when not exempt pursuant to 62-340.700 F.A.C. as amended.
- (i) The one time dredging of 20 cubic yards or less of sediment from isolated lakes or ponds and residential canals, with no seagrasses within the project site, where the sediment is removed from the waterway and deposited on a self-contained upland site.
- (j) The installation of natural limerock rip-rap at the waterward face of an existing vertical bulkhead provided that the rip-rap is clean and free of debris, that no seagrasses are covered by the rip-rap, that no dredging or other filling is conducted and that the rip-rap is placed at a slope no steeper than 2H:1V and that no interference to other riparian property rights or navigation occurs.

APPLICATION FOR AN ENVIRONMENTAL RESOURCE GENERAL LICENSE

- (k) The repair or replacement of existing functional headwalls, pipes, culverts provided that they are otherwise in compliance with the code and are in artificially created waterways which discharge water for stormwater run off. The pipes must be replaced in the original size and configuration and all elevations must be the same as the pre-replacement condition. All water quality protection features must be utilized and the rerouting of water bodies is not authorized by this General License except by pumps, pipes, or cofferdams. Wetland areas may NOT be impacted by the activity.
 - (l) The installation of utility or transmission lines laid on or embedded in the substrate provided that no dredging or filling is required and that no seagrasses or significant benthic communities will be affected by the activity.
 - (m) Existing commercial Rock Quarry Excavations *(please see Section 27-336(a)(1) for additional information)*
 - The emergency repair, replacement or maintenance of existing utility transmission or distribution lines, provided that the owner of the damaged facility or the owner's agent provides verbal notice to the county of the condition, its location and expected length of time required for the repair, replacement or maintenance activities. *Section 27-336(a)(2)*
8. **Mangrove alteration and certain types of trimming activities require an Environmental Resource License pursuant to Sec. 27-332 of the Broward County Code and Section 403.9321 Florida Statute. The General License does not authorize any mangrove alteration activities.**
 Are there mangroves on-site? Yes No
 Will this work require mangrove alteration or trimming? Yes No
9. **Are there any natural aquatic or submerged resources in the construction area? Yes No**
 Natural aquatic resources include seagrasses, oysters, etc. **Describe how this determination was made.**

Per Section 27-58(b)(9), "The licensee, by acceptance of this license, specifically agrees to allow access and shall allow access to the licensed source, activity, or facility at times to THE COUNTY personnel for the purposes of inspection and testing to determine compliance with this license and this chapter." Enforcement actions may be initiated for any violations.


Issuance of this license does not relieve the licensee from obtaining any other required federal, state or local permits or authorizations required for this project prior to commencement. Please be advised a site inspection may also be conducted prior to license issuance to verify existing conditions.



 Signature of property owner

12-10-2018

 Date

KENNETH RICKETTS
 Printed Name


 Signature of Agent

12-10-2018

 Date

FRANK MORMANDO
 Printed Name

 Wetlands Resources Approval

 Date

ITEM VI

REVISED

MEMORANDUM MF NO. 19-06

DATE: February 25, 2019

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: March 7, 2019 MAB Meeting – Application for Dock Permit – James D. Wilson / 333 Poinciana Drive

APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for use, maintenance and repair of a proposed 30' long x 8' wide L- shaped dock extending a maximum of 25' from the property line into the Las Olas Bight and accessed via a 5' wide pier dock on public property abutting the waterway in proximity to 333 Poinciana Drive. City Code Section 8-144 authorizes the construction and use of docks on public property, and allows for the permit to be issued for a fixed period provided the permit holder agrees to maintain the improvements and seawall. The application indicates that the existing seawall would be repaired and raised to the new required height.

PROPERTY LOCATION AND ZONING

The property is located within the Idlewyld Isles RS-8 Residential Low Density Zoning District. The proposed L-shaped dock would be located on the Las Olas Bight, directly adjacent to the Intracoastal Waterway.

ENGINEERING REVIEW REQUIREMENT

As a requirement of City Code Section 8-144, approval of the application is contingent upon all improvements to the property being maintained in accord with City Engineering standards and in full compliance with building and zoning regulations including construction permits required for any future electrical and water feeds to the property.

The granting of this Permit is subject to all of the provisions of City Code Section 8-144 as well as the following terms and conditions, violation of any of which shall be grounds for revocation of the Permit:

1. The fixed period of the Permit issued for use of the L-shaped Dock and Adjacent Seawall described in the application is for a period of five (5) years in accordance with City Code Section 8-144 (1). The Permit is revocable at the will of the City Commission, without cause with 90 days advance notice.
2. As a special condition, the City reserves the right to remove the proposed dock structures for replacement of the seawall in the event that this might be required during the term of the Permit as determined by the City Engineer. The sole cost of removal and replacement of the Dock shall be the responsibility of the Permit Holder. Furthermore, the Permit Holder shall be responsible for maintaining and beautifying a reasonable area in and around the dock location and failure to do so shall be grounds for revocation of this Permit.

3. As a special condition of the Permit, the Permit Holder is prohibited from erecting any signs, landscaping or fencing to restrict public access to the Dock Area except where permitted by Code. The "Dock Area" shall include the dock and adjoining seawall.
4. The public property abutting the waterway or Dock Area being used by the Permit Holder shall be kept open at all times as means of reasonable ingress and egress to the public, but Permit Holder shall have the right to exclude the public from a reasonable portion upon which improvements have been placed, not exceeding fifty (50%) percent of the area.
5. All improvements to the Dock Area must be in accord with City Engineering design standards and in compliance with applicable building and zoning permit requirements.
6. The Permit granted herein shall not be assignable without the written approval by Resolution adopted by the City Commission.
7. Permit Holder shall not charge or collect any rent or fees from anyone using such dock constructed on public property. No signage shall be placed upon such dock indicating it is a private dock.
8. As a special condition, vessels berthed within the Dock Area are prohibited from extending beyond the maximum distance of 30% of the width of the waterway.
9. As a special condition, vessels berthed within the Dock Area must not encroach into the easterly or westerly extension of the 5' set-back required for the RS-8 zoning district for Applicant's (Permit Holder's) Property, unless as specified in applicant's narrative a set-back waiver is granted via the City's Board of Adjustment.
10. As a special condition of the permit, in the event Permit Holder is found by the City Commission to have violated any of the above conditions or is found by the Code Enforcement Board, Special Magistrate or County Court Judge to have violated any Code sections relative to the use of the Dock Area, Dock and Mooring Piles, then the Permit granted herein may be repealed or rescinded by the City Commission upon thirty days' advance notice to the Permit Holder.
11. Use of the dock is limited to the docking of a vessel owned by the Permit Holder with a copy of the documentation showing the name and registration number of all vessels provided by the Applicant to the Supervisor of Marine Facilities.
12. The Permit Holder is prohibited from mooring any watercraft or vessel in such a manner that it is "rafted out" from any additional vessel owned or operated by the Applicant.

AC

Attachment

cc: Enrique Sanchez, Deputy Director of Parks and Recreation
Jonathan Luscomb, Supervisor of Marine Facilities

Dock Permit Application

333 Poinciana Dr.
Fort Lauderdale, FL 33301

Dock Permit Application Exhibit Index

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VIA EMAIL AND HAND DELIVERY

February 25, 2019

Marine Advisory Board
City of Ft. Lauderdale
2 South New River Drive East
Ft. Lauderdale, Fl. 33301

Re: 333 Poinciana Dr. (the “Property”) Dock permit request

Dear Board Members:

This application requests a permit to install one (1) – approximately 25’ L-shaped dock with an access pier directly in front of the 333 Poinciana Dr. Property to be used by the owner – James Wilson. This replaces the dilapidated existing dock with essentially the same footprint while relocating the access pier from the center to the end. The existing dock is in dire need of repair and is unsafe to use. The proposed dock will be constructed in accordance with applicable code and permitting guidelines. The proposed dock will be for dockage of vessels specific to the permit holder and will not be for rental. The existing seawall will be repaired and the new seawall cap will be constructed at the new required height recently adopted by the City of Fort Lauderdale. The proposed dock will be maintained in accordance with City Guidelines.

This dock permit is requested pursuant to Section 8-144 which permits a private property owner to request a permit to construct and maintain a dock on public property abutting a waterway. The proposed location is not used for municipal purposes and is directly across from the applicant’s Property.

ULDR Section Sec. 47-19.3.c provides the following:

No boat slips, docks, boat davits, hoists, and similar mooring structures not including mooring or dolphin piles or a seawall, may be constructed by any owner of any lot unless a principal building exists on such lot and such lot abuts a waterway. Mooring structures, not including mooring or dolphin piles, shall not extend into the waterway more than twenty-five (25) percent of the width of the waterway or twenty-five (25) feet whichever is less as measured from the property line.

Please feel free to contact me with questions or comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Courtney Callahan Crush", is written over a light blue horizontal line.

Courtney Callahan Crush
For the Firm

Application for Waterway Permits Waivers and Licenses

**CITY OF FORT LAUDERDALE
MARINE FACILITIES
APPLICATION FOR WATERWAY PERMITS, WAIVERS AND LICENSES**

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, licenses, permits and approvals involving municipal docking facilities or private uses in the waterways as regulated by Section 8 of the City Code of Ordinances or Section 47-19.3 of the City's Urban Land Development Regulations, shall be preceded by the execution and filing of the following application form available at the Office of the Supervisor of Marine Facilities. The completed application must be presented with the applicable processing fee paid before the agreement is prepared or the application processed for formal consideration (see City of Fort Lauderdale Code Section 2-157). If legal publication is necessary, the applicant agrees to pay the cost of such publication in addition to the application fee.

**APPLICATION FORM
(Must be in Typewritten Form Only)**

1. LEGAL NAME OF APPLICANT - (If corporation, name and titles of officers as well as exact name of corporation. If individuals doing business under a fictitious name, correct names of individuals, not fictitious names, must be used. If individuals owning the property as a private residence, the name of each individual as listed on the recorded warranty deed):

NAME: James D. Wilson
AGENT: Crush Law, P.A. – Courtney Crush

TELEPHONE NO: _____ (954) 522 2010 _____ FAX NO. _____
(home) (business)

2. APPLICANT'S ADDRESS (if different than the site address):

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:
Install 25' dock, which will be installed and maintain per all codes. Permit for use pursuant to city code of ordinances, section 8-144 Private use of Public property abutting waterway.

4. SITE ADDRESS: 333 Poinciana Dr., Fort Lauderdale, FL 33301
ZONING: R-8

LEGAL DESCRIPTION: IDLEWYLD 1-19 B LOT 27 & N1/2 26 BLK 12

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).



2/25/19

Applicant's Signature

Date

=====

The sum of \$ 300.00 was paid by the above-named applicant on the _____ of _____, 2019 Received by: _____

City of Fort Lauderdale

=====For Official City Use Only=====

Marine Advisory Board Action

Formal Action taken on _____

Recommendation _____

Action _____

Commission Action

Formal Action taken on _____

Property Tax Record



Site Address	333 POINCIANA DRIVE, FORT LAUDERDALE	ID #	6042 12 02 0790
Property Owner	WILSON, JAMES D	Millage	0812
Mailing Address	333 POINCIANA DR FORT LAUDERDALE FL 33801	Use	01

Addressed Legal Description	IDLEWYLD 1-19 B LOT 27 & N1/2 26 BLK 12
------------------------------------	---

The just values displayed below were set in compliance with [Sec. 193.011, Fla. Stat.](#), and include a reduction for costs of sale and other adjustments required by [Sec. 193.011\(8\)](#).

Property Assessment Values					
Click here to see 2018 Exemptions and Exemptible Values to be reflected on the Nov. 1, 2018 tax bill.					
Year	Land	Building	Just / Market Value	Assessed / SOH Value	Tax
2017	\$337,500	\$2,880,210	\$3,217,710	\$3,217,710	
2018	\$337,500	\$2,880,210	\$3,217,710	\$3,217,710	\$61,682.06
2018	\$508,360		\$508,360	\$508,360	\$11,804.81

2017 Exemptions and Exemptible Values by taxing Authority				
	County	Special District	Municipal	Independent
Just Value	\$3,217,710	\$3,217,710	\$3,217,710	\$3,217,710
Portability	0	0	0	0
Assessed/SOH	\$3,217,710	\$3,217,710	\$3,217,710	\$3,217,710
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
WV/Act/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Exemptible	\$3,217,710	\$3,217,710	\$3,217,710	\$3,217,710

Sales History			
Date	Type	Price	Book/Page or CD#
2/10/2016	WD-Q	\$3,575,000	113889/278
8/17/2012	WD-E	\$650,000	48182 / 1097
5/4/2012	PRD-T	\$100	48741 / 1984
8/25/2010	TD-Q	\$700,000	47348 / 1884
5/10/2001	QCD	\$100	31831 / 1712

