



CITY OF FORT LAUDERDALE

DRAFT
MARINE ADVISORY BOARD
100 NORTH ANDREWS AVENUE
COMMISSION CONFERENCE ROOM – EIGHTH FLOOR
FORT LAUDERDALE, FLORIDA
THURSDAY, SEPTEMBER 5, 2019 – 6:00 P.M.

		Cumulative Attendance	
		May 2019 – April 2020	
Grant Henderson, Chair	P	4	0
Ed Strobel, Vice Chair	P	3	1
Cliff Berry II	P	3	1
Robyn Chiarelli	A	2	2
Richard Graves	P	3	1
James Harrison	P	1	0
Rose Ann Lovell	P	5	0
Kitty McGowan (arr. 6:07)	P	2	2
Norbert McLaughlin	P	5	0
Ted Morley	A	1	3
Curtis Parker	P	2	2
Rossana Petreccia	P	3	1
Roy Sea (arr. 6:21)	P	4	0
Randy Sweers	P	1	2
Bill Walker (arr. 6:06)	P	4	0

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

Staff

Andrew Cuba, Manager of Marine Facilities
Jonathan Luscomb, Marine Facilities Supervisor
Officer Laurie Arthur, Fort Lauderdale Police Department
Tatiana Guerrier, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. Call to Order / Roll Call

Chair Henderson called the meeting to order at 6:03 p.m.

II. Approval of Minutes – August 1, 2019

Motion made by Mr. Graves, seconded by Vice Chair Strobel, 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. Waterway Crime & Boating Safety Report

Officer Laurie Arthur of the Fort Lauderdale Police Department reported the following Marine Unit activity from August 2019:

- 6 citations
- 62 warnings
- 11 safety inspections
- 2 boating accidents
- 16 miscellaneous incidents

Officer Arthur noted that no incidents occurred in relation to Hurricane Dorian.

V. Presentation – FEC Bridge & Infrastructure / James Maitland, Marine Industries Association of South Florida

James Maitland, Vice President of the Marine Industries Association of South Florida (MIASF), showed a PowerPoint presentation on the FEC Bridge and related infrastructure. Regulation of the bridge's operations changed in 2016 based on numbers provided by Virgin Brightline.

Ms. McGowan and Mr. Walker arrived at 6:06 and 6:07 p.m.

In the past, the bridge remained open unless it was used by passing trains. MIASF has advocated for this regulation to remain in place in order to protect navigability on the New River so no undue harm would be done to the marine industry, which brings \$8.9 billion and 111,000 jobs to Broward County alone.

The bridge was owned by a private equity firm which sold the FEC to Grupo Mexico in 2017; however, the firm retained development and easement rights for rail. Virgin became a minority stakeholder in Brightline in 2018/2019. This service is one of very few privately owned and operated passenger railroads within the United States.

At present, the U.S. Coast Guard recommends test deviation, which allows boaters and the general public to provide feedback on navigation and their experiences with the bridge. This began on August 20, 2019 and will last for 45 days, with the possibility of extension to 180 days if necessary. Virgin Brightline approached the Coast Guard to request test deviation because FEC was receiving multiple fines for violation of the previous regulation.

Virgin Brightline is currently working to improve a mobile app that would show whether the bridge is up or down. They are also updating and posting additional signage so it provides accurate information for boaters. A company called Dispatch Co. is being created to balance FEC and Virgin Brightline so they can share rail time and improve communication to the bridge monitor/tender and establish standard operating procedures.

Mr. Maitland noted that New River tours were provided through the Water Taxi to ensure that all stakeholders have an accurate perspective on the navigability of the New River. The tours showed the impact of the bridge on the marine industry from the ground level. An updated study is also underway from the Florida Department of Transportation (FDOT), which builds on a 2004/2005 study conducted on the train bridge over the New River. The updated study has been approved by the Governor for this year's budget and is estimated to be complete by early 2020. It is expected to identify the best way forward for the train bridge and the entrance to the City.

Mr. Maitland continued that the Broward Metropolitan Planning Organization (MPO) has budgeted for flyovers over Commercial Boulevard, Sunrise Boulevard, and other areas so it would not be necessary to stop traffic for trains. MIA SF continues to advocate on behalf of the collective marine industry to identify solutions and educate the community. MIA SF meets with the Coast Guard, FEC, and Brightline/Virgin on a monthly basis to work toward the best solution. He encouraged the Board members to provide feedback on the test deviation to the Coast Guard.

Chair Henderson asked where a flyover was most likely to begin and end. Mr. Maitland explained that the FDOT study is intended to determine this placement. Ms. McGowan noted that a flyover could significantly affect the real estate beneath the bridge. Mr. Maitland advised that the City has Master Plans that include rail lines and could turn a flyover into an asset for the area.

Ms. McGowan also asked how multiple trains would affect other parts of Fort Lauderdale. Mr. Maitland reiterated that all parties are working together to determine the best solution. Because Virgin Brightline hopes to add more stations and trains, they hope to be able to navigate the bridge more efficiently.

Mr. Sea arrived at 6:21 p.m.

Ms. McGowan asked what type of input has been provided from boatyards and other facilities upriver. Mr. Maitland advised that many these businesses are not pleased with the current situation but are aware that the marine industry, the Coast Guard, and Virgin Brightline will have to work together to identify the best solution for the public waterway and hold the appropriate parties accountable if they cannot comply with regulations.

Mr. McLaughlin asked if Virgin Brightline has paid any of their fines accrued thus far. Mr. Maitland replied that fines are private, as they are still being negotiated. Patience Cohn,

also representing MIAF, clarified that fines are paid to the Coast Guard General Fund. Each violation costs \$27,500.

Mr. Walker asked if the general public has been made aware of the test deviation and comment period. He emphasized the importance of maintaining navigation on the New River for the marine economy, including the upcoming Fort Lauderdale International Boat Show. Mr. Luscomb advised that the Coast Guard is acting as a referee with regard to these issues and will make the final decision on a solution.

VI. Reports

None.

VII. Old / New Business

Vice Chair Strobel addressed the recent impact of Hurricane Dorian on the Bahamas, stating that he is working with a group called Hope for Hope Town that is coordinating with the Bahamian government to provide aid to the islands. Pilots have flown over the islands to document the conditions of airports, runways, ports, marinas, and roads in order to determine the safest way to provide assistance.

At present, the Marsh Harbor, West End, and Freeport airports expected to reopen on Friday, September 6, 2019. Treasure Cay airport is open, and the Scotland Cay and Spanish Cay airports are closed but accessible. Planes landing at these airports require approval: Vice Chair Strobel advised that he could assist with back-channel approval if any planes wish to land at these airports. A boating group of eight to nine vessels has received approval to access Hope Town on Saturday, September 7.

Mr. Maitland recognized the assistance of City Commissioner Ben Sorensen for providing connections to organizations providing aid. Ms. McGowan clarified that Hope for Hope Town has made a 60-day commitment to provide support, medical assistance, and disaster relief. The primary objective is to help residents evacuate from the Abacos. All official groups providing assistance require permission.

VIII. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 6:57 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. 19-16

DATE: September 19, 2019

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: October 3, 2019 MAB – Application - Dock Waiver of Distance Limitations – Robert Bret & Nancy Lynn Anderson / 515 Idlewyld Drive

Attached for your review is an application from Robert Bret & Nancy Lynn Anderson, 515 Idlewyld Drive (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for installation of a new concrete dock and elevator - style boatlift, requiring a Dock Waiver of Distance Limitations. These structures extend a maximum distance of +/- 89.3 from the property line, which is located across the street, as shown in **Table 1**. If alternately measured from the wet face of the seawall, the maximum distance requested would be 8.2'.

TABLE 1

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
New Concrete Dock	+/-89.3'	25'	+/-64.3'
Elevator Boat Lift	+/-88.2'	25'	+/-63.2'

The City's Unified Land and Development Regulations (UDLR), Sections 47-19.3.C limits the maximum distance of mooring structures at this location to 25' or 25%, whichever is less, from the property line. Section 47.19.3.E authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances. The applicant's narrative summation indicates that the boat lift is essential to protect the vessel from damage due to wave action resulting from navigational traffic.

PROPERTY LOCATION AND ZONING

The property is located within the Idlewyld Isles RS-8 Residential Low-Density Zoning District. It is situated on the western shore of the Intracoastal Waterway where the overall width of the New River Sound is identified as 459’.

DOCK PLAN AND BOATING SAFETY

Marine Facilities’ records reflect that there have been seventeen (17) waivers of docking distance limitations approved by the City Commission since 1986 with the most recent at 357 Idlewyld Drive approved by the City Commission at their meeting of October, 2016. A comparison of these follows:

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
1986	801 Idlewyld Drive	54.00’
1994	407 Idlewyld Drive	63.75’
1995	517 Idlewyld Drive	42.00’
2000	629 Idlewyld Drive	50.70’
2001	606 Idlewyld Drive	55.80’
2005	413 Idlewyld Drive	81.45’
2007	649 Idlewyld Drive	45.00’
2007	375 Idlewyld Drive	68.00’
2008	674 Idlewyld Drive	58.00’
2008	637 Idlewyld Drive	58.00’
2009	709 Idlewyld Drive	53.20’
2011	815 Idlewyld Drive	42.70’
2011	417 Idlewyld Drive	78.00’
2013	801 Idlewyld Drive	38.10’
2014	721 Idlewyld Drive	61.50’
2014	505 Idlewyld Drive	68.50’
2016	357 Idlewyld Drive	71.40’

RECOMMENDATIONS

Should the Marine Advisory Board consider approval of the application, the resolution under consideration for approval 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 and the U.S. Army Corps of Engineers.
2. 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, and verification of receipt of all applicable Federal and State permits.

AC

Attachment

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

**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: **Robert Bret Anderson and Nancy Lynn Anderson**

TELEPHONE NO: _____ **954-551-5534** FAX NO. _____
(home) (business)

2. APPLICANT'S ADDRESS (if different than the site address):
515 Idlewyld Drive, Fort Lauderdale, FL 33301

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:
Waiver of limitations for dock and lift

4. SITE ADDRESS: **515 Idlewyld Drive, Fort Lauderdale, FL 33301** ZONING: **RS-8**

LEGAL DESCRIPTION:
Idlewyld 1-19 B Lot 4 Blk 3

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).
See attached table of contents and documents


Applicant's Signature

9/16/19
Date

=====
The sum of \$ 300.00 was paid by the above-named applicant on the _____ of _____, 2018 Received by: _____

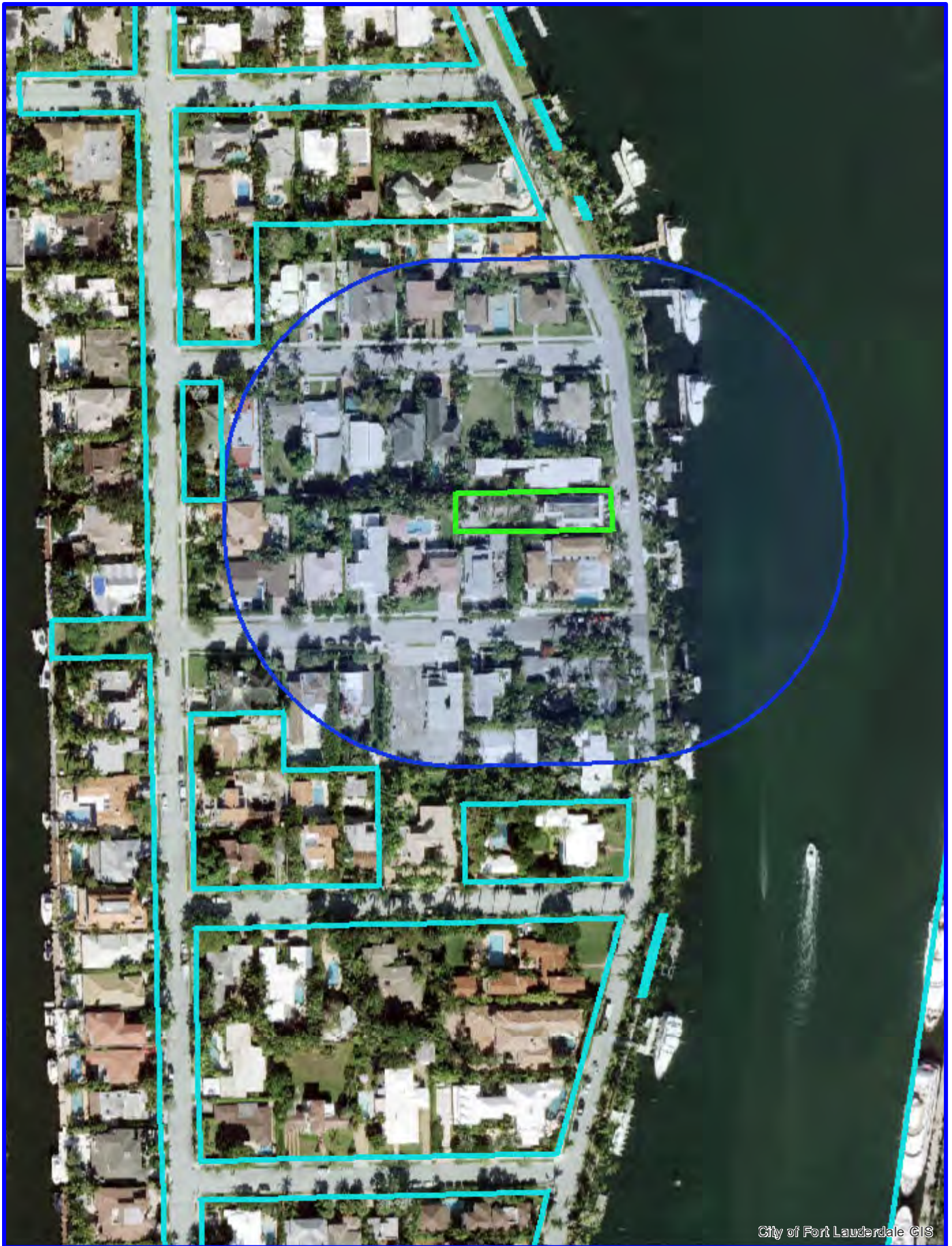
City of Fort Lauderdale

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

Marine Advisory Board Action
Formal Action taken on _____

Commission Action
Formal Action taken on _____

Recommendation _____
Action _____



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

515 Idlewyld Drive



0 90 180 Feet

GIS
Fort Lauderdale

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Proof of ownership (2 pages)	13-14
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September 16, 2019

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

Re: Robert Bret & Nancy Lynn Anderson
515 Idlewyld Drive
Fort Lauderdale, FL 33301

Dear Board Members,

We are requesting a waiver of limitations to install a new concrete dock and new elevator-style boatlift at a single-family site. The existing rockwall will remain and be repaired with a cap overpour; the new cap edge will extend 18 inches waterward of the existing cap edge. The existing T-shaped dock will be removed. The new dock will consist of a 20' x 9' marginal dock, a 15'-10" x 6' access pier and a 20' x 6' terminal platform. The new lift will be located on the outside of the access pier.

The City Building Code, Section 47-19.3, Paragraph c, allows docks, piers, and boatlifts to extend out 25% of the waterway's width, up to a maximum of 25 feet, as measured from the property line. Recently the Zoning Department has been interpreting this rule to mean, as measured from the property line or wetface, whichever is most landward. The property line is located on the other side of the street, while the wetface is at the edge of the existing rockwall cap. In this particular neighborhood, the seawalls and marine structures are on the east side of the street, while the residences are on the west side of the street, however, each residence has riparian rights to the corresponding section of property on the east side of the street.

We expect that the Zoning Department will review the permit plans when the time comes with regard to the property line, since it is most landward, but we cannot be sure of that. However, to be consistent with past reviews and judgements, we shall base this waiver request on the distances from the wetface. The corresponding measurements from the property line wetface will be listed as well.

The new dock will extend a total of 33.2 feet from the wetface (89.3 feet from the property line) and the lift will extend a total of 32.5 feet from the wetface (88.2 feet from the property line.) This would require a variance of 8.2 feet for the dock and a variance of 7.5 feet for the lift. (If the variance distances were to be referenced to the property line, they would 64.3 feet for the dock and 63.2 feet for the lift.)

The waterway width at this location is 459 feet. 25% of that is 115 feet and 30% is 138 feet. 25% is the limit for structures and 30% is the limit for vessels. Using the distance from the wetface, neither the structures nor the vessels would be close to exceeding these percentages.

Even measuring from the property line, these percentages are still not exceeded. Furthermore, the new structures will not encroach into the navigational channel.

Therefore, the requested Waiver of Limitations will be for an additional 8.2 feet for the dock and 7.5 feet for the lift of waterward extension, as measured from the wetface.

These structures were approved by the Marine Advisory last year, however the layout was not accepted by the Army Corps of Engineers. The attached layout for this new requested has been accepted by the Corps and that permit is attached. The new design has been submitted to the State DEP and Broward County Environmental. The DEP has reissued their permit based on the new layout and the County should do so by the day of this hearing.

Considering the navigational traffic on this waterway, the lift is essential in protecting the vessel from damage due to wave actions. This request is in line with and similar to other waiver requests in this area. The new dock and lift will not extend further waterward than similarly approved dock and lifts in the immediate vicinity, many of which, have been approved under similar waivers.

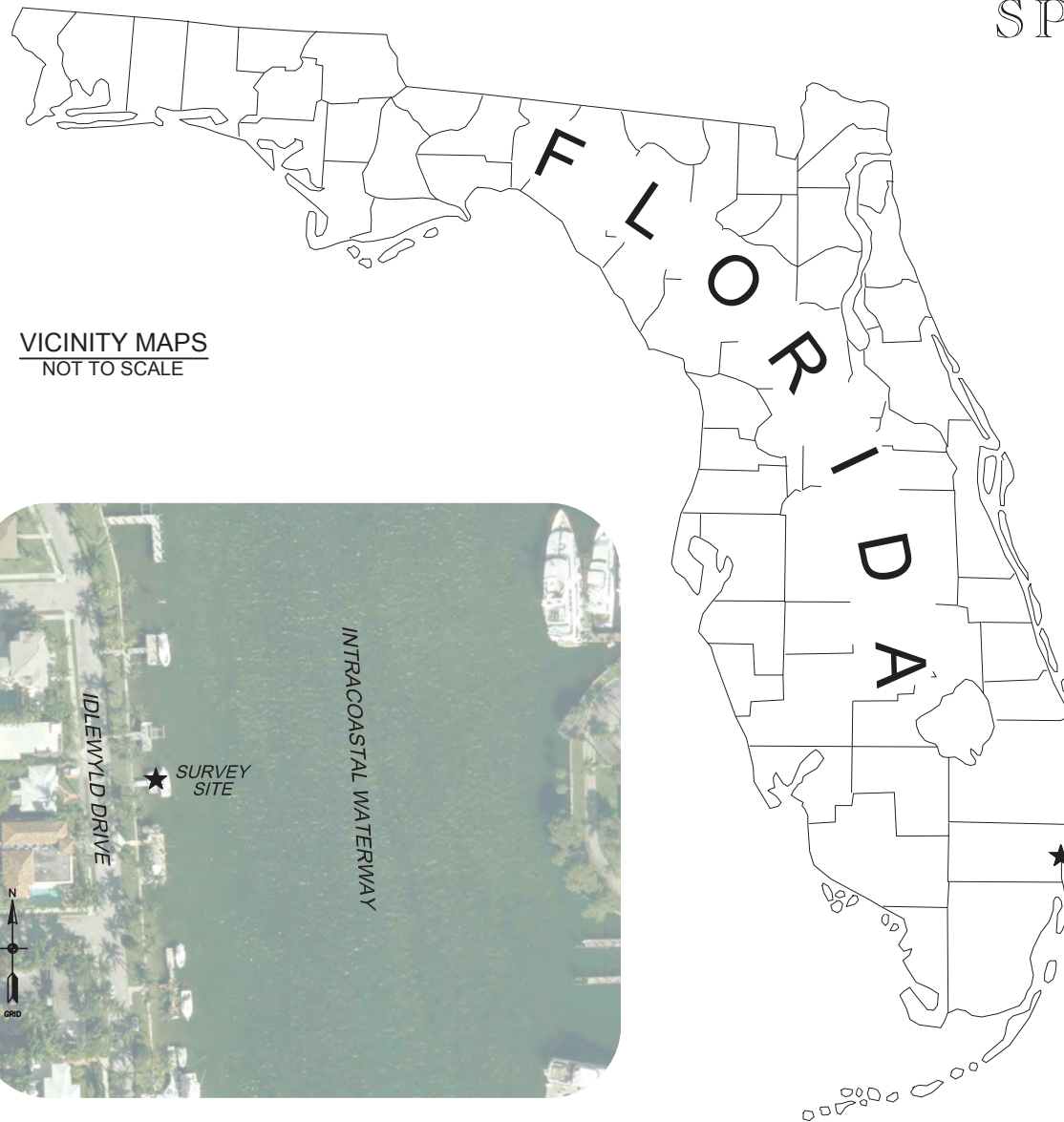
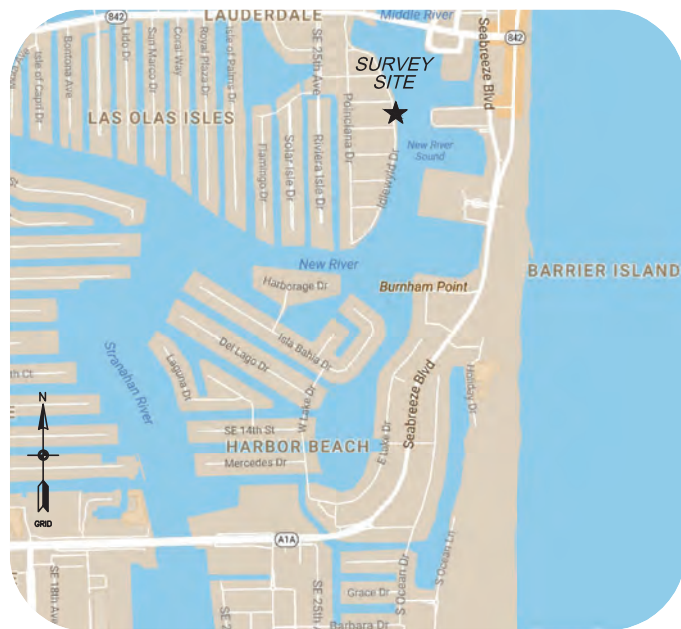
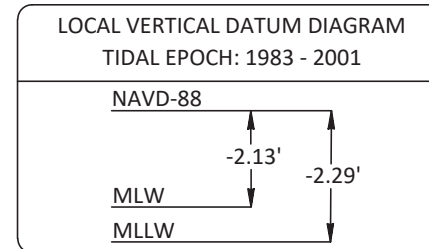
Sincerely,

David Nutter
B & M Marine Construction Inc.