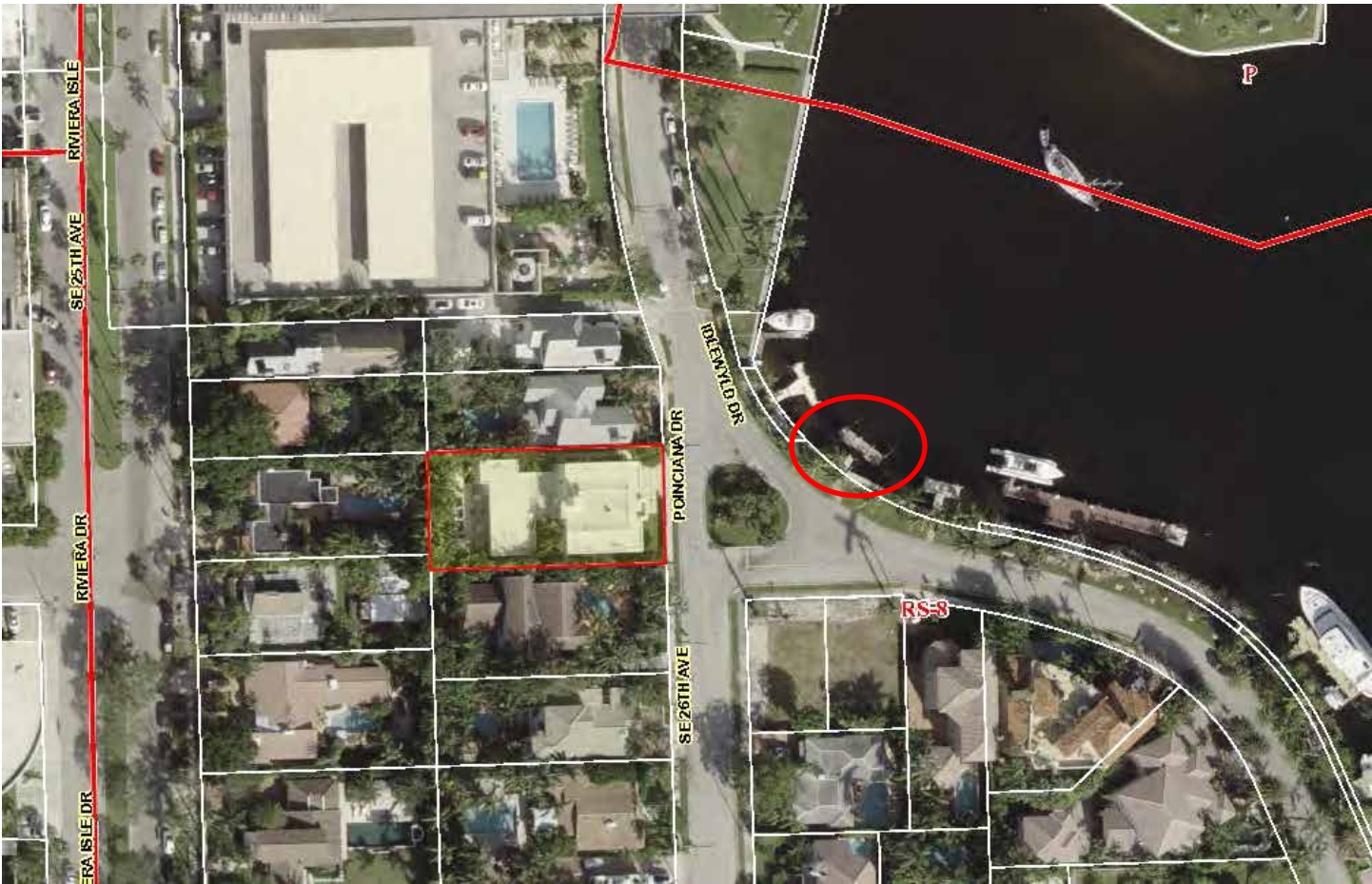
Land Calculations		
Price	Factor	Type
\$90.00	11,250	SF
Adj. Bldg. S.F. (Card, Sketch)		8134
Units/Beds/Baths		14/6.5

Special Assessments								
Fire	Garb	Light	Drain	Insp	Recy	Street	Water	Misc
DS								
R								
1								

333 Poinciana - Property Tax Record

Surveys

Aerial Photographs



333 Poinciana Dr.

Dock Photographs





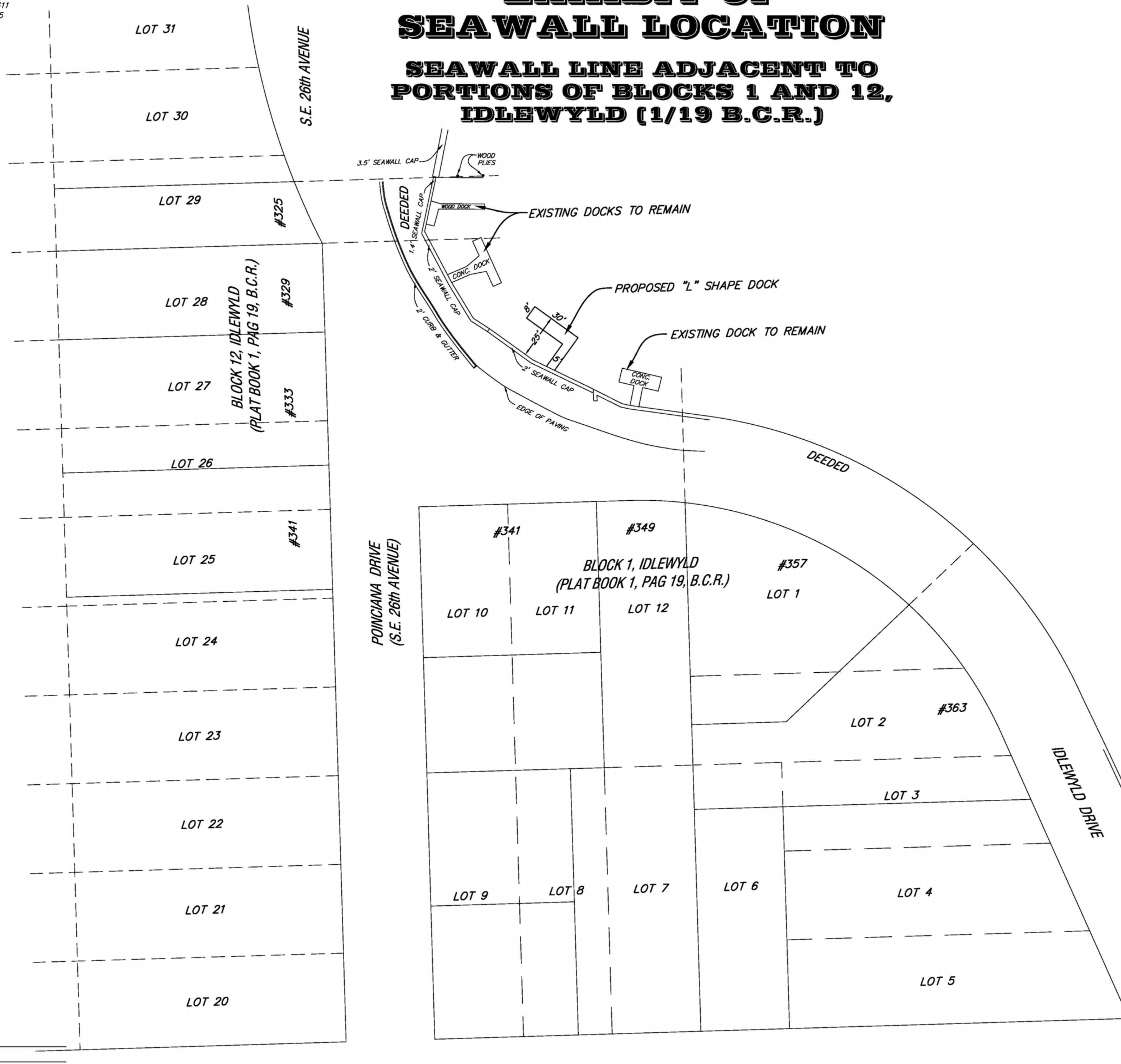


Dock Plan, Dock Sections



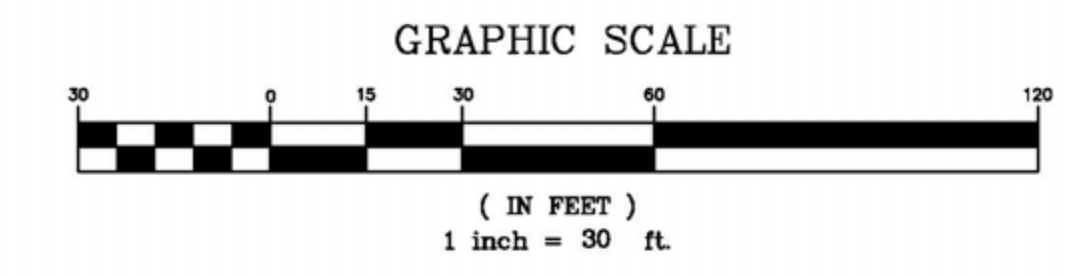
prepared by
McLAUGHLIN ENGINEERING COMPANY (LB#285)
 1700 N.W. 64th STREET, SUITE 400,
 FORT LAUDERDALE, FLORIDA 33309
 PHONE: (954) 763-7611
 FAX: (954) 763-7615

EXHIBIT OF SEAWALL LOCATION SEAWALL LINE ADJACENT TO PORTIONS OF BLOCKS 1 AND 12, IDLEWYLD (1/19 B.C.R.)



LEGEND

Δ = CENTRAL ANGLE (DELTA)	ELEV. = ELEVATION
R = RADIUS	O/S = OFFSET
A OR L = ARC LENGTH	A/C = AIR CONDITIONING
CH.BRG. = CHORD BEARING	C = CENTERLINE OF RIGHT-OF-WAY
TAN.BRG. = TANGENT BEARING	F.P.L. = FLORIDA POWER AND LIGHT CO.
P.O.C. = POINT OF COMMENCEMENT	S.B.T. = SOUTHERN BELL TELEPHONE
P.O.B. = POINT OF BEGINNING	B.C.R. = BROWARD COUNTY RECORDS
W/McL. CAP. = WITH McLAUGHLIN ENGINEERING CO. CAP	D.C.R. = DADE COUNTY RECORDS
P.R.M. = PERMANENT REFERENCE MONUMENT	P.B.R. = PALM BEACH COUNTY RECORDS
CONC. = CONCRETE	O.R. = OFFICIAL RECORDS BOOK
C.B.S. = CONCRETE, BLOCK AND STUCCO	PG. = PAGE
I.C.V. = IRRIGATION CONTROL VALVE	R/W = RIGHT-OF-WAY
W.M. = WATER METER	C.O. = CLEAN OUT
B.F.P. = BACK FLOW PREVENTOR	C.L.F. = CHAIN LINK FENCE
	P.C.D. = POLLUTION CONTROL DEVICE



- NOTES:**
- 1) This survey reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
 - 2) Underground improvements if any not located.
 - 3) This drawing is not valid unless sealed with an embossed surveyors seal.
 - 4) Boundary information does not infer Title or Ownership.
 - 5) The purpose of this survey is to show the relationship of the seawalled area of New River Sound relative to portions of said Block 1 and 12.

Legal Description
 Portions of the New river Sound seawall line adjacent to portions of Blocks 1 and 12, IDLEWYLD, according to the plat thereof, recorded in Plat Book 1, Page 19, of the public records of Broward County, Florida.
 Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida.

OFFICE NOTES
 FIELD BOOK NO. TDS (GPS), Print
 JOB ORDER NO. V-0067
 CHECKED BY: _____
 DRAWN BY: JMMF
 C:\JMMF\2015\VD067\dwg\VD067.dwg 2/26/2019 12:43:16 PM EST

HIBISCUS PLACE

FILE NO. **04-1-149**

DATED FEBRUARY 24, 2015
PROPOSED DOCK ADDED 2-26-19

ITEM VII

MEMORANDUM MF NO. 19-05

DATE: February 21, 2019

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: March 7, 2019 MAB Meeting - Dock Waiver of Distance Limitations –
Stephen T. & Honi L. Parker / 1180 N. Federal Highway #1201 Slip #14

Attached for your review is an application from Stephen T. & Honi L. Parker / 1180 N. Federal Highway #1201

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for installation of a 4-post boat lift extending a maximum of +/-30' into the Middle River. The distances this structure will extend from the property line into waterway is shown in the survey and summarized in Table 1 below:

TABLE 1

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	AMOUNT OF DISTANCE REQUIRING WAIVER
Boat Lift	+/-30'	25'	+/-5'

The City's Unified Land and Development Regulations (UDLR) Secs. 47-19.3.C limits the maximum distance of mooring structures to 25' or 25% of the width of the waterway, whichever is less. Section 47-19.3.E authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances. The applicant indicates that the proposed boat lift is necessary to protect the vessel as it is located adjacent to a water skiing area.

Per 47-19.3(b)(1) only one (1) mooring device per one hundred (100) feet of lot width or portion thereof, and one mooring device for each additional one hundred (100) feet of lot width are permitted. A second mooring device may be permitted within the lot area greater than one hundred (100) feet but less than two hundred (200) feet if approved as a Site Plan Level II permit.

PROPERTY LOCATION AND ZONING

The property is located is the Riva Condominium within the B-1 Boulevard Business District. It is situated on the western shore of the Middle River where the width between the applicant's property line to the closest adjacent structure is +/-402.5 feet, according to the Summary Description provided in **Exhibit 1**.

RECOMMENDATIONS

Should the Marine Advisory approve the application, the resolution under consideration by the City Commission should include at least the following as prescribed in the ULDR and City Code of Ordinances:

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers.
2. The applicant is required to install and affix reflector tape to the proposed boat lift piles in accord with Section 47.19.3.E of the Unified Land and Development Regulations (ULDR).
3. As a general condition of approval and in order to review for final consistency with construction of facilities in accord with this application and City building permits the applicant is required to provide the City's Supervisor of Marine Facilities with copies of "As Built" drawings from a certified and licensed contractor.

AC
Attachment

cc:
Enrique Sanchez, Deputy Director of Parks and Recreation
Jon Luscomb, Supervisor of Marine Facilities

EXHIBIT I
APPLICATION FOR WATERWAY WAIVER

**CITY OF FORT LAUDERDALE
MARINE FACILITIES
APPLICATION FOR WATERWAY PERMITS, WAIVERS AND LICENSES**

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, licenses, permits and approvals involving municipal docking facilities or private uses in the waterways as regulated by Section 8 of the City Code of Ordinances or Section 47-19.3 of the City's Urban Land Development Regulations, shall be preceded by the execution and filing of the following application form available at the Office of the Supervisor of Marine Facilities. The completed application must be presented with the applicable processing fee paid before the agreement is prepared or the application processed for formal consideration (see City of Fort Lauderdale Code Section 2-157). If legal publication is necessary, the applicant agrees to pay the cost of such publication in addition to the application fee.