SPECIFIC PURPOSE SURVEY

LOT 3 BLOCK 4 of "IDLEWYLD"
 PLAT BOOK 1, PAGE 19
 SECTION 12, TOWNSHIP 50 SOUTH, RANGE 42 EAST,
 BROWARD COUNTY, FLORIDA

HYDROGRAPHIC DATA ARE RELATIVE TO MEAN
 LOW WATER AND REFERENCED TO FLORIDA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 TIDE STATION NUMBER 872-2939.
 CONTOURS ARE AT 1' INTERVALS.



VICINITY MAPS
 NOT TO SCALE



PROJECT
 LOCATION

REV: 9/16/19 ADJUSTED DOCK AND BOAT LIFT

SURVEY NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. THIS SURVEY REPRESENTS A SPECIFIC PURPOSE SURVEY AS DEFINED IN THE STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE.
3. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
4. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED EMBOSSED SEAL OF A FLORIDA REGISTERED SURVEYOR.
5. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED FOR EASEMENTS, ENCUMBRANCES OR OTHER INSTRUMENTS OF RECORD OTHER THAN THOSE SHOWN HEREON WHICH MAY AFFECT THIS PARCEL OF LAND.
6. THIS SURVEY IS INTENDED TO BE DISPLAYED AT SCALE OF 1 INCH EQUALS 20 FEET OR SMALLER.
7. UNDERGROUND UTILITIES WERE NOT LOCATED AS PART OF THIS SURVEY.
8. GEOGRAPHIC AND PLANE COORDINATES SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICA DATUM OF 1983, FLORIDA STATE PLANE, ZONE 901, TRANSVERSE MERCATOR PROJECTION IN THE U.S. SURVEY FOOT UNIT OF MEASUREMENT.
9. LOCATIONS OF ALL IMPROVEMENTS WERE OBTAINED USING REAL TIME KINEMATIC GPS METHODOLOGIES WITH BROADCAST CORRECTIONS FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION REFERENCE NETWORK AND ARE ACCURATE TO THIRD ORDER, CLASS II.
10. THE SPECIFIC PURPOSE OF THIS SURVEY IS TO SHOW THE LOCATION OF PROPOSED IMPROVEMENTS RELATIVE TO THE INTRACOASTAL WATERWAY NAVIGATION CHANNEL.
11. HYDROGRAPHIC (BATHYMETRIC) DATA WERE COLLECTED UTILIZING CONVENTIONAL POLING TECHNIQUES IN CONJUNCTION WITH REAL TIME KINEMATIC GPS METHODOLOGIES WITH BROADCAST CORRECTIONS FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION REFERENCE NETWORK AND ARE ACCURATE TO THIRD ORDER, CLASS II.
12. HYDROGRAPHIC DATA ARE IN FEET RELATIVE TO MEAN LOW WATER AND REFERENCED TO FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION TIDE STATION 872-2939 (BROWARD COUNTY).

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SPECIFIC PURPOSE SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION ON JUNE 28th, 2018.

I FURTHER CERTIFY THAT THIS SPECIFIC PURPOSE SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTE 472.027.

KENNETH C. JACKSON, PSM - FLORIDA REGISTRATION NUMBER 4549

LEGEND:

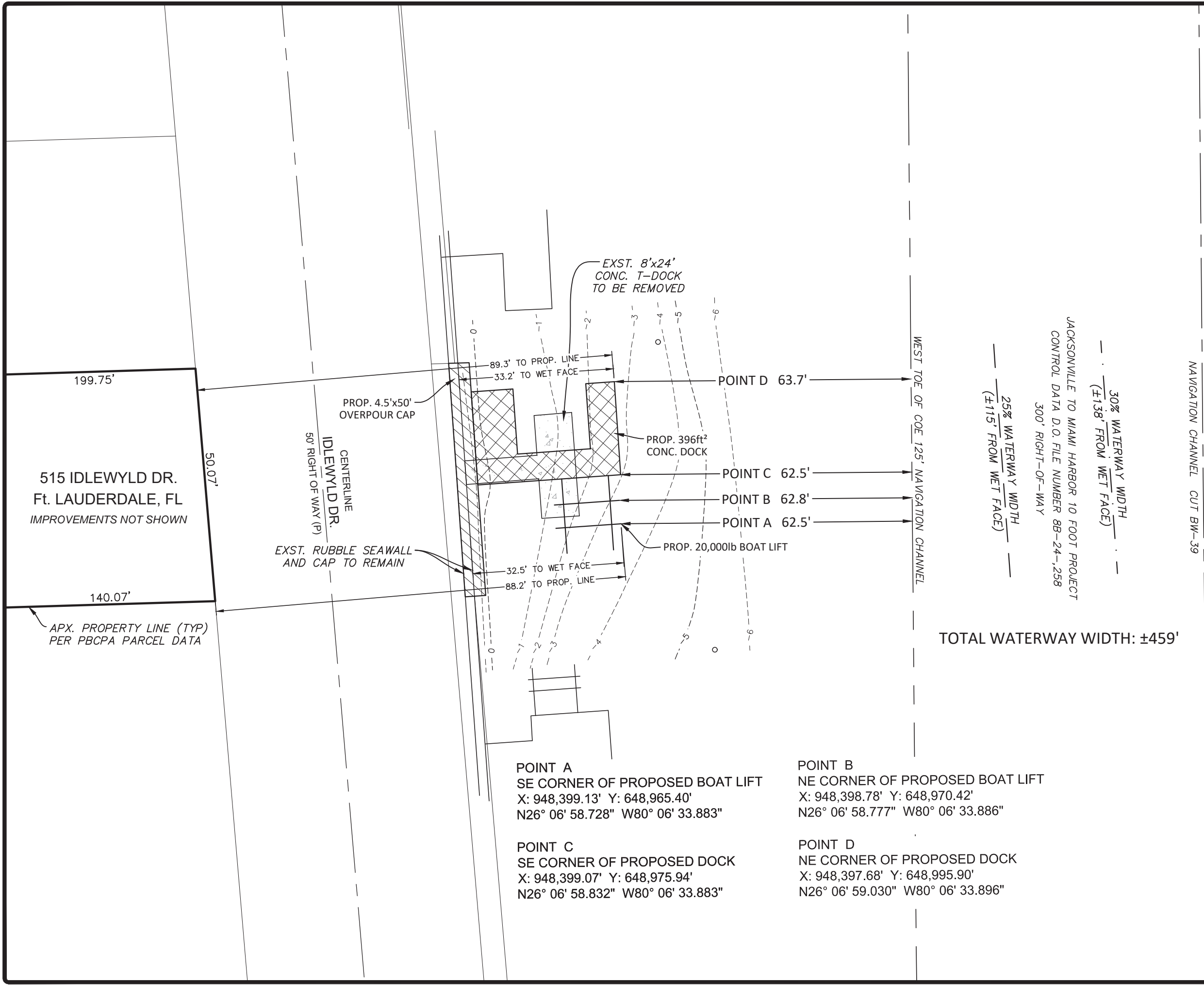
- BCPA BROWARD COUNTY PROPERTY APPRAISERS
- BCR BROWARD COUNTY RECORDS
- COE CORPS OF ENGINEERS
- EXST EXISTING
- LB LICENSED BUSINESS
- MLW MEAN LOW WATER
- MLLW MEAN LOWER LOW WATER
- NAVD-88 NORTH AMERICAN VERTICAL DATUM OF 1988
- PROP PROPOSED
- PSM PROFESSIONAL SURVEYOR AND MAPPER
- EXISTING LOT LINES _____
- LOT LINE _____
- CHANNEL TOE _____
- CHANNEL CENTERLINE _____
- SEAWALL WET FACE _____



SITE OWNER / ADDRESS
**ROBERT & NANCY
 ANDERSON**
 515 IDLEWYLD DRIVE
 FORT LAUDERDALE, FL 33301

PREPARED BY:
TERRAQUATIC, INC
 1220 TANGELO TERR, UNIT A7
 DELRAY BEACH, FL 33444
 TELEPHONE: (561) 806-6085
 CERTIFICATE OF AUTHORIZATION NO. 7324

DRAWING No: ANDERSON XY.dwg	JOB No: 18-716
DRAWN BY: BPL	CHECKED BY: KCJ
SCALE: N/A	DATE: 9/16/19
SHEET 1 OF 2	



515 IDLEWYLD DR.
Ft. LAUDERDALE, FL
IMPROVEMENTS NOT SHOWN

APX. PROPERTY LINE (TYP)
PER PBCPA PARCEL DATA

EXST. RUBBLE SEAWALL
AND CAP TO REMAIN

PROP. 4.5'x50'
OVERPOUR CAP

EXST. 8'x24'
CONC. T-DOCK
TO BE REMOVED

PROP. 396ft²
CONC. DOCK

PROP. 20,000lb BOAT LIFT

POINT A
SE CORNER OF PROPOSED BOAT LIFT
X: 948,399.13' Y: 648,965.40'
N26° 06' 58.728" W80° 06' 33.883"

POINT C
SE CORNER OF PROPOSED DOCK
X: 948,399.07' Y: 648,975.94'
N26° 06' 58.832" W80° 06' 33.883"

POINT B
NE CORNER OF PROPOSED BOAT LIFT
X: 948,398.78' Y: 648,970.42'
N26° 06' 58.777" W80° 06' 33.886"

POINT D
NE CORNER OF PROPOSED DOCK
X: 948,397.68' Y: 648,995.90'
N26° 06' 59.030" W80° 06' 33.896"

TOTAL WATERWAY WIDTH: ±459'

JACKSONVILLE TO MIAMI HARBOR 10 FOOT PROJECT
CONTROL DATA D.O. FILE NUMBER 8B-24-,258
300' RIGHT-OF-WAY

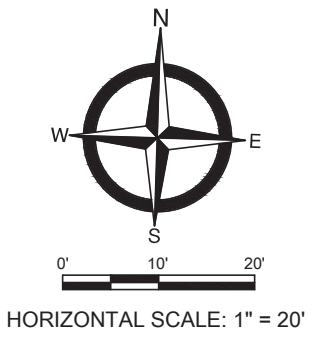
25% WATERWAY WIDTH
(±115' FROM WET FACE)

30% WATERWAY WIDTH
(±138' FROM WET FACE)

INTRACOASTAL WATERWAY

CENTERLINE OF THE COE 125'
NAVIGATION CHANNEL CUT BW-39

WEST TOE OF COE 125' NAVIGATION CHANNEL

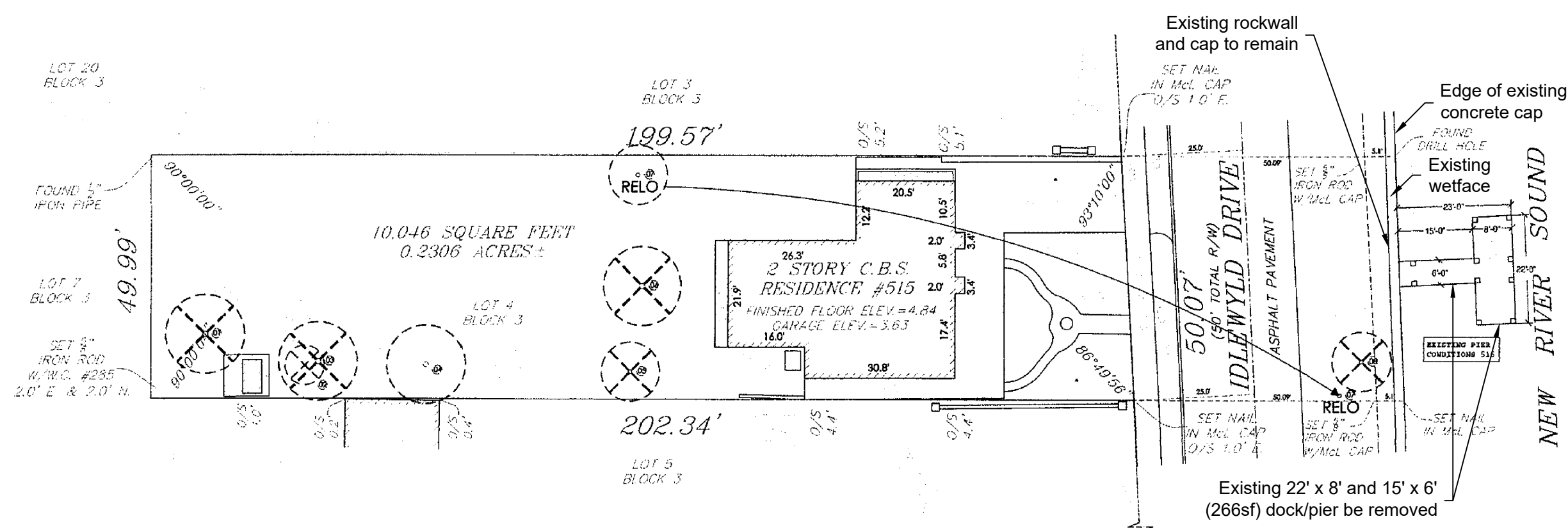


TERRAQUATIC
SURVEYING AND MAPPING

SITE OWNER / ADDRESS
**ROBERT & NANCY
ANDERSON**
515 IDLEWYLD DRIVE
FORT LAUDERDALE, FL 33301

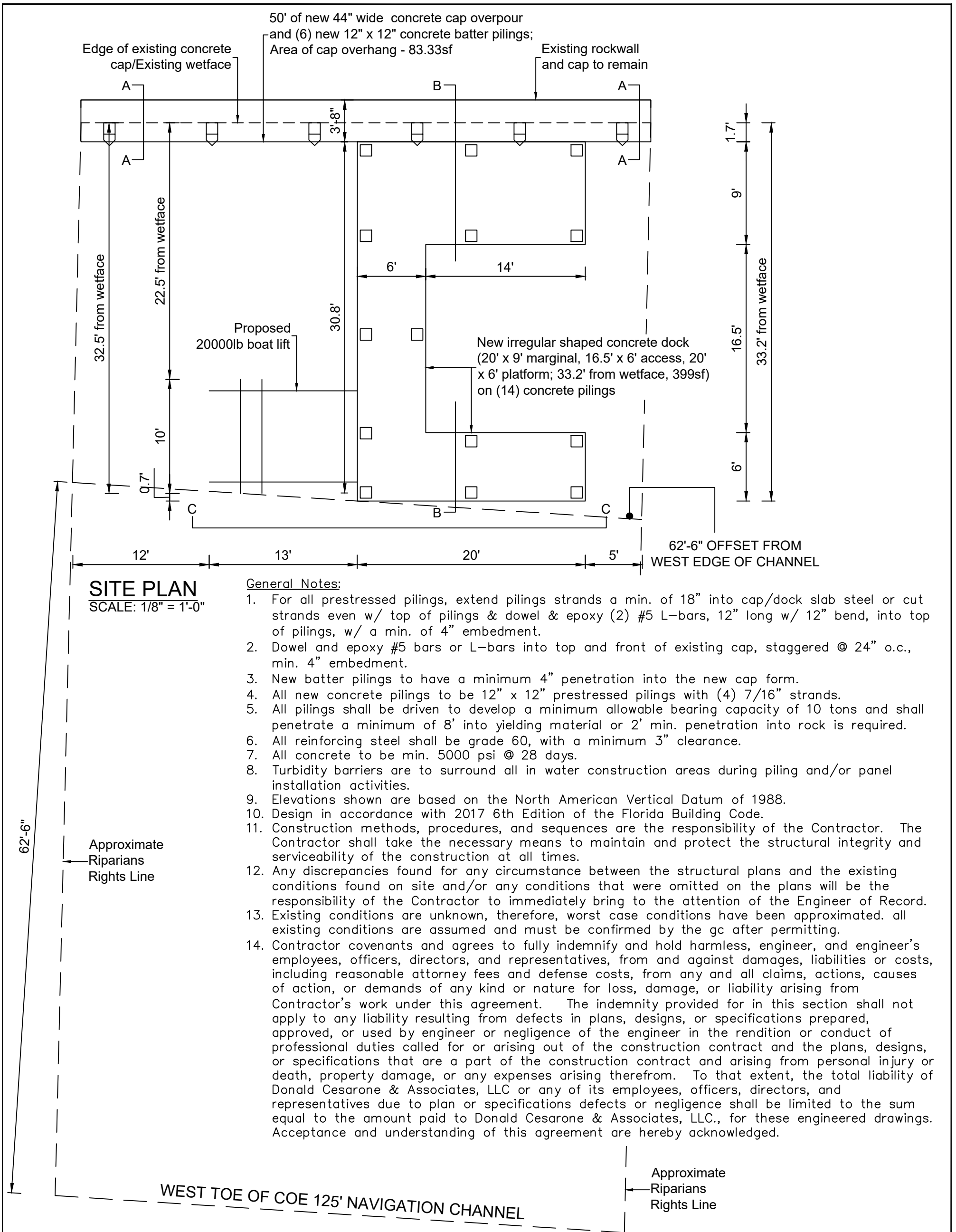
PREPARED BY:
TERRAQUATIC, INC
1220 TANGELO TERR, UNIT A7
DELRAY BEACH, FL 33444
TELEPHONE: (561) 806-6085
CERTIFICATE OF AUTHORIZATION NO. 7324

DRAWING No: ANDERSON XY.dwg	JOB No: 18-716
DRAWN BY: BPL	CHECKED BY: KCJ
SCALE: AS STATED	DATE: 9/16/19
SHEET 2 OF 2	



EXISTING CONDITIONS
SCALE: 1" = 25'-0"

PREPARED FOR: B & M MARINE, INC. CONSTRUCTION, INC. 3500 S.W. 14TH STREET DEERFIELD BEACH, FL 33442 954-421-1700 CGC052820	
DP INTERIOR & EXTERIOR WORK FOR: PYRAMID BUILDERS 515 IDLEWYLD DRIVE FORT LAUDERDALE, FL	
NOTES/REVISIONS	
DATE	
SCALE:	AS NOTED
JOB No:	
<div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">EC</div>	



SITE PLAN
SCALE: 1/8" = 1'-0"

General Notes:

1. For all prestressed pilings, extend pilings strands a min. of 18" into cap/dock slab steel or cut strands even w/ top of pilings & dowel & epoxy (2) #5 L-bars, 12" long w/ 12" bend, into top of pilings, w/ a min. of 4" embedment.
2. Dowel and epoxy #5 bars or L-bars into top and front of existing cap, staggered @ 24" o.c., min. 4" embedment.
3. New batter pilings to have a minimum 4" penetration into the new cap form.
4. All new concrete pilings to be 12" x 12" prestressed pilings with (4) 7/16" strands.
5. All pilings shall be driven to develop a minimum allowable bearing capacity of 10 tons and shall penetrate a minimum of 8' into yielding material or 2' min. penetration into rock is required.
6. All reinforcing steel shall be grade 60, with a minimum 3" clearance.
7. All concrete to be min. 5000 psi @ 28 days.
8. Turbidity barriers are to surround all in water construction areas during piling and/or panel installation activities.
9. Elevations shown are based on the North American Vertical Datum of 1988.
10. Design in accordance with 2017 6th Edition of the Florida Building Code.
11. Construction methods, procedures, and sequences are the responsibility of the Contractor. The Contractor shall take the necessary means to maintain and protect the structural integrity and serviceability of the construction at all times.
12. Any discrepancies found for any circumstance between the structural plans and the existing conditions found on site and/or any conditions that were omitted on the plans will be the responsibility of the Contractor to immediately bring to the attention of the Engineer of Record.
13. Existing conditions are unknown, therefore, worst case conditions have been approximated. all existing conditions are assumed and must be confirmed by the gc after permitting.
14. Contractor covenants and agrees to fully indemnify and hold harmless, engineer, and engineer's employees, officers, directors, and representatives, from and against damages, liabilities or costs, including reasonable attorney fees and defense costs, from any and all claims, actions, causes of action, or demands of any kind or nature for loss, damage, or liability arising from Contractor's work under this agreement. The indemnity provided for in this section shall not apply to any liability resulting from defects in plans, designs, or specifications prepared, approved, or used by engineer or negligence of the engineer in the rendition or conduct of professional duties called for or arising out of the construction contract and the plans, designs, or specifications that are a part of the construction contract and arising from personal injury or death, property damage, or any expenses arising therefrom. To that extent, the total liability of Donald Cesarone & Associates, LLC or any of its employees, officers, directors, and representatives due to plan or specifications defects or negligence shall be limited to the sum equal to the amount paid to Donald Cesarone & Associates, LLC., for these engineered drawings. Acceptance and understanding of this agreement are hereby acknowledged.