**APPLICATION FORM
(Must be in Typewritten Form Only)**

1. LEGAL NAME OF APPLICANT - (If corporation, name and titles of officers as well as exact name of corporation. If individuals doing business under a fictitious name, correct names of individuals, not fictitious names, must be used. If individuals owning the property as a private residence, the name of each individual as listed on the recorded warranty deed):

NAME: Stephen Parker

TELEPHONE NO: 954-801-6845
(Home)

2. APPLICANT'S ADDRESS (if different than the site address): N/A

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: The applicant requests a wavier for the proposed construction of a four (4) post boat lift that extends beyond 25ft from the property line in slip #14.

4. SITE ADDRESS: 1180 N. FEDERAL HWY #1201, FORT LAUDERDALE FLORIDA, 33304

ZONING: B-1

LEGAL DESCRIPTION: RIVA CONDOMINIUM UNIT 1201 PER AMCDO CIN #113566952

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications). Warranty Deed, Project Plans, Site Location, Summary Description, Letter of Recommendation by HOA, Assignment of use rights to boat slip, Site Photographs, Sovereignty Submerged Land Lease


Applicant's Signature

2-20-2019
Date

The sum of \$ 300.00 was paid by the above-named applicant on the _____ of _____, 2019 Received by: _____

City of Fort Lauderdale

=====For Official City Use Only=====

Marine Advisory Board Action
Formal Action taken on _____

Commission Action
Formal Action taken on _____

Recommendation _____
Action _____

EXHIBIT II
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ASSIGNMENT OF USE RIGHTS TO BOAT SLIP	6
SITE PHOTOGRAPHS	7
SOVEREIGNTY SUBMERGED LAND LEASE	8

**EXHIBIT III
WARRANTY DEED**

Prepared by and return to:
Jonathan C Diernbach, Esq.
Attorney at Law
Trantalis & Associates
2301 Wilton Drive Suite C1-A
Wilton Manors, FL 33305
954-566-2226
File Number: 08-18-10

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 2 day of October, 2018 between Premier Riva, LLC, a Delaware limited liability company whose post office address is 1180 N. Federal Highway, Fort Lauderdale, FL 33304, grantor, and Stephen T. Parker and Honi L. Parker, husband and wife whose post office address is 1180 N. Federal Highway #1201, Fort Lauderdale, FL 33304, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Broward County, Florida** to-wit:

Unit 1201 of Riva Condominium, a Condominium according to the Declaration of Condominium thereof, recorded in Official Records Book 50792, Page 797, of the Public Records of Broward County, Florida, and any amendments thereto, together with its undivided share in the common elements.

Parcel Identification Number: 494236AL0710

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby warrants the title to said land by, through, and under the said Grantor and will defend the same against the lawful claims of all persons claiming by, through, or under the Grantor; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2017**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

PREMIER RIVA, LLC, a Delaware limited liability company

By: PREMIER DEVELOPERS V, LLC, a Florida limited liability company, its Manager

By: *[Signature]*
BRADLEY DECKELBAUM, Manager

Marlene Nicholson
Witness Name: MARLENE NICHOLSON

Denise M. Dugan
Witness Name: Denise M. Dugan

State of Florida
County of Broward

The foregoing instrument was acknowledged before me this 2nd day of October, 2018 by BRADLEY DECKELBAUM, Manager of PREMIER DEVELOPERS V, LLC, a Florida limited liability company, as Managing Member, on behalf of the limited liability company for PREMIER RIVA, LLC, a Delaware limited liability company. He/she is personally known to me or has produced a driver's license as identification.

[Notary Seal]



Denise M. Dugan
Notary Public
Printed Name: Denise M. Dugan
My Commission Expires: 9/7/2022

Exhibit "A"

1. Terms, covenants, conditions, easements, restrictions, reservations and other provisions, including provisions which provide for a private charge or assessment, according to that certain Amended and Restated Declaration of Condominium of Riva, a Condominium, and the exhibits and attachments thereto, recorded March 11, 2016, in Official Records Instrument No. 113566952, as the same may be further amended, of the Public Records of Broward County, Florida.
2. General or special taxes and assessments required to be paid in the year of closing and subsequent years.
3. Any dispute as to the boundaries caused by a change in the location of any water body within or adjacent to the land and any adverse claim to all or part of the land that is, or was previously, under water.
4. Easement in favor of Florida Power & Light Company recorded in Official Records Book 4628, Page 166.
5. Easement in favor of Florida Power & Light Company recorded in Official Records Book 5025, Page 294.
6. Rights, if any, of the public to use as a public beach or recreation area any part of the land lying between the body of water abutting the subject property and the natural line of vegetation, bluff, extreme high water line, or other apparent boundary line separating the publicly used area from the upland private area.
7. Any and all rights of the United States of America over artificially-filled lands in what were formerly navigable waters, arising by reason of the United States of America's control over navigable waters in the interest of navigation and commerce, and any conditions contained in any permit authorizing the filling in of such areas.

**EXHIBIT IV
PROJECT PLANS**

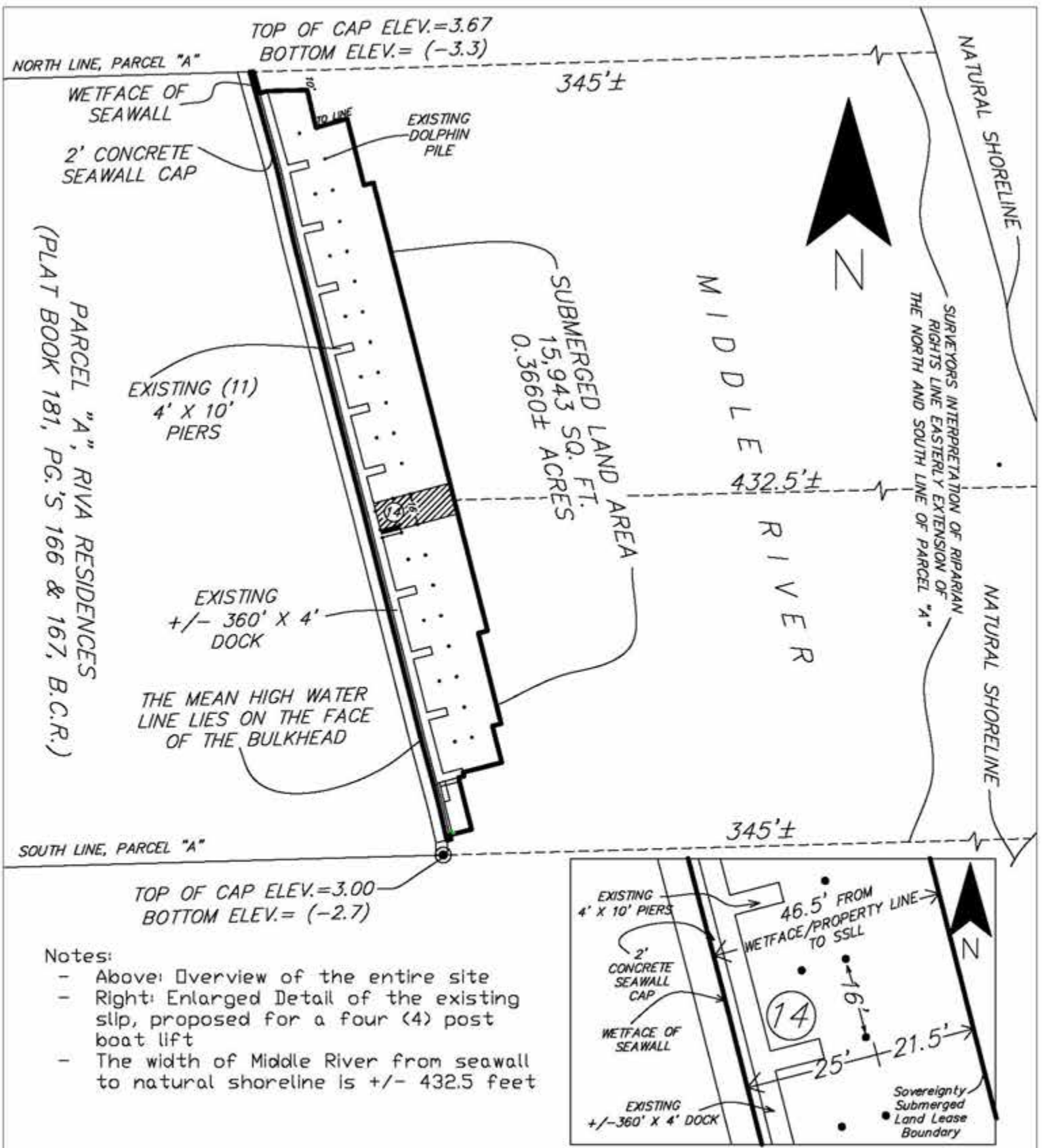
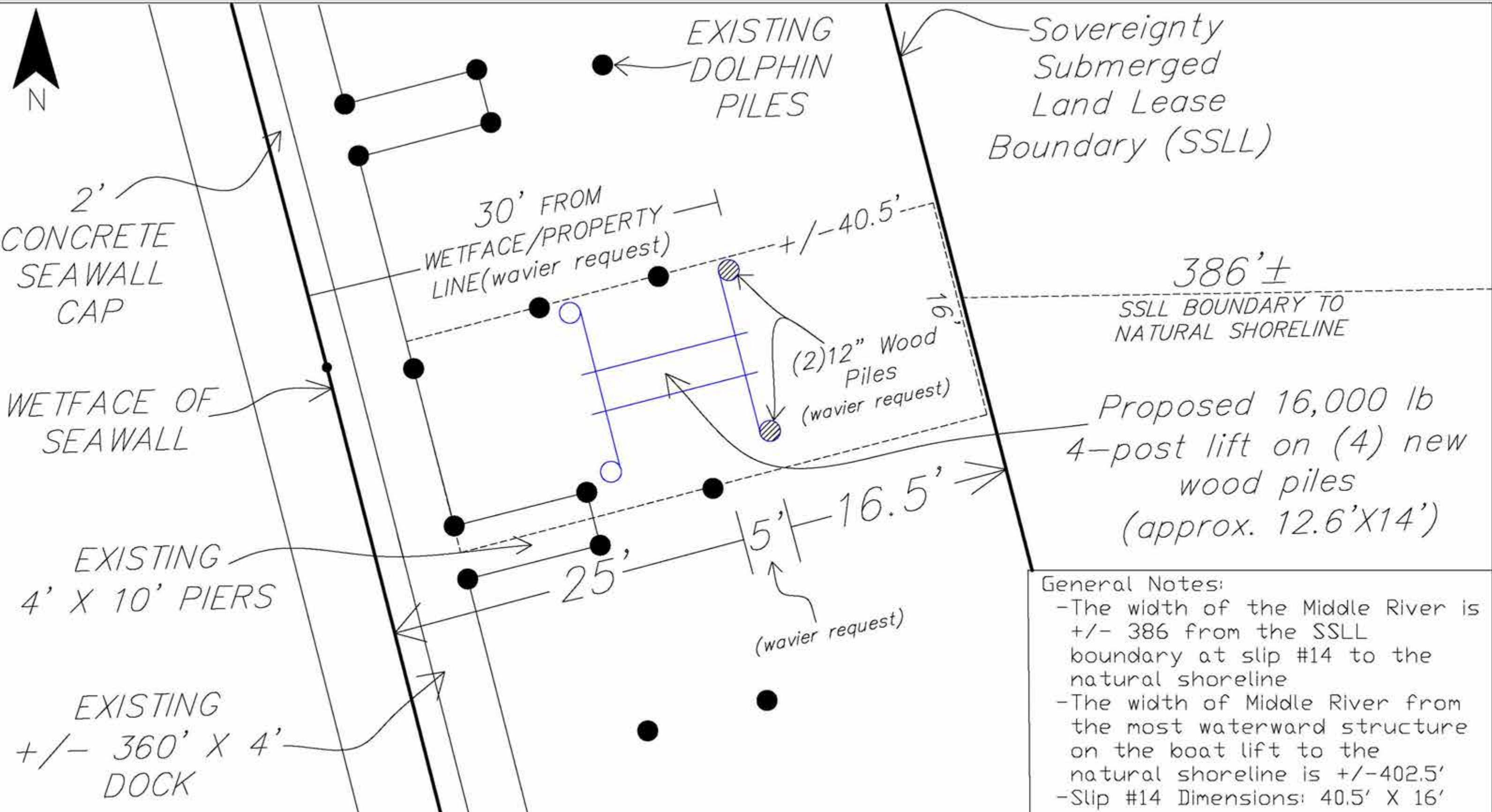


Figure 1
Existing Site Conditions Slip #14

1180 North Federal Hwy #1201
Ft. Lauderdale Florida, 33304



EnviroCare International
 Solutions, Inc.
 832 NE 26th Street
 Wilton Manors Florida, 33305
 Phone: (954) 730-7707
 Fax: (954) 730-7717



General Notes:

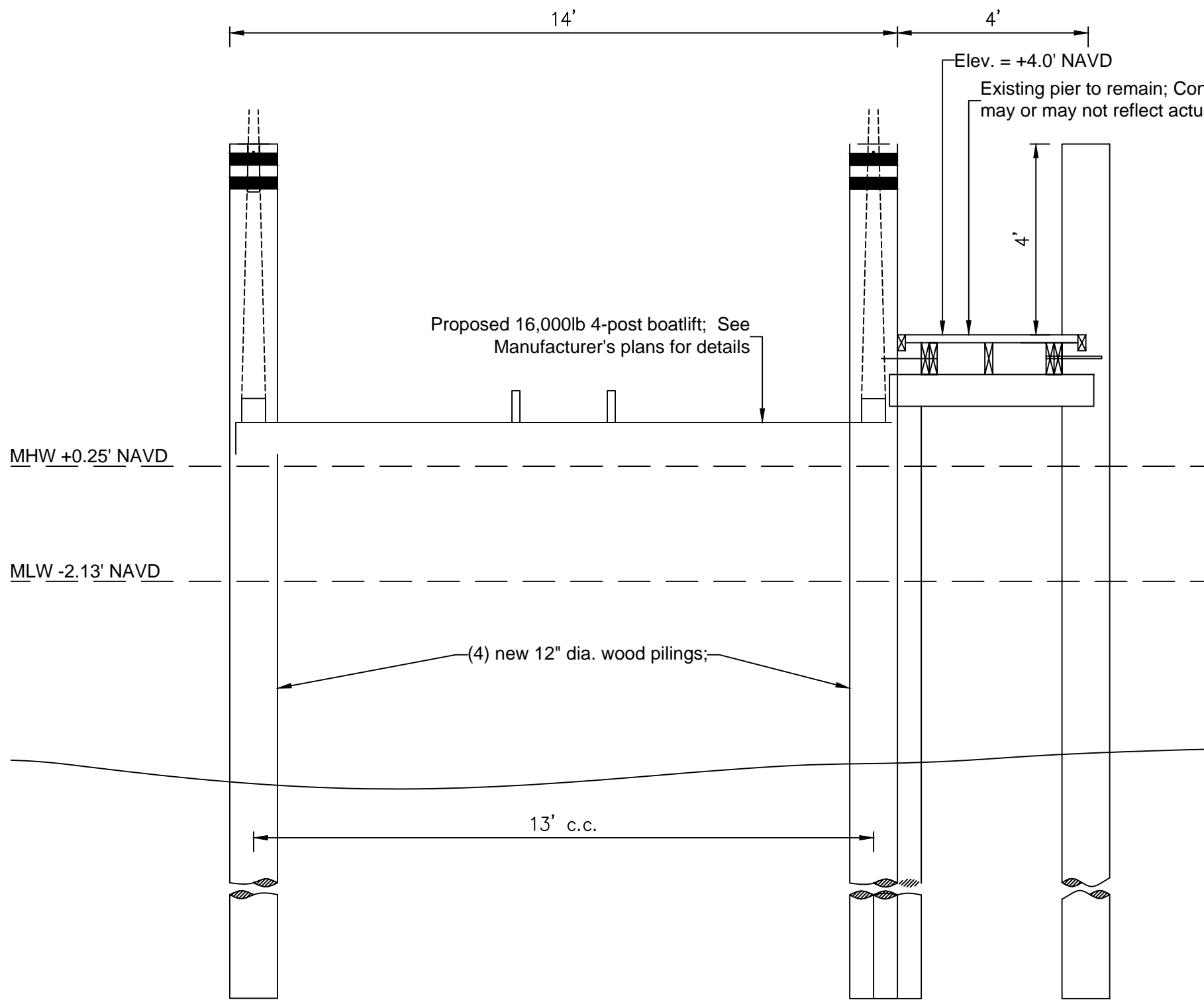
- The width of the Middle River is +/- 386 from the SSL boundary at slip #14 to the natural shoreline
- The width of Middle River from the most waterward structure on the boat lift to the natural shoreline is +/- 402.5'
- Slip #14 Dimensions: 40.5' X 16'



EnviroCare International Solutions, Inc.
 832 NE 26th Street
 Wilton Manors Florida, 33305
 Phone: (954) 730-7707
 Fax: (954) 730-7717

Figure 2
 Proposed Site Plan Slip #14

1180 North Federal Hwy #1201
 Ft. Lauderdale Florida, 33304

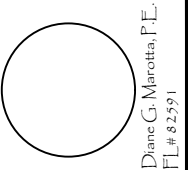


BOATLIFT DETAIL

SCALE: 3/8" = 1'-0"

General Notes:

1. New wood pilings to be min. 12" dia. CCA treated wood pilings.
2. All pilings to be driven 8' in -ra-a. If hard strata is encountered, a 2' minimum penetration is required.
3. Approved contractor to verify all dimensions. The approved contractor is responsible for all methods, means, sequences and procedures of work.
4. Any deviation &/or substitution from the approved plans herein shall be submitted to the Engineer for approval prior to commencement of work.
5. Elevations shown are based on the North American Vertical Datum of 1988.
6. Design in accordance with 2017 6th Edition Florida Building Code.



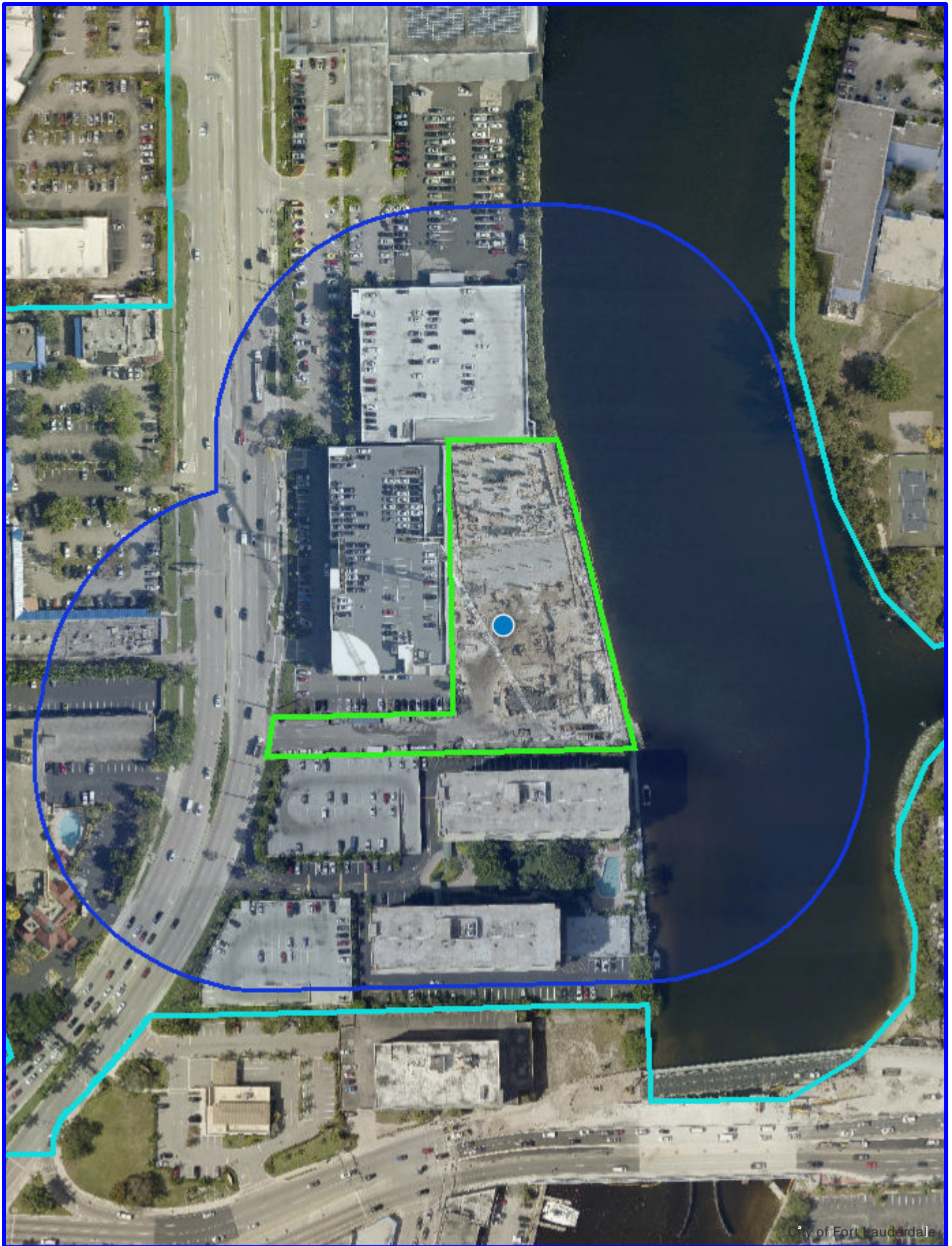
Diagi and Associates Engineering, LLC
 555 W. Prospect Road
 Oakland Park, FL 33309
 T: 954-776-4004 | F: 954-776-8015
 info@diagiengineering.com

BOATLIFTS & DOCKS OF SOUTH FLORIDA
 989 N.W. 31ST. - NUN
 POMPANO BEACH, FL -
 -971-0811 - SCC131151479

4-POST BOATLIFT - PARKER (SLIP #14) & SCHENCKER (SLIP #22) @ RIVA CONDO 1180 N FEDERAL HWY FORT LAUDERDALE, FL

NO. / REVISIONS	
DATE	
SCALE	
JOB No:	DTL-1

**EXHIBIT V
SITE AERIAL**

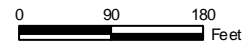


City of Fort Lauderdale



CITY OF FORT LAUDERDALE

1180 N Federal Hwy



GIS
Fort Lauderdale

**EXHIBIT VI
SUMMARY DESCRIPTION**

Summary Description
1180 N. Federal Hwy.
#1201

The project site is located along Middle River at 1180 N. Federal Hwy, in Section 36, Township 49, Range 42E, in the City of Fort Lauderdale, Broward County, Florida

The property is located along Middle River, which is a tidal waterbody. The nearest direct connection to the Atlantic Ocean is about 3.1 miles to the south at the Port Everglades Inlet. As the project site is located along middle river, the incoming tidal waters (flood) at the site move to the north and the outgoing waters (ebb) move to the south.

The project site consists of an existing $\pm 1,880$ sq. ft. marginal dock. The proposed project includes the installation of a 16,000lbs 4-post boat lift on the Middle River. As measured from the property line, (2) of the wooden piles that the proposed 16,000lbs 4-post boat lift will rest on encroaches more than 25' from the property line (encroaches 30') into the Middle River. As this distance is over the allowable 25' distance into the waterway from the property line, the proposed boat lift will require a variance waiver. The boat lifts (4) wooden piles will serve as guide poles and reflective tape will be placed on these piles to ensure safety and compliance with city code: 8-91(d).

The proposed boat lift is being applied for concurrently with the Broward County Environmental Protection & Growth Management Department, Florida Department of Environmental Protection, and the US Army Corps of Engineers (Through FDEP SPGP Green).

The following three (3) matters provide justification for this waiver request:

1. All structures and piles will not exceed 30% of the width of the waterway.
2. Due to the extraordinary width of the waterway at this location to the closest structure (± 402.5), the proposed project will not impede navigation within Middle River.
3. The 16,000lbs 4-post boat lift protects the vessel in and adjacent to a water-skiing area.

If this waiver is approved, the applicant will comply with all necessary construction requirements stated in Section 47-19.3 (C)(D)(E).

PROPOSED STRUCTURE	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
16,000lbs 4-post boat lift: (2) eastern piles beyond 25' require wavier	±30.0'	25.0'	±5.0'

**EXHIBIT VII
HOA LETTER OF
RECOMMENDATION**



January 30, 2019

To Whom It May Concern:

Stephen and Honi Parker purchased Boat Slip #14 at Riva Condominiums. They have the approval of the board to install a boat lift in it.

If you have any questions, please do not hesitate to call me at 954-288-5019.

Sincerely,

RIVA FORT LAUDERDALE CONDOMINIUM ASSOCIATION, INC.

A handwritten signature in cursive script, appearing to read "Anita Ortiz".

Anita Ortiz
Secretary/Treasurer

Please note that our new address is 1180 N Federal Highway, Suite 302, Fort Lauderdale, FL 33304

2101 N. Andrews Avenue • Ste 100 • Fort Lauderdale, FL 33311 • (954) 400-7309

**EXHIBIT VIII
ASSIGNMENT OF
USE RIGHTS TO
BOAT SLIP**

**ASSIGNMENT OF USE RIGHTS
TO BOAT SLIP**

THIS ASSIGNMENT OF USE RIGHTS TO BOAT SLIP ("Assignment") is made this 10th day of January 2014 by PREMIER RIVA, LLC, a Delaware limited liability company (hereinafter "Assignor"), whose address is 1180 North Federal Highway, Fort Lauderdale, FL 33304 to Stephen T. Parker and Honi L. Parker (hereinafter "Assignee"), whose address is 1180 North Federal Highway #1201, Fort Lauderdale, FL 33304.

WHEREAS, Assignor is the Developer under the Amended and Restated Declaration of Condominium of RIVA, a Condominium (the "Condominium")(the "Declaration") recorded in Official Records Book 50792, Page 797, as amended from time to time, of the Public Records of Broward County, Florida; and

WHEREAS, as part of the Condominium there are BOAT SLIPS (the "BOAT SLIPs"). A diagram of the BOAT SLIPs is included on page 5 of "Exhibit B" of the First Amendment of the Declaration recorded as Document Number 114873809 on February 6, 2018 and

WHEREAS, Assignee is the owner of Unit No. 1201, in RIVA, A CONDOMINIUM.

WHEREAS, Assignor has agreed to assign to Assignee use rights to a certain BOAT SLIP described below.

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Recitals. The above recitals are true and correct and form a material part of this Assignment.
2. Revocation. The previous assignments to this Assignee of Boat Slip #16 is revoked as of the effective date of this assignment
3. Assignment of Use Rights to BOAT SLIP. Assignor hereby assigns to Assignee use rights to:

BOAT SLIP No. 14, as shown on Sheet labeled "Lower Parking" of Exhibit "B" to the Declaration (the "BOAT SLIP"), governed by the certain Board of Trustees of the Internal Improvements Trust Fund of the State of Florida Sovereignty Submerged Lands Lease No. 060352716
4. Rules and Regulations of RIVA Fort Lauderdale Condominium Association, Inc. The use of the Assigned BOAT SLIP is subject to rules and regulations promulgated by RIVA FORT LAUDERDALE CONDOMINIUM ASSOCIATION, INC. (the "Association"), and all terms and provisions set forth in the Declaration. Assignee agrees to comply with all rules and regulations governing the Assigned BOAT SLIP.