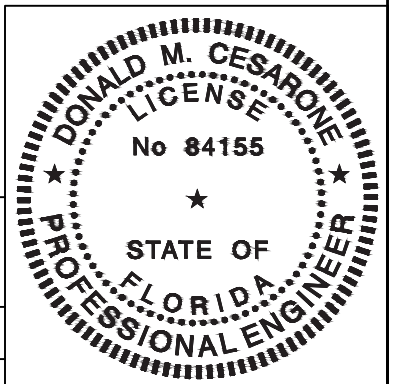
SP	DATE	NOTES/REVISIONS

CAP OVERPOUR & CONCRETE DOCK FOR:
PYRAMID BUILDERS
515 IDLEWYLD DRIVE
FORT LAUDERDALE, FL

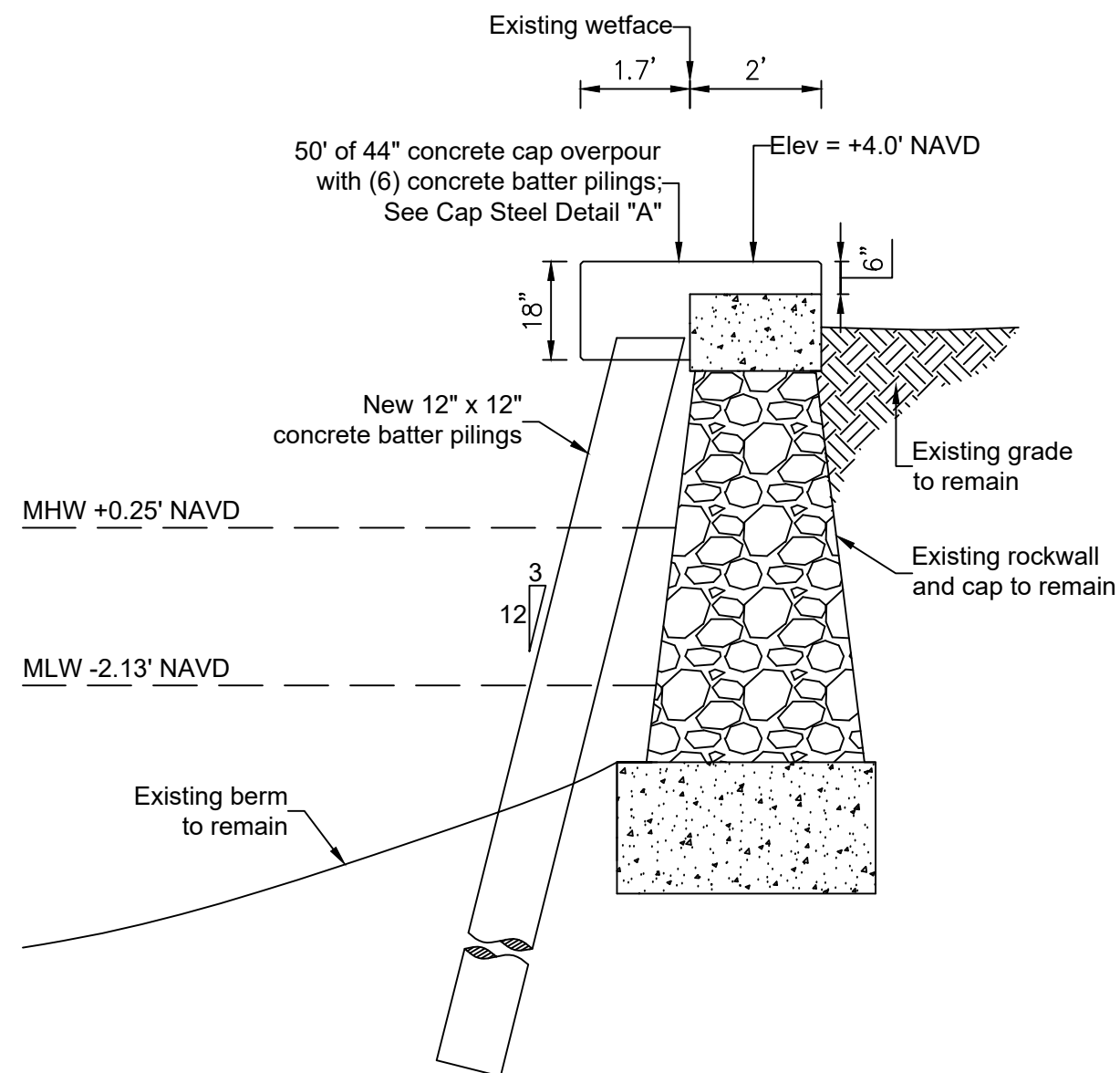
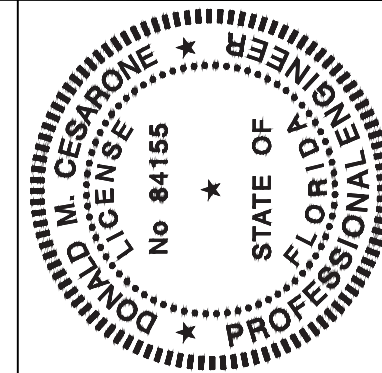
PREPARED FOR:
**B & M MARINE
CONSTRUCTION, INC.**
3500 S.W. 14TH. STREET
DEERFIELD BEACH, FL 33442
954-421-1700 CGC052820

DONALD CESARONE & ASSOCIATES, LLC.
FBPE CA LICENSE No. 32499
1848 NW 124TH WAY
CORAL SPRINGS, FL 33071
TEL: (954) 895-8403
DMCESARONE@GMAIL.COM

DONALD M. CESARONE, P.E.
FLORIDA REGISTRATION No. 84155
CIVIL ENGINEER

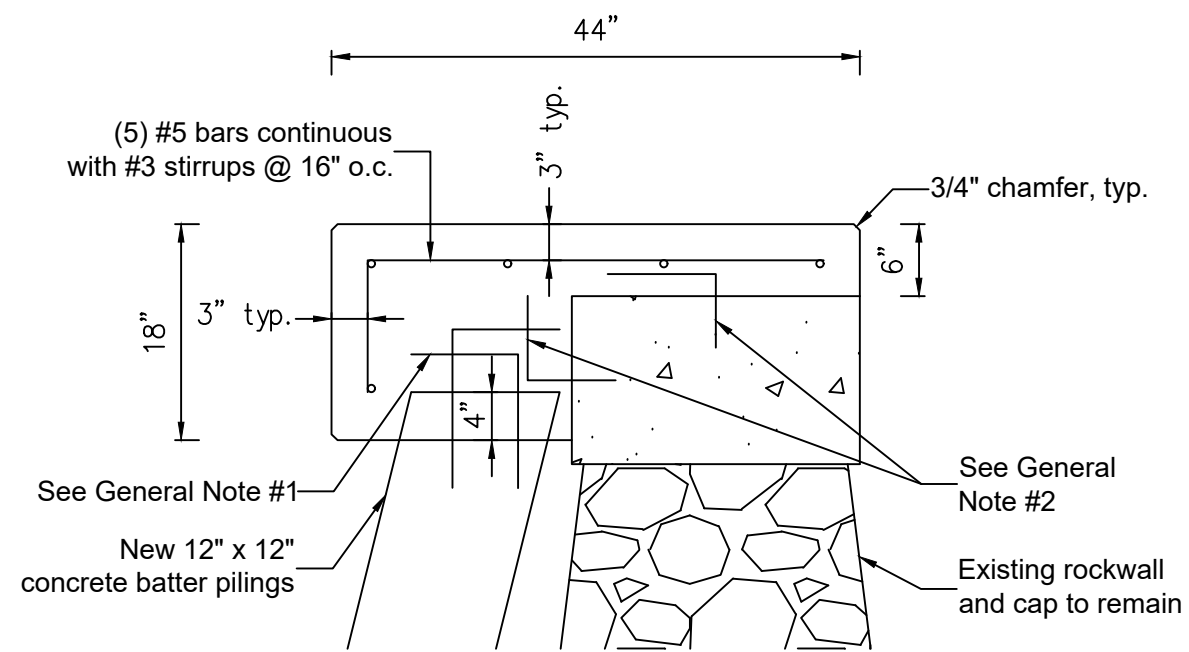


IF SIGNED DIGITALLY ABOVE, PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES



SEAWALL DETAIL "A"

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



CAP STEEL DETAIL "A"

SCALE: 3/4" = 1'-0"

DONALD M. CESARONE & ASSOCIATES, LLC.
FBPE CA LICENSE No. 32499
1848 NW 124TH WAY
CORAL SPRINGS, FL 33071
TEL: (954) 895-8403
DMCESARONE@GMAIL.COM

DONALD M. CESARONE, P.E.
FLORIDA REGISTRATION No. 84155
CIVIL ENGINEER

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PREPARED FOR:

B & M MARINE, INC.
CONSTRUCTION, INC.
3500 S.W. 14TH STREET
DEERFIELD BEACH, FL 33442
954-421-1700 CGC052820

DP MARINE & CONCRETE, INC.
PYRAMID BUILDERS
515 IDLEWYLD DRIVE
FORT LAUDERDALE, FL

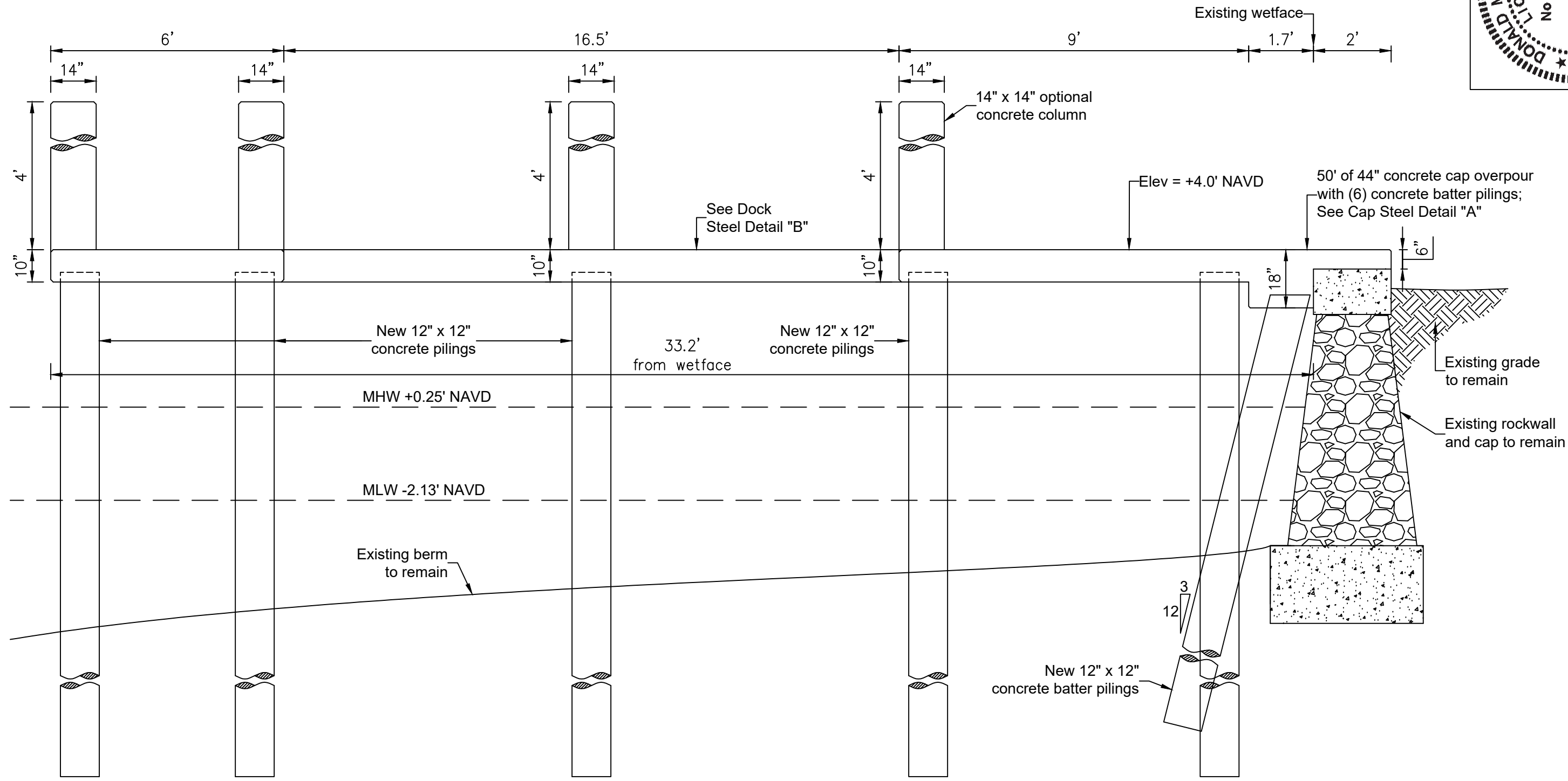
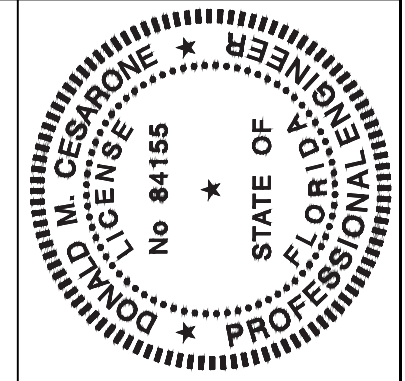
NOTES/REVISIONS

DATE

SCALE: AS NOTED

JOB No:

DTL-1



DOCK DETAIL "B"
SCALE: 3/8" = 1'-0"

DONALD M. CESARONE & ASSOCIATES, LLC.
 FBPE CA LICENSE No. 32499
 1848 NW 124TH WAY
 CORAL SPRINGS, FL 33071
 TEL: (954) 895-9403
 DMCESARONE@GMAIL.COM

DONALD M. CESARONE, P.E.
 FLORIDA REGISTRATION No. 84155
 CIVIL ENGINEER

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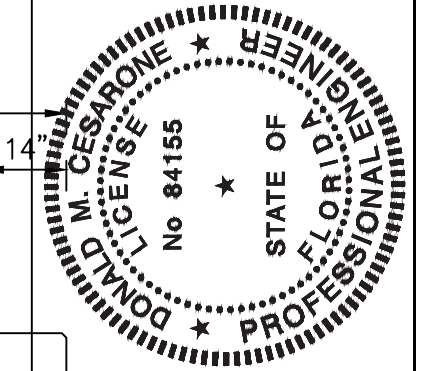
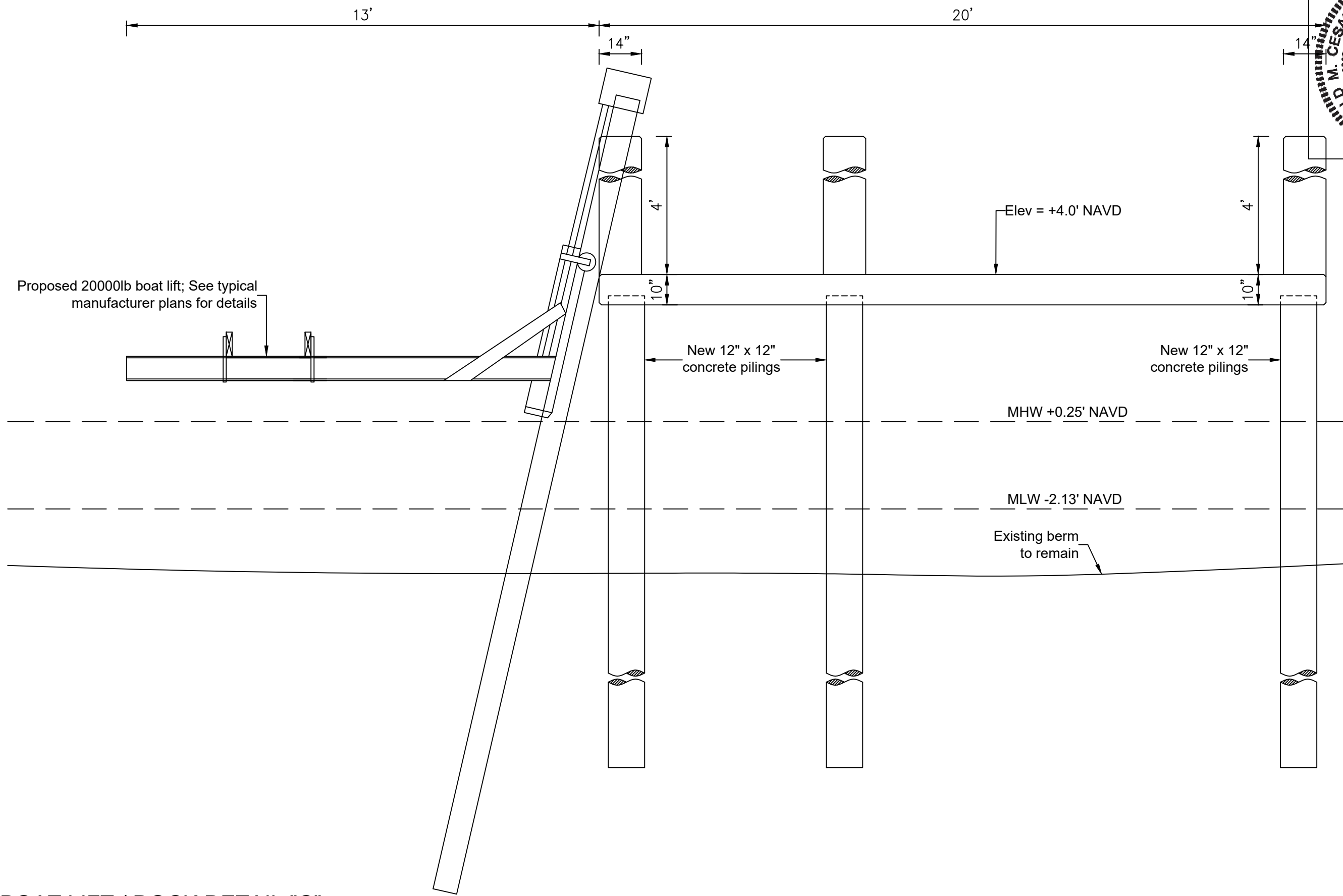
PREPARED FOR:
B & M MARINE, INC.
 3500 S.W. 14TH STREET
 DEERFIELD BEACH, FL 33442
 954-421-1700 CGC052820

BY: **DAVID & DORIS DIX, INC.**
 PYRAMID BUILDERS
 515 IDLEWYLD DRIVE
 FORT LAUDERDALE, FL

DATE	NOTES/REVISIONS

SCALE: AS NOTED

JOB No:
DTL-2



Proposed 20000lb boat lift; See typical manufacturer plans for details

Elev = +4.0' NAVD

New 12" x 12" concrete pilings

New 12" x 12" concrete pilings

MHW +0.25' NAVD

MLW -2.13' NAVD

Existing berm to remain

BOAT LIFT / DOCK DETAIL "C"
SCALE: 3/8" = 1'-0"

DONALD M. CESARONE & ASSOCIATES, LLC.
FBPE CA LICENSE No. 32489
1848 NW 124TH WAY
CORAL SPRINGS, FL 33071
TEL: (954) 895-8403
DMCESARONE@GMAIL.COM
DONALD M. CESARONE, P.E.
FLORIDA REGISTRATION No. 84155
CIVIL ENGINEER

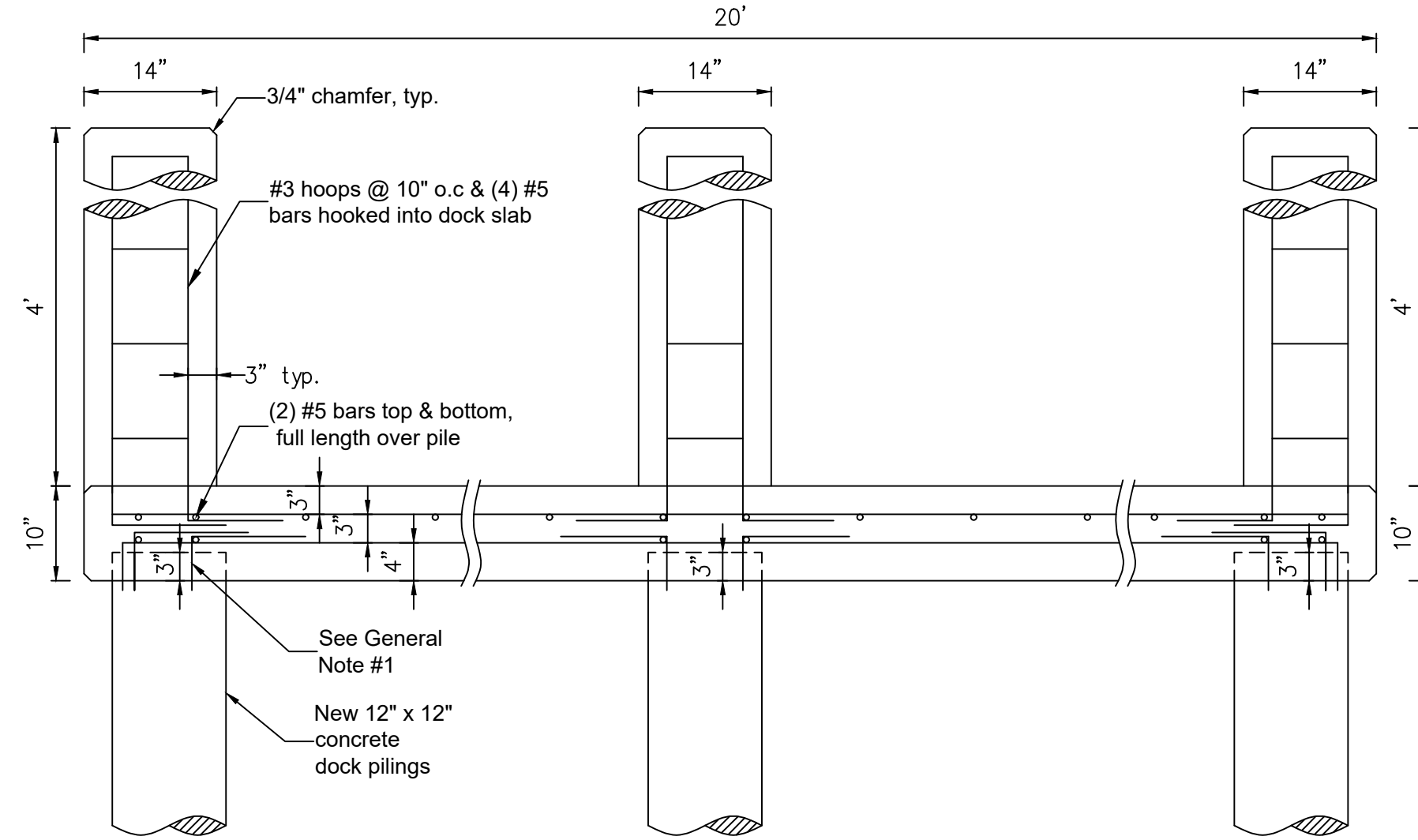
PREPARED FOR:
B & M MARINE, INC.
CONSTRUCTION, INC.
3500 S.W. 14TH STREET
DEERFIELD BEACH, FL 33442
954-421-1700 CGC052820

BY: **DAVID W. DORR, INC.**
PYRAMID BUILDERS
515 IDLEWYLD DRIVE
FORT LAUDERDALE, FL

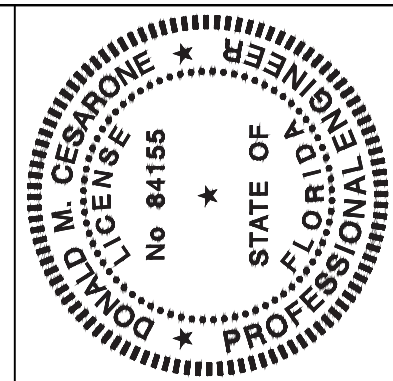
DATE	NOTES/REVISIONS

SCALE: AS NOTED
JOB No:
DTL-4

IF SIGNED DIGITALLY ABOVE, PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED VALID AND SHOULD BE REJECTED. THE SIGNATURE MUST BE VERIFIED ON THE ELECTRONIC COPY.



DOCK STEEL DETAIL "C"
 SCALE: 3/4" = 1'-0"



DONALD M. CESARONE & ASSOCIATES, LLC.
 FBPE CA LICENSE No. 32499
 1848 NW 124TH WAY
 CORAL SPRINGS, FL 33071
 TEL: (954) 865-8403
 DMCESARONE@GMAIL.COM
 DONALD M. CESARONE, P.E.
 FLORIDA REGISTRATION No. 84155
 CIVIL ENGINEER

B & M MARINE, INC.
 CONSTRUCTION, INC.
 3500 S.W. 14TH STREET
 DEERFIELD BEACH, FL 33442
 954-421-1700 CGC052820

DP MARINE & CONCRETE, INC.
 PYRAMID BUILDERS
 515 IDLEWYLD DRIVE
 FORT LAUDERDALE, FL

DATE	NOTES/REVISIONS

SCALE: AS NOTED

JOB No:

DTL-5

IF SIGNED DIGITALLY ABOVE, PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED VALID AND SHOULD BE REJECTED. THE SIGNATURE MUST BE VERIFIED ON THE ELECTRONIC COPY.

This instrument was prepared by:
Lexant Title and Escrow, LLC
901 S Federal Highway - Suite 201
Ft. Lauderdale, Fl. 33316
17-05019

Property Appraiser's Parcel Identification No.:
504212020280

WARRANTY DEED

THIS INDENTURE, made this **31st day of August, 2017**, by and between **Joseph Daniel Vrechek III, individually, a single man and as Trustee of the Joseph Daniel Vrechek III Revocable Trust dated December 28, 1995**, whose post office address is: **3300 NE 36 STREET, UNIT 802, FT. LAUDERDALE, FL 33308**, grantor* and **Robert Bret Anderson and Nancy Lynn Anderson, husband and wife**, whose post office address is **703 Whithall Plains Rd, Annapolis, MD 21409**, 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:

Lot 4, Block 3 of Idlewyld, according to the Plat thereof as recorded in Plat Book 1, Page 19, of the Public Records of Broward County, Florida.