5. Further Assignment by Assignee. Assignee may assign the Assigned BOAT SLIP only to a person or entity owning a unit in RIVA, A CONDOMINIUM. Such assignment shall be in compliance with Florida law and shall be on forms approved by the Association. The Association shall be provided with notice of the assignment.
6. Exceptions. The Assignment is made subject to and Assignee shall be bound by the terms, conditions and regulations contained in the Declaration.
7. Use of BOAT SLIP. Assignee agrees that only reasonable and customary use will be made of the Assigned BOAT SLIP covered hereby, and that no unnecessary wear and tear, disturbance, nuisance, rubbish or garbage will be permitted on the Assigned BOAT SLIP or adjacent facilities or premises. Assignee agrees to keep the Assigned BOAT SLIP and adjacent premises free and clear of all obstruction, and Assignee will dispose of all rubbish and garbage in appropriate containers. Assignee shall be responsible for the conduct and actions of his or her guests.
8. Damage and Insurance. Assignor and the Association will not be responsible for any injuries and property damage caused by or arising out of the use of the Assigned BOAT SLIP. The use of all the Assigned BOAT SLIP are entirely at the risk of Assignee, as to theft, fire, vandalism and other acts of God. Assignor and the Association do not maintain insurance covering the personal property of Assignee. It is the responsibility of Assignee to adequately ensure its property.
9. No Liability for Damages. Assignor and the Association, their employees or agents, shall not be responsible for any injuries, including death, or property damage resulting from, caused by, or arising out of the use of the Assigned BOAT SLIP. Assignee releases and discharges Assignor and the Association from any and all liability from loss, injury or damage to persons or property sustained while in or on the Assigned BOAT SLIP.
10. Miscellaneous.
 - a. Execution by Parties. This Assignment shall not become effective until it has been executed by all of the parties hereto: but shall be dated for purposes hereof as of the date and year first above written.
 - b. Applicable Law. This Assignment shall be constructed under the laws of the State of Florida.
 - c. Time of the Essence. Time is of the essence.
 - d. Binding Effect upon Successor and Assigns. This Assignment shall be binding upon and inure to the benefit of, respectively, the parties, their successors, legal representatives, grantees and assigns, as applicable and appropriate.

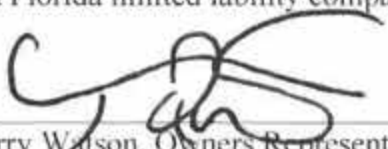
- e. Severability. If any term of this Assignment shall be held to invalid, illegal or unenforceable, the validity of the other terms of this assignment shall in no way be affected thereby.
- f. Counterparts. This Assignment may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original counterpart shall together constitute one and the same instrument.
- g. Attorneys' fees. If it becomes necessary for either party herein, their successors or assigns, or the Association, to seek legal means to enforce the terms of this Assignment, the prevailing party will be liable for all reasonable attorneys' fees, collection costs, travel expenses, deposition cost, expert witness expenses and fees, and any other cost of whatever nature reasonably and necessarily incurred by the prevailing party as a necessary incident to the prosecution or defense of such action plus court costs in all proceedings, trials and appeals.
- h. Waiver. No waiver of any breach of this Assignment shall be held to be a waiver of any other or subsequent breach. All remedies afforded in this Assignment shall be taken and construed as cumulative; this is, in addition to every other remedy provided therein or by law. The failure of either party to enforce at any time any of the provisions of this Assignment, or to exercise any option which is herein provided, or to require at any time performance by the other party of any of the provisions hereof, shall in no way be construed to be a waiver or create an estoppel from enforcement of such provisions, nor in any way to affect the validity of this assignment or any part thereof, or the right of either party to thereafter enforce each and every such provision, or to seek relief as a result of the prior breach.
- i. Total Agreement. This Assignment contains the entire understanding of the parties and supersedes all previous verbal and written agreements. There are no other agreements, representations or warranties not set forth herein.

IN WITNESS WHEREOF, this Assignment has been executed in the date and year first above written.

ASSIGNOR:

PREMIER RIVA, LLC, A Delaware limited liability company formerly Premier Riva, LLC, a Florida limited liability company

BY:



Torry Watson, Owners Representative

ASSIGNEE:



Stephen T. Parker



Honi L. Parker

RECEIPT OF ASSIGNMENT BY RIVA FORT LAUDERDALE
CONDOMINIUM ASSOCIATION, INC.

I, Torry Watson, as President of RIVA FORT LAUDERDALE CONDOMINIUM ASSOCIATION, INC., a non-profit Florida corporation, acknowledges receiving a copy of the foregoing Assignment of Use Rights to Boat Slip. The Assignment will be duly noted in the office official records of the Association.

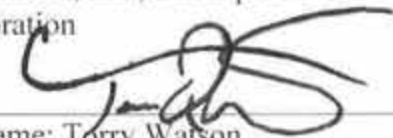


Witness Signature



Witness Signature

Riva Fort Lauderdale condominium
Association, Inc., a non-profit Florida
Corporation

BY: 

Name: Torry Watson
Title: President

**EXHIBIT XI
SITE PHOTOGRAPHS**

1. Northern portion of slip #14, facing southeast along marginal dock



2. Center portion of slip #14, facing directly east along marginal dock



3. Southern portion of slip #14, facing Northeast



**EXHIBIT X
SOVEREIGNTY
SUBMERGED
LAND LEASE**



McLAUGHLIN ENGINEERING COMPANY
LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
400 N.E. 3rd AVENUE FORT LAUDERDALE, FLORIDA 33301
PHONE (954) 763-7611 * FAX (954) 763-7615

CERTIFIED TO:
THE BOARD OF TRUSTEES
OF THE INTERNAL
IMPROVEMENT TRUST
FUND OF THE
STATE OF FLORIDA

SKETCH AND DESCRIPTION
A PORTION OF MIDDLE RIVER
ADJACENT TO PARCEL "A",
RIVA RESIDENCES (181-166 & 167)
IN SECTION 36-49-42
SHEET 2 OF 3 SHEETS

LEGAL DESCRIPTION:

Any and all sovereignty lands lying within the following described boundaries: A portion of Middle River, being a portion of, Section 36, Township 49 South, Range 42 East, Broward County, Florida, being Submerged Lands more fully described as follows:

Commencing at the most North Northwest corner of Parcel "A", RIVA RESIDENCES, according to the plat thereof, as recorded in Plat Book 181, Pages 166 and 167, of the public records of Broward County, Florida; thence North 90°00'00" East, on the North line of said Parcel "A", a distance of 138.77 feet to a point on the wetface of an existing 1.3 foot concrete bulkhead marking the West line of Middle River, being a point on the Mean High Water Line and to the Point of Beginning of the herein described Submerged Lands; thence Southerly on said wetface and the Mean High Water Line the following ten (10) courses and distances; 1) South 14°03'11" East, a distance of 52.29 feet; 2) South 11°14'53" East, a distance of 36.68 feet; 3) thence South 12°46'03" East, a distance of 78.26 feet; 4) thence South 12°45'46" East, a distance of 16.54 feet; 5) thence South 13°06'54" East, a distance of 44.29 feet; 6) thence South 12°38'43" East, a distance of 49.42 feet; 7) thence South 12°37'50" East, a distance of 72.48 feet; 8) thence South 13°47'56" East, a distance of 26.31 feet; 9) thence South 12°16'56" East, a distance of 9.57 feet; 10) thence South 11°21'56" East, a distance of 16.76 feet to the end of said ten (10) courses and distances; thence North 78°35'29" East, a distance of 2.29 feet; thence North 11°08'54" West, a distance of 2.35 feet; thence North 77°35'36" East, a distance of 11.12 feet; thence North 12°31'45" West, a distance of 27.14 feet; thence North 76°33'45" East, a distance of 2.95 feet; thence North 13°30'12" West, a distance of 2.00 feet; thence North 77°26'22" East, a distance of 20.22 feet; thence North 12°35'44" West, a distance of 19.18 feet; thence North 77°26'22" East, a distance of 4.50 feet; thence North 12°28'03" West, a distance of 47.41 feet; thence North 77°17'35" East, a distance of 4.82 feet; thence North 12°40'48" West, a distance of 234.61 feet; thence South 77°26'22" West, a distance of 4.97 feet; thence North 12°35'01" West, a distance of 34.72 feet; thence South 75°50'25" West, a distance of 16.47 feet; thence North 11°38'02" West, a distance of 19.61 feet; thence North 89°59'28" West, a distance of 20.21 feet; thence South 75°54'13" West, a distance of 3.99 feet; thence North 14°05'47" West, a distance of 11.30 feet; thence North 90°00'00" West, on the Easterly extension of the North line of said Parcel "A", a distance of 2.06 feet to the Point of Beginning.

Said Submerged Lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 15,943 square feet or 0.3660 acres, more or less.

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) THIS IS A FIELD SURVEY.
- 5) Bearings shown assume the North line of said Parcel "A", as N90°00'00"E.
- 6) This property has 410 linear feet of shoreline frontage on Middle River.
- 7) The Mean High Water Line Elevation (0.26) as prorated from the LABINS website.
- 8) Elevations shown refer to North American Vertical Datum *1988) and are indicated thus: ELEV.=
- 9) Reference Bench Mark: NW Bolt of fire hydrant at NE corner of N.E. 13th Street and N.E. 17th Avenue, Elevation= 8.71

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 21st day of November, 2015. Limits revised this 29th day of July, 2016.

McLAUGHLIN ENGINEERING COMPANY

JAMES M. McLAUGHLIN JR.
Registered Land Surveyor No. 4497
State of Florida.

FIELD BOOK NO. _____

DRAWN BY: JMMjr _____

JOB ORDER NO. V-0161 _____

CHECKED BY: JST _____

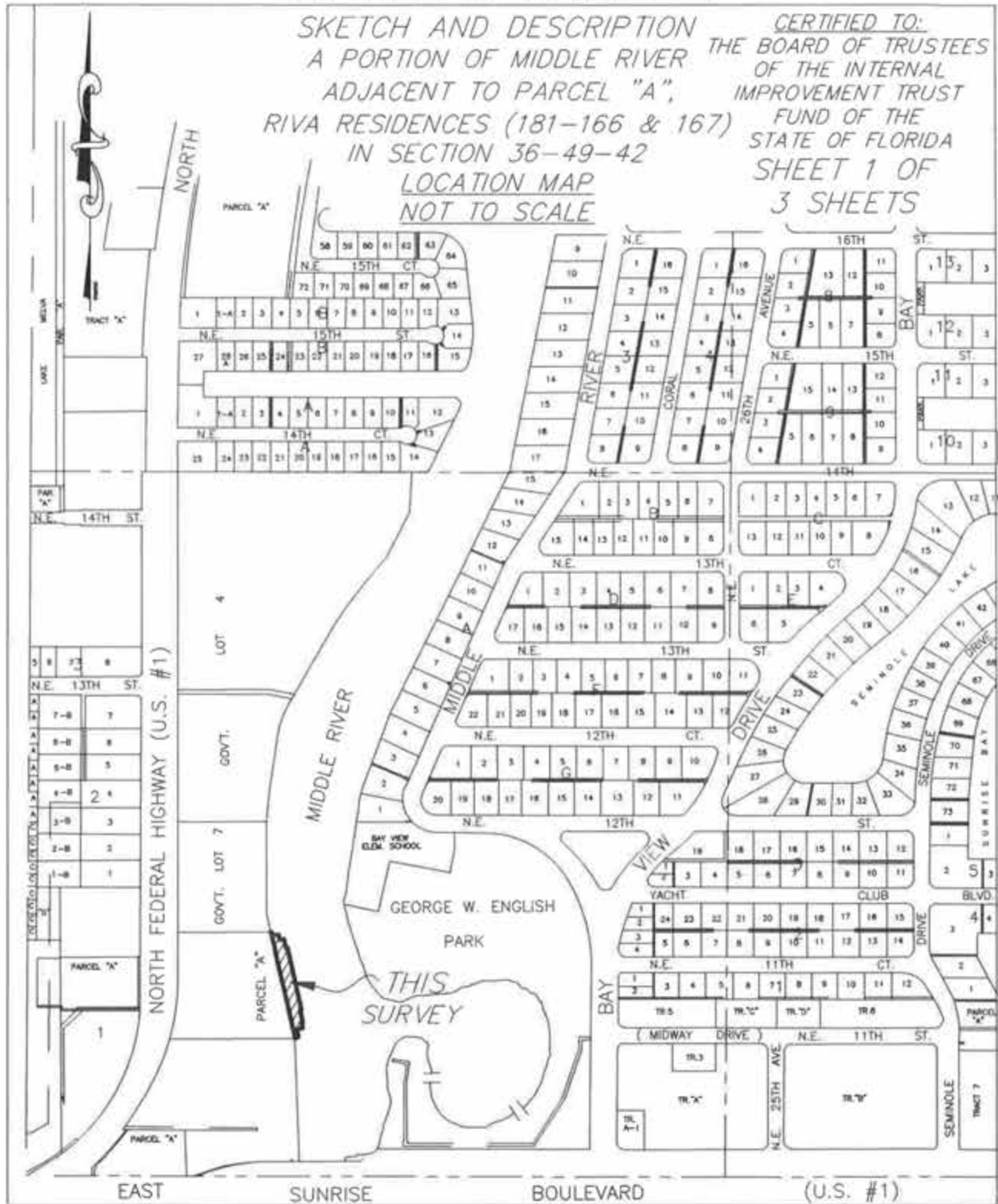


McLAUGHLIN ENGINEERING COMPANY
LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
400 N.E. 3rd AVENUE FORT LAUDERDALE, FLORIDA 33301
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SKETCH AND DESCRIPTION
A PORTION OF MIDDLE RIVER
ADJACENT TO PARCEL "A",
RIVA RESIDENCES (181-166 & 167)
IN SECTION 36-49-42
LOCATION MAP
NOT TO SCALE