SUBJECT TO: comprehensive land use plans, zoning, and other land use restrictions, prohibitions and other requirements imposed by governmental authority, restrictions and matters appearing on the plat or otherwise common to the subdivision; un-platted public utility easements of record provided that this instrument shall not serve to reimpose same; and taxes for the year 2017 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.

NOTE: Grantor states that Joseph D. Vrechek, the grantee in those deeds recorded in Official Records Book 6368, Page 949 and Official Records Book 6525, Page 352 is one and the same as Joseph Daniel Vrechek, III, the grantor in that certain deed recorded in Official Records Book 25266, Page 880 as re-recorded in Official Records Book 25980, page 285, all of the Public Records of Broward County Florida.

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:

**Joseph Daniel Vrechek III Revocable Trust
dated December 28, 1995**

[Signature]
(signature of 1st witness)

Joseph Daniel Vrechek III
**Joseph Daniel Vrechek III, individually and as
Trustee**

Tyrone Gerry
(printed name of 1st witness)

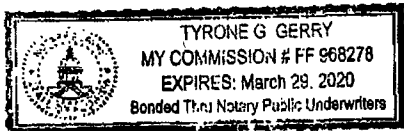
[Signature]
(signature of 2nd witness)

Beatriz Tormes
(printed name of 2nd witness)

STATE OF FLORIDA
COUNTY OF Broward

The foregoing instrument was acknowledged before me this ³⁰ 31st day of August, 2017, by **Joseph Daniel Vrechek III, individually and as Trustee of the Joseph Daniel Vrechek III Revocable Trust dated December 28, 1995, as Trustee**, who are personally known to me or who produced the following as identification DL.

[Signature]
NOTARY PUBLIC



**APPLICATION FOR AN ENVIRONMENTAL RESOURCE
GENERAL LICENSE**

Mailing Address:

Environmental Protection and Growth Management Department
1 North University Drive, Suite 201
Plantation, Florida 33324

Application Fee: \$ 100.00

Make Check payable to:
Broward County Board of
County Commissioners

Questions 1 - 9 must be completed. Please upload at <https://dpep.broward.org/SSUpload/login.aspx>.

The submittal of the following information with the application will ensure timely processing and is necessary for staff to effectively evaluate each proposed project:

Payments may be submitted by _____

- One set of signed & sealed plans (**separate .pdf from the application and following documentation**)
- 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;
- 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 **must** 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.
 - calculations for amount of material to be removed (in cubic yards); and,
- If the proposed project will be constructed on property owned by a Drainage District, homeowners or condominium association, a letter from the association approving the project is required.

1. **Agent processing application:** David Nutter
Street: _____
City: _____ State: _____ Zip: _____
Telephone: 954-868-8476 Fax: 954-427-5168
Email: nut3839@bellsouth.net

(Licenses will be emailed so please PRINT clearly)

2. **Contractor to do work:** B & M Marine Construction, Inc.
Street: 3500 SW 14th Street
City: Deerfield Beach State: FL Zip: 33442
Telephone: 954-421-1700 Fax: 954-427-5168
Email: nut3839@bellsouth.net

3. **Property Owner Name:** Robert Anderson
Street: 703 Whithall Plains Road Suite: _____
City: Annapolis State: MD Zip: 21409
Telephone: _____ Fax: _____
Email: _____

APPLICATION FOR AN ENVIRONMENTAL RESOURCE GENERAL LICENSE

4. **Location of proposed work:** Folio # (required): 5042-12-02-0250
Street: 515 Idlewyld Drive City: Fort Lauderdale 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.

6. **Provide a complete detailed description of all proposed activities:**
Existing seawall and cap to remain, Existing T-shaped 266sf dock (22' x 8' and 15' x 6') to be removed; Repair 50' of seawall with 44" wide concrete cap overpour and (6) concrete batter pilings (83.33sf overhang); New irregular shaped concrete dock (20' x 9' marginal, 15'-10" x 6' access, 20' x 6' platform; 32'-6" from wetface, 395sf) on (14) concrete pilings; New 20000lb elevator boat lift;
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 **new** 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.

- (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 storm water 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 sea grasses 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 sea grasses, 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

May 24, 2018
 Date

BRET ANDERSON
 Printed Name



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

September 11, 2019

Robert Anderson
703 Whithall Plains Road
Annapolis, MD 21409
Sent via e-mail: nutt3839@bellsouth.net

Re: File No.: 06-365848-005-006-EE
File Name: Anderson

Dear Mr. Anderson:

On August 23, 2019, we received your request for verification of exemption to perform the following activities: (1) replacement of an existing dock with a new 395ft² dock; (2) installation of 50 linear feet of seawall cap overpour; and (3) installation of batter piles. The project is located in the New River Sound, Class III Waters, adjacent to 515 Idlewyld Drive, Ft. Lauderdale (Section 12, Township 50 South, Range 42 East), in Broward County (Latitude N 26° 6' 58.86", Longitude W 80° 6' 34.23").

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project did not qualify for the federal authorization of this verification request. **Additional authorization must be obtained prior to commencement of the proposed activity.** This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Donald Fontenot at the letterhead address or at 561-681-6629, Donald.Fontenot@FloridaDEP.gov.

1. Regulatory Review – VERIFIED

Based on the information submitted, the Department has verified that the activities as proposed are exempt, under Chapter 62-330.051(5)(b) and (12)(d), Florida Administrative Code, from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. Proprietary Review- GRANTED

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapters 253 and 258 of the Florida Statutes, and Chapters 18-20 and 18-21 of the Florida Administrative Code.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity qualifies for an automatic consent by rule under Rule 18-21.005(1)(b) and Section 253.77 of the Florida Statutes to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. No further application is required for this consent by rule.

Special Consent Conditions

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

General Conditions for Authorizations for Activities

All authorizations granted by rule or in writing under Rule 18-21.005, F.A.C., except those for geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or 258, Part II, F.S.

- (a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.
- (b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.
- (c) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.
- (d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
- (e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.

(g) Structures or activities shall not create a navigational hazard.

(h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(i) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under Paragraph 18-21.004(1)(f), F.A.C., or any other applicable law.

3. Federal Review - NOT APPROVED

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **shall be required** from the Corps. You must apply separately to the Corps using their APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT, ENG FORM 4345, or alternative as allowed by their regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Source Book at: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book>.

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you

do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

EXECUTION AND CLERKING

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Jeff Meyer
Environmental Manager
Southeast District

Enclosures:

Attachment A- Specific Exemption Rule
Project drawings, 8 pages

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

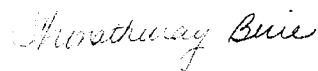
FDEP – Jeff Meyer, Donald Fontenot
David Nutter, nutt3839@bellsouth.net

Additional mailings:

Linda Sunderland, Broward County EPD, LSunderland@broward.org

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

September 11, 2019

Date

Attachment A

Chapter 62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

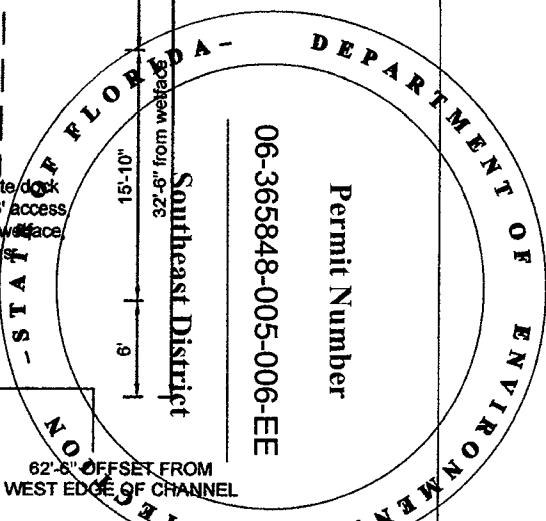
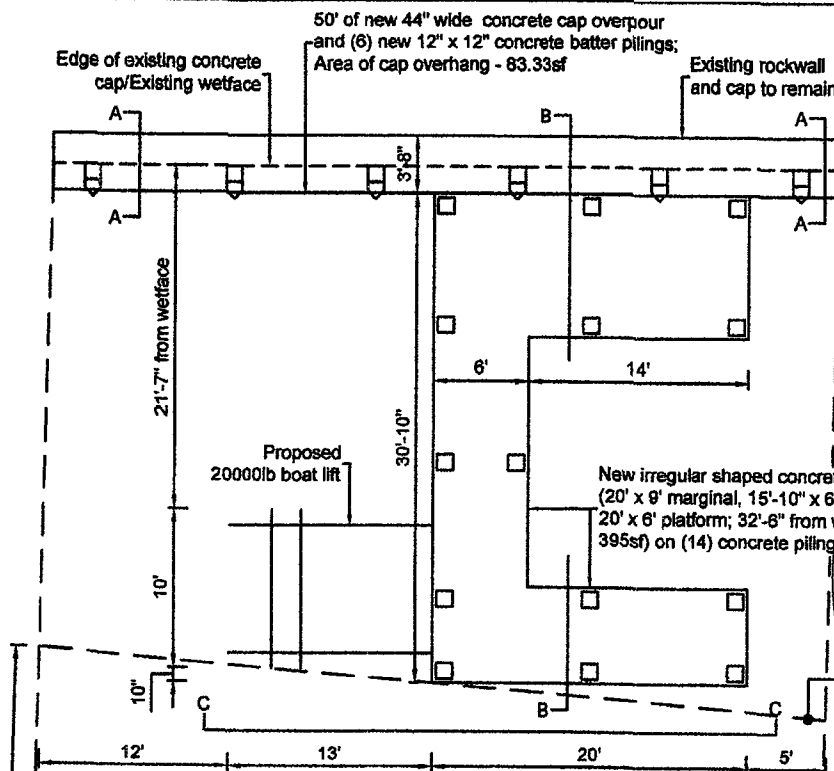
(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(b) Installation of private docks, piers, and recreational docking facilities, and installation of local governmental piers and recreational docking facilities, in accordance with section 403.813(1)(b), F.S. This includes associated structures such as boat shelters, boat lifts, and roofs, provided:

1. The cumulative square footage of the dock or pier and all associated structures located over wetlands and other surface waters does not exceed the limitations in section 403.813(1)(b), F.S.;
2. No structure is enclosed on more than three sides with walls and doors;
3. Structures are not used for residential habitation or commercial purposes, or storage of materials other than those associated with water dependent recreational use; and
4. Any dock and associated structure shall be the sole dock as measured along the shoreline for a minimum distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot.

(12) Construction, Replacement, Restoration, Enhancement, and Repair of Seawall, Riprap, and Other Shoreline Stabilization –

(d) Installation of batter piles, king piles, or a seawall cap, used exclusively to stabilize and repair seawalls, provided they do not impede navigation.