CERTIFIED TO:
THE BOARD OF TRUSTEES
OF THE INTERNAL
IMPROVEMENT TRUST
FUND OF THE
STATE OF FLORIDA
SHEET 1 OF
3 SHEETS



FIELD BOOK NO. _____

DRAWN BY: JMMjr

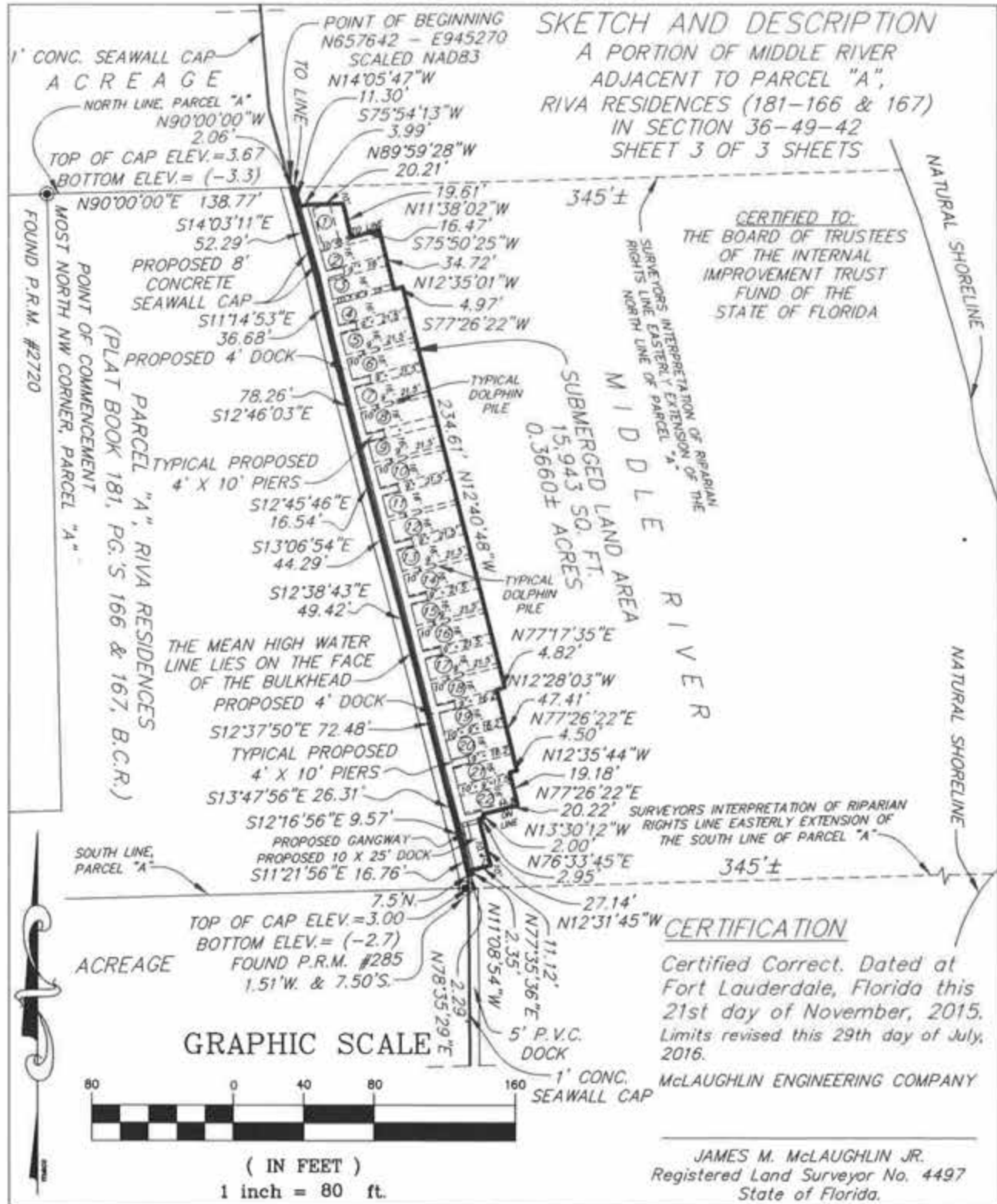
JOB ORDER NO. V-0161

CHECKED BY: _____



McLAUGHLIN ENGINEERING COMPANY
LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
400 N.E. 3rd AVENUE FORT LAUDERDALE, FLORIDA 33301
PHONE (954) 763-7611 * FAX (954) 763-7615



FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-0161

CHECKED BY: _____

ITEM VIII

MEMORANDUM MF NO. 19-07

DATE: February 26, 2019

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: March 7, 2019 MAB Meeting - Dock Waiver of Distance Limitations – Warren & Silvia Schencker / 1180 N. Federal Highway #510 Slip #22

Attached for your review is an application from Warren and Silvia Schencker / 1180 N. Federal Highway #510

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for installation of a 4-post boat lift extending a maximum of +/-30' into the Middle River. The distances this structure will extend from the property line into waterway is shown in the survey and summarized in Table 1 below:

TABLE 1

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	AMOUNT OF DISTANCE REQUIRING WAIVER
Boat Lift	+/-30'	25'	+/-5'

The City's Unified Land and Development Regulations (UDLR) Secs. 47-19.3.C limits the maximum distance of mooring structures to 25' or 25% of the width of the waterway, whichever is less. Section 47-19.3.E authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances. The applicant indicates that the proposed boat lift is necessary to protect the vessel as it is located adjacent to a water skiing area.

Per 47-19.3(b)(1) only one (1) mooring device per one hundred (100) feet of lot width or portion thereof, and one mooring device for each additional one hundred (100) feet of lot width are permitted. A second mooring device may be permitted within the lot area greater than one hundred (100) feet but less than two hundred (200) feet if approved as a Site Plan Level II permit.

PROPERTY LOCATION AND ZONING

The property is located is the Riva Condominium within the B-1 Boulevard Business District. It is situated on the western shore of the Middle River where the width between the applicant's property line to the closest adjacent structure is +/-336 feet, according to the Summary Description provided in **Exhibit 1**.

RECOMMENDATIONS

Should the Marine Advisory approve the application, the resolution under consideration by the City Commission should include at least the following as prescribed in the ULDR and City Code of Ordinances:

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers.
2. The applicant is required to install and affix reflector tape to the proposed boat lift piles in accord with Section 47.19.3.E of the Unified Land and Development Regulations (ULDR).
3. As a general condition of approval and in order to review for final consistency with construction of facilities in accord with this application and City building permits the applicant is required to provide the City's Supervisor of Marine Facilities with copies of "As Built" drawings from a certified and licensed contractor.

AC
Attachment

cc:
Enrique Sanchez, Deputy Director of Parks and Recreation
Jon Luscomb, Supervisor of Marine Facilities

EXHIBIT I
APPLICATION FOR WATERWAY WAIVER

**CITY OF FORT LAUDERDALE
MARINE FACILITIES
APPLICATION FOR WATERWAY PERMITS, WAIVERS AND LICENSES**

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, licenses, permits and approvals involving municipal docking facilities or private uses in the waterways as regulated by Section 8 of the City Code of Ordinances or Section 47-19.3 of the City's Urban Land Development Regulations, shall be preceded by the execution and filing of the following application form available at the Office of the Supervisor of Marine Facilities. The completed application must be presented with the applicable processing fee paid before the agreement is prepared or the application processed for formal consideration (see City of Fort Lauderdale Code Section 2-157). If legal publication is necessary, the applicant agrees to pay the cost of such publication in addition to the application fee.

**APPLICATION FORM
(Must be in Typewritten Form Only)**

1. LEGAL NAME OF APPLICANT - (If corporation, name and titles of officers as well as exact name of corporation. If individuals doing business under a fictitious name, correct names of individuals, not fictitious names, must be used. If individuals owning the property as a private residence, the name of each individual as listed on the recorded warranty deed):

NAME: Warren Schencker

TELEPHONE NO: 954-850-3329
(Home)

2. APPLICANT'S ADDRESS (if different than the site address): N/A

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: The applicant requests a wavier for the proposed construction of a 30ft wide four (4) post boat lift that extends beyond 25ft from the property line.

4. SITE ADDRESS: 1180 N. FEDERAL HWY #510, FORT LAUDERDALE FLORIDA, 33304

ZONING: B-1

LEGAL DESCRIPTION: RIVA CONDOMINIUM UNIT 510 PER AMCDO CIN #113566952

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).
6. Warranty Deed, Project Plans, Site Location, Summary Description, Letter of Recommendation by HOA, Assignment of use rights to boat slip, Site Photographs, Sovereignty Submerged Land Lease


Applicant's Signature

2/25/19
Date

The sum of \$ 300.00 was paid by the above-named applicant on the _____ of _____, 2019 Received by: _____

City of Fort Lauderdale

=====For Official City Use Only=====

Marine Advisory Board Action
Formal Action taken on _____

Commission Action
Formal Action taken on _____

Recommendation _____
Action _____

EXHIBIT II
TABLE OF CONTENTS

TABLE OF CONTENTS

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ASSIGNMENT OF USE RIGHTS TO BOAT SLIP	6
SITE PHOTOGRAPHS	7
SOVEREIGNTY SUBMERGED LAND LEASE	8

**EXHIBIT III
WARRANTY DEED**

Prepared by and return to:

Denise Dugan
Legal Assistant
Trantalis & Associates
2301 Wilton Drive Suite C1-A
Wilton Manors, FL 33305
954-566-2226
File Number: 11-18-03

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this ³ day of November, 2018 between PREMIER RIVA, LLC, a Delaware limited liability company whose post office address is 1180 N. Federal Highway, Fort Lauderdale, FL 33304, grantor, and Warren Schencker and Silvia Schencker, husband and wife whose post office address is 1180 N. Federal Highway, #510, Fort Lauderdale, FL 33304, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Broward County, Florida to-wit:

Unit 510 of Riva Condominium, a Condominium according to the Amended and Restated Declaration of Condominium thereof, recorded as Instrument No. 113566952, of the Public Records of Broward County, Florida, and any amendments thereto, together with its undivided share in the common elements.

Parcel Identification Number: 4942-36-AL-0100

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby warrants the title to said land by, through, and under the said Grantor and will defend the same against the lawful claims of all persons claiming by, through, or under the Grantor; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2017.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

PREMIER RIVA, LLC, a Delaware limited liability company

By: PREMIER DEVELOPERS V, LLC, a Florida limited liability company, its Manager

By: *[Signature]*
BRADLEY DECKELBAUM, Manager

Marlene Nicholson
Witness Name: Marlene Nicholson

Denise M. Dugan
Witness Name: Denise M. Dugan

State of Florida
County of Broward

The foregoing instrument was acknowledged before me this 30 day of November, 2018 by BRADLEY DECKELBAUM, Manager of PREMIER DEVELOPERS V, LLC, a Florida limited liability company, on behalf of the corporation for PREMIER RIVA, LLC, a Delaware limited liability company. He/she is personally known to me or has produced a driver's license as identification.

[Notary Seal]

Marlene Nicholson
Notary Public

Printed Name: Marlene Nicholson

My Commission Expires: _____

Exhibit "A"

1. Terms, covenants, conditions, easements, restrictions, reservations and other provisions, including provisions which provide for a private charge or assessment, according to that certain Amended and Restated Declaration of Condominium of Riva, a Condominium, and the exhibits and attachments thereto, recorded March 11, 2016, in Official Records Instrument No. 113566952, as the same may be further amended, of the Public Records of Broward County, Florida.
2. General or special taxes and assessments required to be paid in the year of closing and subsequent years.
3. Any dispute as to the boundaries caused by a change in the location of any water body within or adjacent to the land and any adverse claim to all or part of the land that is, or was previously, under water.
4. Easement in favor of Florida Power & Light Company recorded in Official Records Book 4628, Page 166.
5. Easement in favor of Florida Power & Light Company recorded in Official Records Book 5025, Page 294.
6. Rights, if any, of the public to use as a public beach or recreation area any part of the land lying between the body of water abutting the subject property and the natural line of vegetation, bluff, extreme high water line, or other apparent boundary line separating the publicly used area from the upland private area.
7. Any and all rights of the United States of America over artificially filled lands in what were formerly navigable waters, arising by reason of the United States of America's control over navigable waters in the interest of navigation and commerce, and any conditions contained in any permit authorizing the filling in of such areas.

**EXHIBIT IV
PROJECT PLANS**

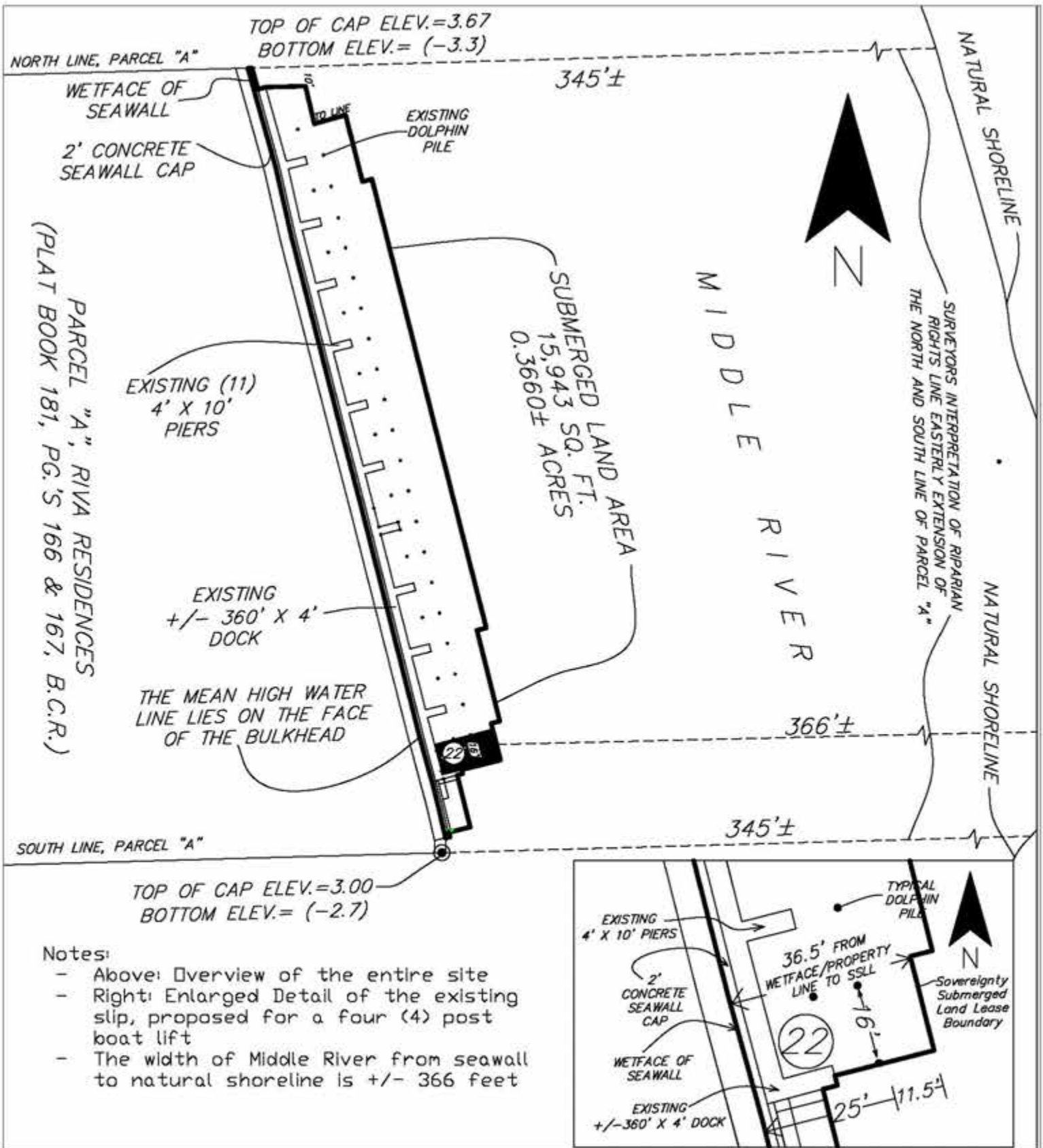
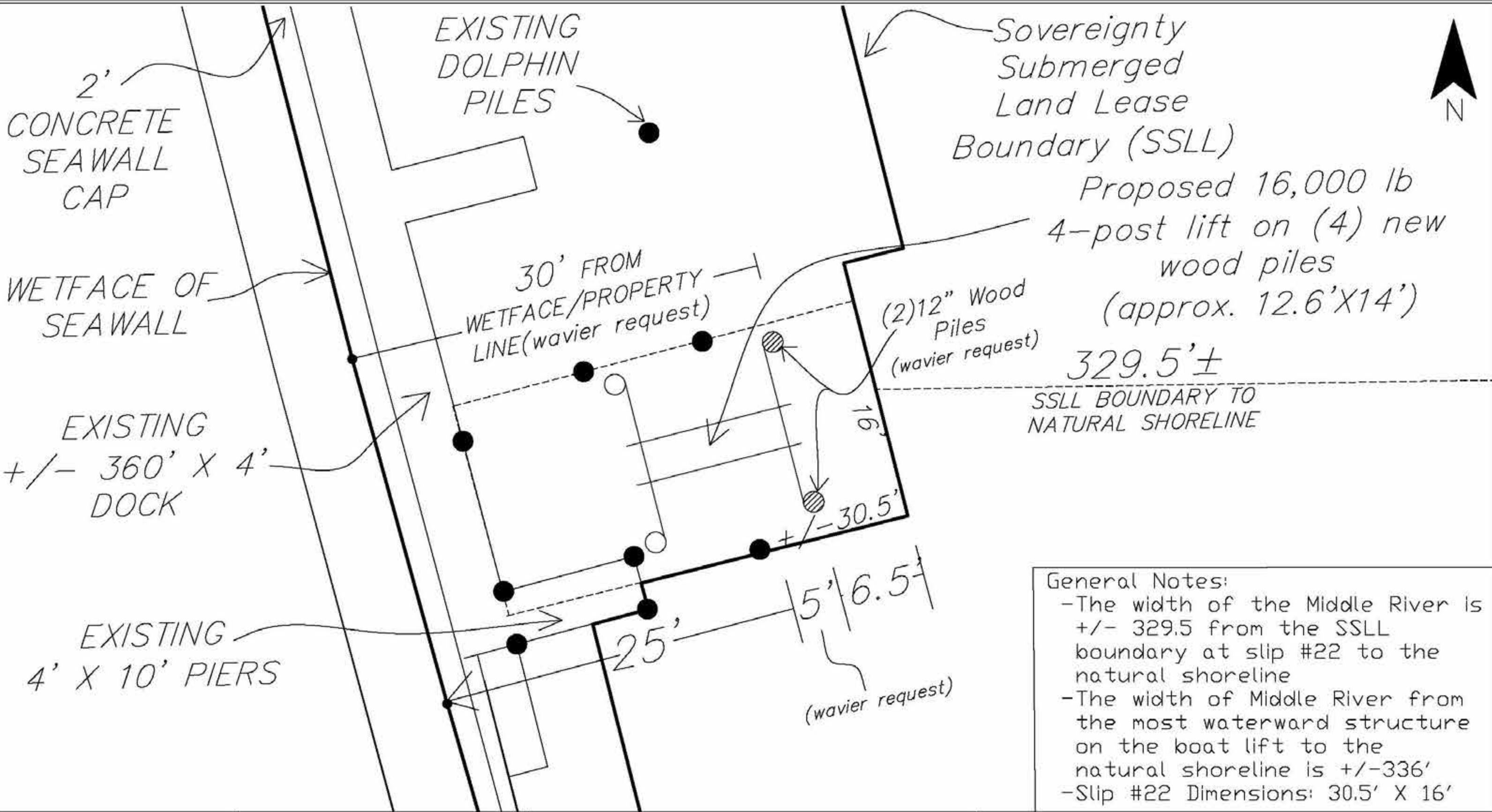


Figure 1
Existing Site Conditions Slip #22

1180 North Federal Hwy #510
Ft. Lauderdale Florida, 33304



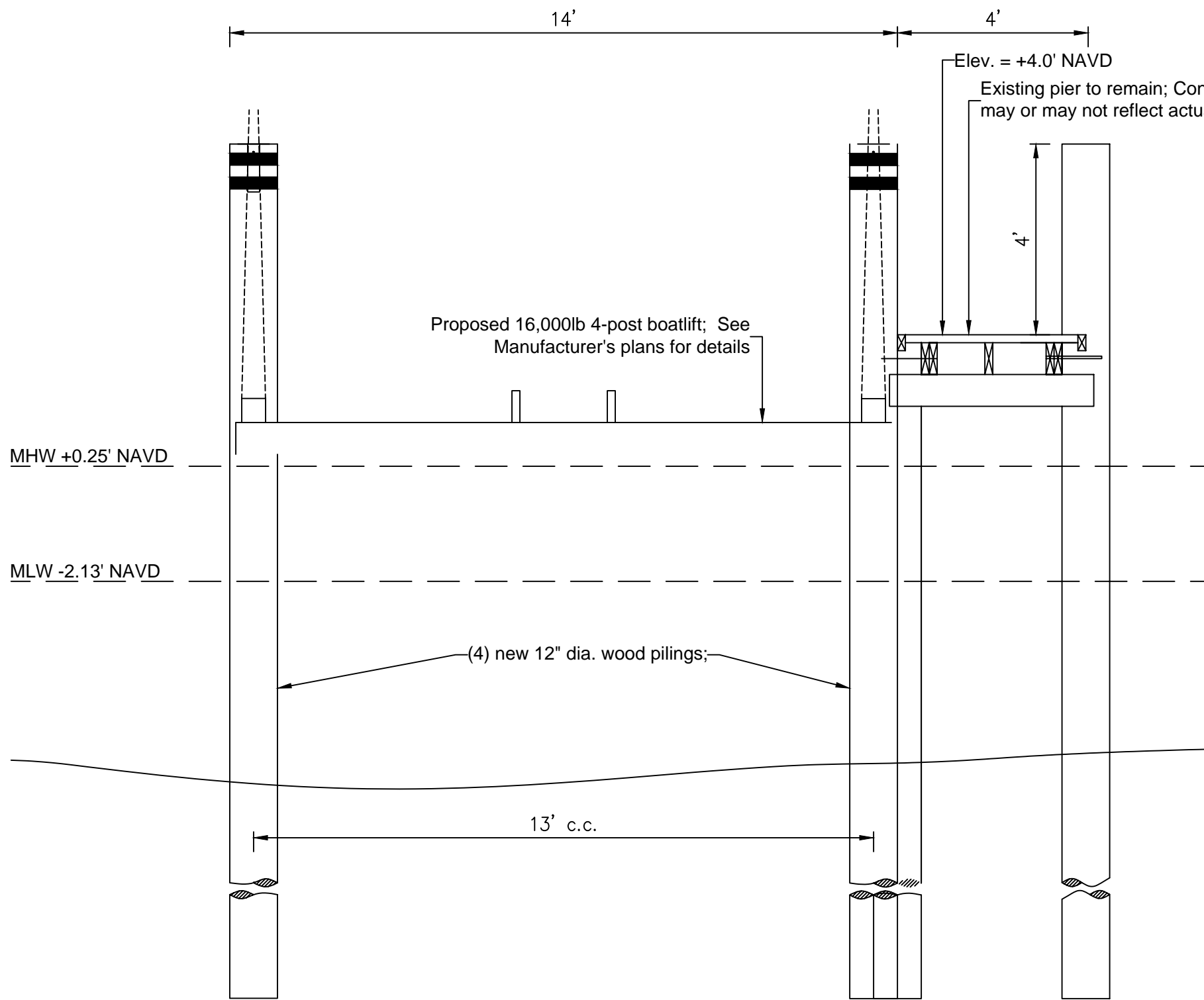
EnviroCare International
 Solutions, Inc.
 832 NE 26th Street
 Wilton Manors Florida, 33305
 Phone: (954) 730-7707
 Fax: (954) 730-7717



EnviroCare International Solutions, Inc.
 832 NE 26th Street
 Wilton Manors Florida, 33305
 Phone: (954) 730-7707
 Fax: (954) 730-7717

Figure 2
 Proposed Site Plan Slip #22

1180 North Federal Hwy #510
 Ft. Lauderdale Florida, 33304

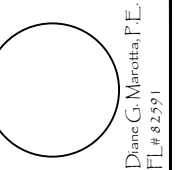


BOATLIFT DETAIL

SCALE: 3/8" = 1'-0"

General Notes:

1. New wood pilings to be min. 12" dia. CCA treated wood pilings.
2. All pilings to be driven 8' in -ra-a. If hard strata is encountered, a 2' minimum penetration is required.
3. Approved contractor to verify all dimensions. The approved contractor is responsible for all methods, means, sequences and procedures of work.
4. Any deviation &/or substitution from the approved plans herein shall be submitted to the Engineer for approval prior to commencement of work.
5. Elevations shown are based on the North American Vertical Datum of 1988.
6. Design in accordance with 2017 6th Edition Florida Building Code.



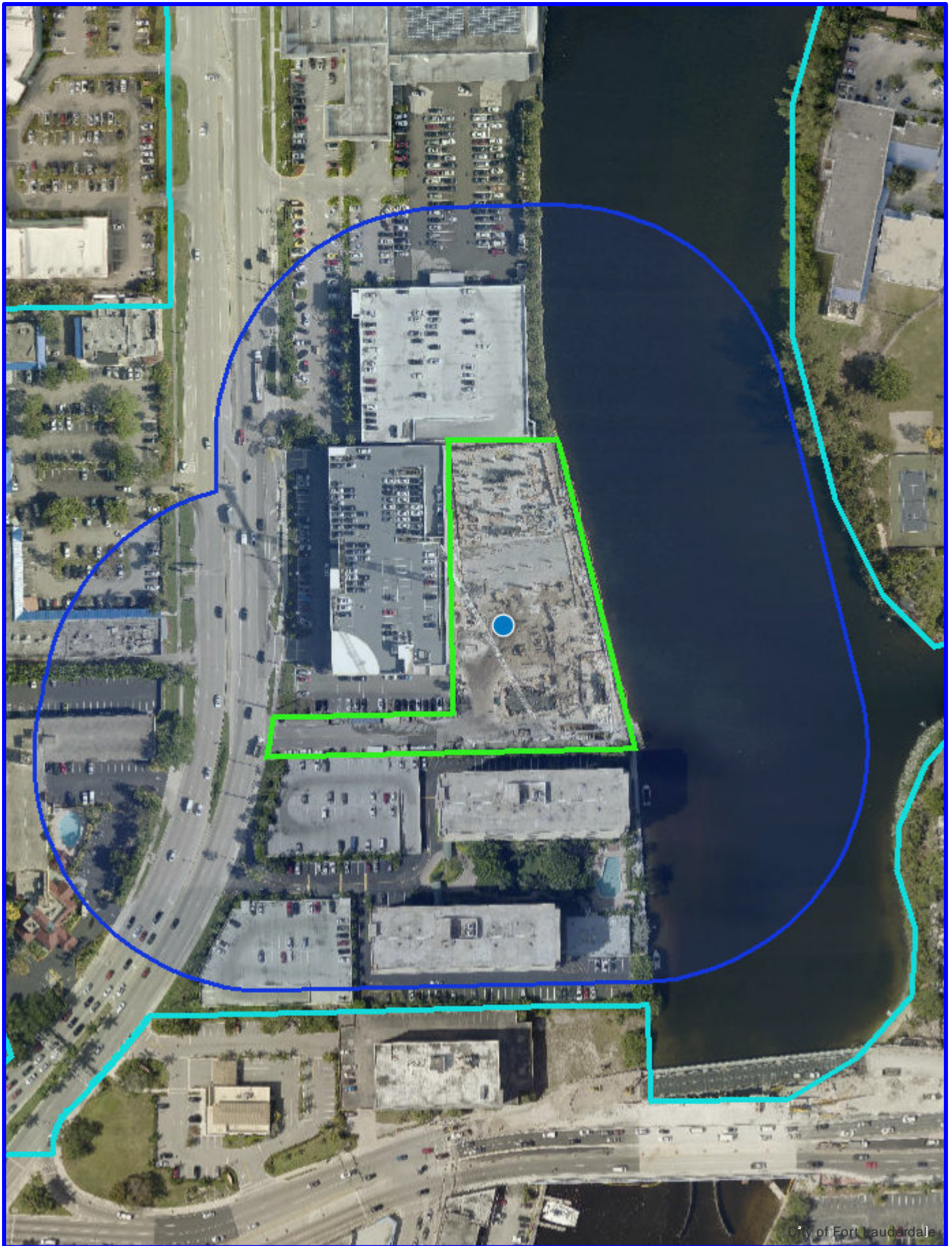
**Diagi and Associates
Engineering, LLC**
555 W. Prospect Road
Oakland Park, FL 33409
T: 954-776-4004 | F: 954-776-8015
info@diagiengineering.com

**BOATLIFTS & DOCKS
OF SOUTH FLORIDA**
989 N.W. 31ST. - N.U.
POMPANO BEACH, FL -
-971-0811 - SCC131151479

4-POST BOATLIFT -
PARKER (SLIP #14) &
SCHENCKER (SLIP #22)
@ RIVA CONDO
1180 N FEDERAL HWY
FORT LAUDERDALE, FL

NO. / REVISIONS	
DATE	
SCALE	
JOB No:	
DTL-1	

**EXHIBIT V
SITE AERIAL**



City of Fort Lauderdale



CITY OF FORT LAUDERDALE

1180 N Federal Hwy



0 90 180 Feet

GIS
Fort Lauderdale

**EXHIBIT VI
SUMMARY DESCRIPTION**

Summary Description
1180 N. Federal Hwy.
#510

The project site is located along Middle River at 1180 N. Federal Hwy, in Section 36, Township 49, Range 42E, in the City of Fort Lauderdale, Broward County, Florida

The property is located along Middle River, which is a tidal waterbody. The nearest direct connection to the Atlantic Ocean is about 3.1 miles to the south at the Port Everglades Inlet. As the project site is located along middle river, the incoming tidal waters (flood) at the site move to the north and the outgoing waters (ebb) move to the south.

The project site consists of an existing \pm 1,880 sq. ft. marginal dock. The proposed project includes the installation of a 16,000lbs 4-post boat lift on the Middle River. As measured from the property line, (2) of the wooden piles that the proposed 16,000lbs 4-post boat lift will rest on encroaches more than 25' from the property line (encroaches 30') into the Middle River. As this distance is over the allowable 25' distance into the waterway from the property line, the proposed boat lift will require a variance waiver. The boat lifts (4) wooden piles will serve as guide poles and reflective tape will be placed on these piles to ensure safety and compliance with city code: 8-91(d).

The proposed boat lift is being applied for concurrently with the Broward County Environmental Protection & Growth Management Department, Florida Department of Environmental Protection, and the US Army Corps of Engineers (Through FDEP SPGP Green).

The following three (3) matters provide justification for this waiver request:

1. All structures and piles will not exceed 30% of the width of the waterway.
2. Due to the extraordinary width of the waterway at this location to the closest structure (\pm 336), the proposed project will not impede navigation within Middle River.
3. The 16,000lbs 4-post boat lift protects the vessel in and adjacent to a water-skiing area.

If this waiver is approved, the applicant will comply with all necessary construction requirements stated in Section 47-19.3 (C)(D)(E).

PROPOSED STRUCTURE	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
16,000lbs 4-post boat lift: (2) eastern piles beyond 25' require wavier	±30.0'	25.0'	±5.0'

**EXHIBIT VII
HOA LETTER OF
RECOMMENDATION**

PREMIER RIVA

January 30, 2019

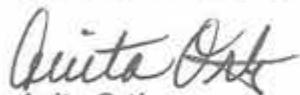
To Whom It May Concern:

Silvia and Warren Schencker purchased Boat Slip #22 at Riva Condominiums. They have the approval of the board to install a boat lift in it.

If you have any questions, please do not hesitate to call me at 954-288-5019.

Sincerely,

RIVA FORT LAUDERDALE CONDOMINIUM ASSOCIATION, INC.



Anita Ortiz

Secretary/Treasurer

Please note that our new address is 1180 N Federal Highway, Suite 302, Fort Lauderdale, FL 33304

2101 N. Andrews Avenue ■ Ste 100 ■ Fort Lauderdale, FL 33311 ■ (954) 400-7309

**EXHIBIT VIII
ASSIGNMENT OF
USE RIGHTS TO
BOAT SLIP**

**EXHIBIT XI
SITE PHOTOGRAPHS**

1. Northern portion of slip #22, facing southeast along marginal dock



2. Center portion of slip #22, facing directly east along marginal dock



3. Southern portion of slip #22, facing Northeast



**EXHIBIT X
SOVEREIGNTY
SUBMERGED
LAND LEASE**



McLAUGHLIN ENGINEERING COMPANY
LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
400 N.E. 3rd AVENUE FORT LAUDERDALE, FLORIDA 33301
PHONE (954) 763-7611 * FAX (954) 763-7615

CERTIFIED TO:
THE BOARD OF TRUSTEES
OF THE INTERNAL
IMPROVEMENT TRUST
FUND OF THE
STATE OF FLORIDA

SKETCH AND DESCRIPTION
A PORTION OF MIDDLE RIVER
ADJACENT TO PARCEL "A",
RIVA RESIDENCES (181-166 & 167)
IN SECTION 36-49-42
SHEET 2 OF 3 SHEETS

LEGAL DESCRIPTION:

Any and all sovereignty lands lying within the following described boundaries: A portion of Middle River, being a portion of, Section 36, Township 49 South, Range 42 East, Broward County, Florida, being Submerged Lands more fully described as follows:

Commencing at the most North Northwest corner of Parcel "A", RIVA RESIDENCES, according to the plat thereof, as recorded in Plat Book 181, Pages 166 and 167, of the public records of Broward County, Florida; thence North 90°00'00" East, on the North line of said Parcel "A", a distance of 138.77 feet to a point on the wetface of an existing 1.3 foot concrete bulkhead marking the West line of Middle River, being a point on the Mean High Water Line and to the Point of Beginning of the herein described Submerged Lands; thence Southerly on said wetface and the Mean High Water Line the following ten (10) courses and distances; 1) South 14°03'11" East, a distance of 52.29 feet; 2) South 11°14'53" East, a distance of 36.68 feet; 3) thence South 12°46'03" East, a distance of 78.26 feet; 4) thence South 12°45'46" East, a distance of 16.54 feet; 5) thence South 13°06'54" East, a distance of 44.29 feet; 6) thence South 12°38'43" East, a distance of 49.42 feet; 7) thence South 12°37'50" East, a distance of 72.48 feet; 8) thence South 13°47'56" East, a distance of 26.31 feet; 9) thence South 12°16'56" East, a distance of 9.57 feet; 10) thence South 11°21'56" East, a distance of 16.76 feet to the end of said ten (10) courses and distances; thence North 78°35'29" East, a distance of 2.29 feet; thence North 11°08'54" West, a distance of 2.35 feet; thence North 77°35'36" East, a distance of 11.12 feet; thence North 12°31'45" West, a distance of 27.14 feet; thence North 76°33'45" East, a distance of 2.95 feet; thence North 13°30'12" West, a distance of 2.00 feet; thence North 77°26'22" East, a distance of 20.22 feet; thence North 12°35'44" West, a distance of 19.18 feet; thence North 77°26'22" East, a distance of 4.50 feet; thence North 12°28'03" West, a distance of 47.41 feet; thence North 77°17'35" East, a distance of 4.82 feet; thence North 12°40'48" West, a distance of 234.61 feet; thence South 77°26'22" West, a distance of 4.97 feet; thence North 12°35'01" West, a distance of 34.72 feet; thence South 75°50'25" West, a distance of 16.47 feet; thence North 11°38'02" West, a distance of 19.61 feet; thence North 89°59'28" West, a distance of 20.21 feet; thence South 75°54'13" West, a distance of 3.99 feet; thence North 14°05'47" West, a distance of 11.30 feet; thence North 90°00'00" West, on the Easterly extension of the North line of said Parcel "A", a distance of 2.06 feet to the Point of Beginning.

Said Submerged Lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 15,943 square feet or 0.3660 acres, more or less.

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) THIS IS A FIELD SURVEY.
- 5) Bearings shown assume the North line of said Parcel "A", as N90°00'00"E.
- 6) This property has 410 linear feet of shoreline frontage on Middle River.
- 7) The Mean High Water Line Elevation (0.26) as prorated from the LABINS website.
- 8) Elevations shown refer to North American Vertical Datum *1988) and are indicated thus: ELEV.=
- 9) Reference Bench Mark: NW Bolt of fire hydrant at NE corner of N.E. 13th Street and N.E. 17th Avenue, Elevation= 8.71

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 21st day of November, 2015. Limits revised this 29th day of July, 2016.

McLAUGHLIN ENGINEERING COMPANY

JAMES M. McLAUGHLIN JR.
Registered Land Surveyor No. 4497
State of Florida.

FIELD BOOK NO. _____

DRAWN BY: JMMjr _____

JOB ORDER NO. V-0161 _____

CHECKED BY: JST _____

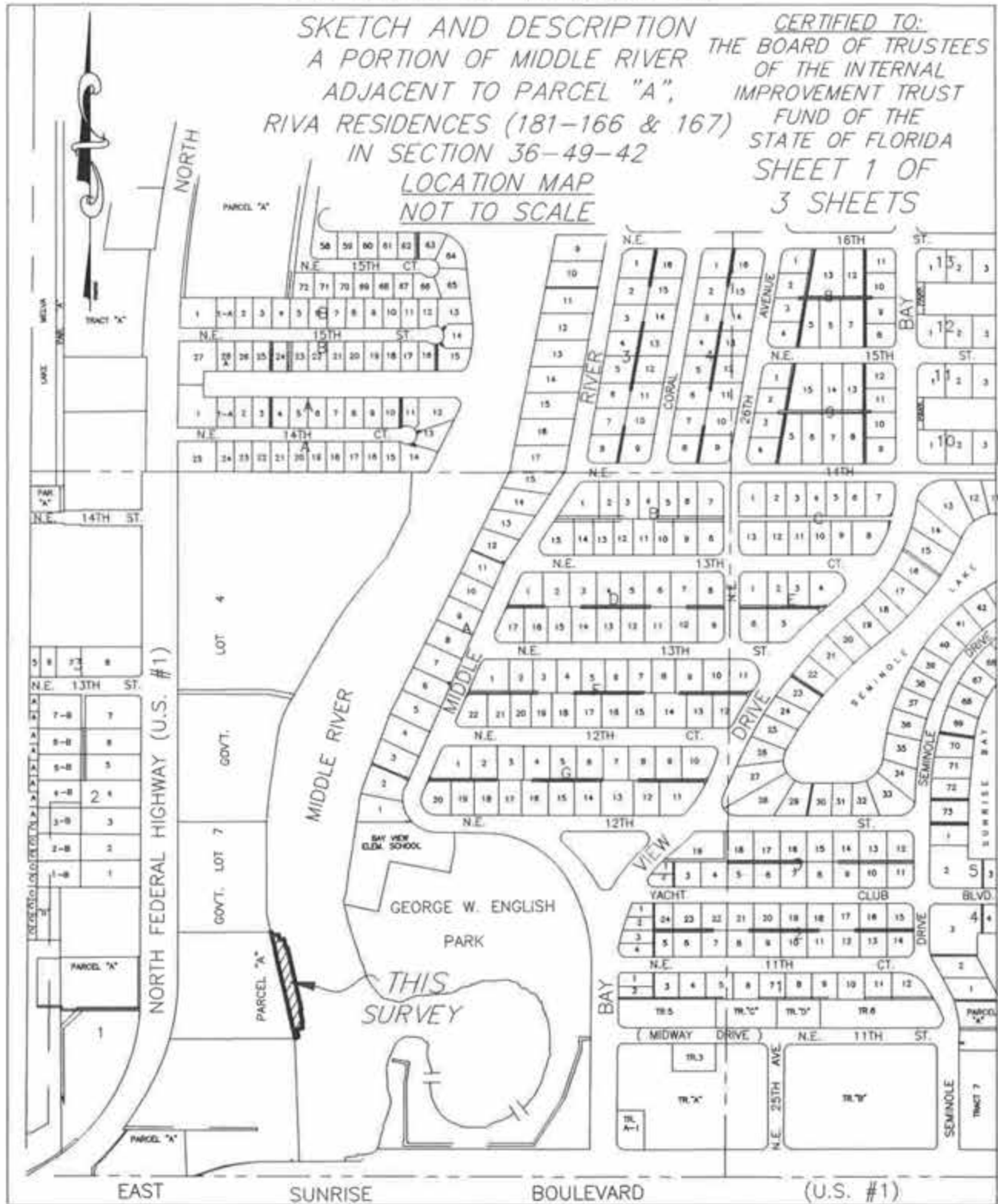


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