SITE PLAN
SCALE: 1/8" = 1'-0"

General Notes:

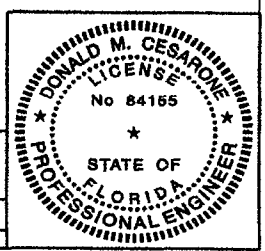
1. For all prestressed pilings, extend piling strands a min. of 18" into cap/boat platform or end strands even w/ top of pilings & dowel & epoxy (2) #5 L-bars, 12" long w/ 12" bend, into top of pilings, w/ a min. of 4" embedment.
2. Dowel and epoxy #5 bars or L-bars into top and front of existing cap, staggered @ 24" o.c., min. 4" embedment.
3. New batter pilings to have a minimum 4" penetration into the new cap form.
4. All new concrete pilings to be 12" x 12" prestressed pilings with (4) 7/16" strands.
5. All pilings shall be driven to develop a minimum allowable bearing capacity of 10 tons and shall penetrate a minimum of 8' into yielding material or 2' min. penetration into rock is required.
6. All reinforcing steel shall be grade 60, with a minimum 3" clearance.
7. All concrete to be min. 5000 psi @ 28 days.
8. Turbidity barriers are to surround all in water construction areas during piling and/or panel installation activities.
9. Elevations shown are based on the North American Vertical Datum of 1988.
10. Design in accordance with 2017 8th Edition of the Florida Building Code.
11. Construction methods, procedures, and sequences are the responsibility of the Contractor. The Contractor shall take the necessary means to maintain and protect the structural integrity and serviceability of the construction at all times.
12. Any discrepancies found for any circumstance between the structural plans and the existing conditions found on site and/or any conditions that were omitted on the plans will be the responsibility of the Contractor to immediately bring to the attention of the Engineer of Record.
13. Existing conditions are unknown, therefore, worst case conditions have been approximated. All existing conditions are assumed and must be confirmed by the gc after permitting.
14. Contractor covenants and agrees to fully indemnify and hold harmless, engineer, and engineer's employees, officers, directors, and representatives, from and against damages, liabilities or costs, including reasonable attorney fees and defense costs, from any and all claims, actions, causes of action, or demands of any kind or nature for loss, damage, or liability arising from Contractor's work under this agreement. The indemnity provided for in this section shall not apply to any liability resulting from defects in plans, designs, or specifications prepared, approved, or used by engineer or negligence of the engineer in the rendition or conduct of professional duties called for or arising out of the construction contract and the plans, designs, or specifications that are a part of the construction contract and arising from personal injury or death, property damage, or any expenses arising therefrom. To that extent, the total liability of Donald Cesarone & Associates, LLC or any of its employees, officers, directors, and representatives due to plan or specifications defects or negligence shall be limited to the sum equal to the amount paid to Donald Cesarone & Associates, LLC., for these engineered drawings. Acceptance and understanding of this agreement are hereby acknowledged.

Approximate Riparians Rights Line

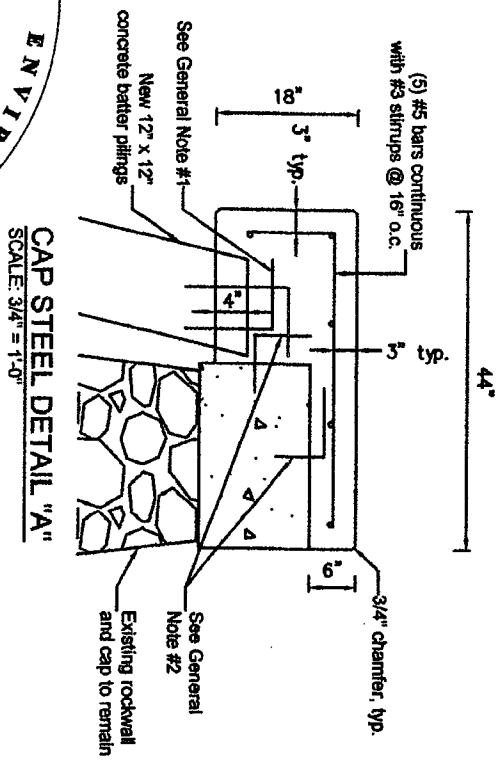
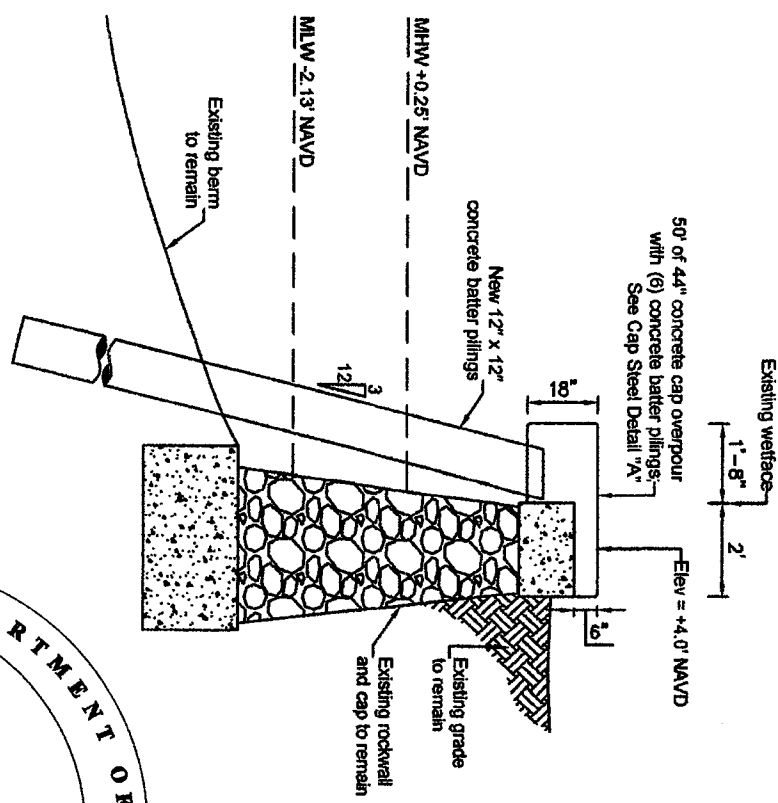
Approximate Riparians Rights Line

WEST TOE OF COE 125' NAVIGATION CHANNEL

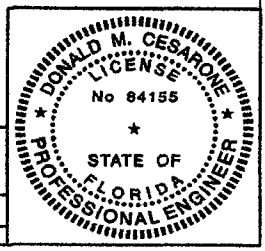
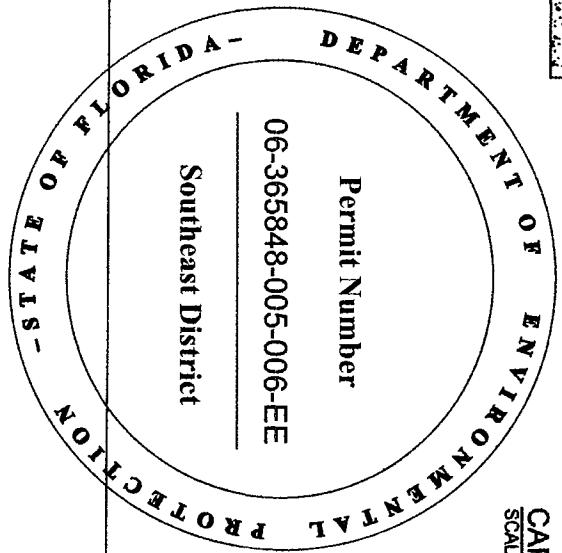
DATE	NOTED/REVISED	DRAWN BY	CHECKED BY	PREPARED FOR:	DONALD CESARONE & ASSOCIATES, LLC. FLORIDA PROFESSIONAL ENGINEER
	DATE				
DATE	NOTED/REVISED	DATE	DATE	B & M MARINE CONSTRUCTION, INC. 3500 S.W. 14TH STREET DEERFIELD BEACH, FL 33442 954-421-1700 C6C052820	DONALD CESARONE & ASSOCIATES, LLC. FLORIDA PROFESSIONAL ENGINEER
DATE	NOTED/REVISED	DATE	DATE		



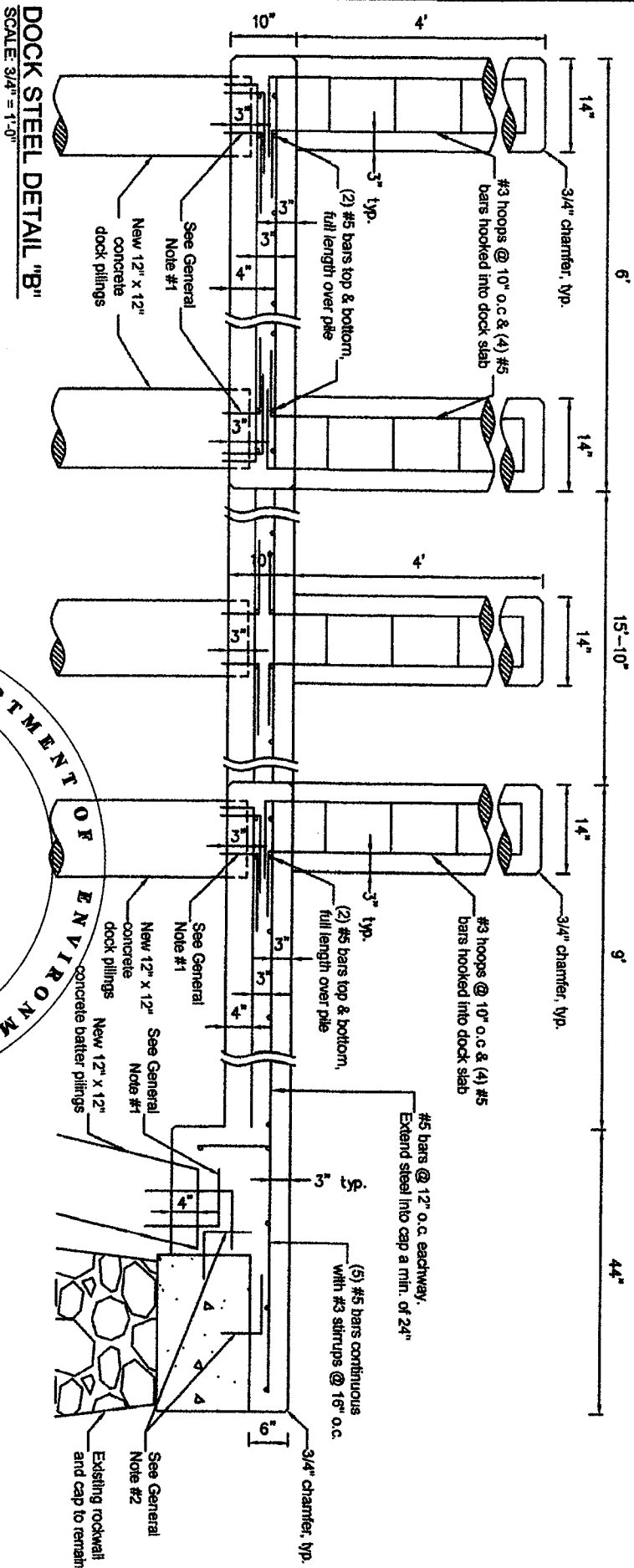
SEAWALL DETAIL "A"
SCALE: 3/8" = 1'-0"



CAP STEEL DETAIL "A"
SCALE: 3/4" = 1'-0"



DATE	BY/REVISED	GENERAL ENGINEER IN CHARGE PRISM BUILDINGS 515 SLEWYLD DRIVE FORT LAUDERDALE, FL	PREPARED FOR: B & M MARINE CONSTRUCTION, INC. 3500 S.W. 14TH STREET DEERFIELD BEACH, FL 33442 954-421-1700 CGC052820	DONALD CESARONE & ASSOCIATES, LLC. P.E. LICENSE NO. 84155 1545 NW 124TH WAY CORAL SPRINGS, FL 33071 TEL: 954-989-8000 DMCESARONE@GMAIL.COM DONALD M. CESARONE, P.E. FLORIDA REGISTRATION NO. 84155 CIVIL ENGINEER
			DTL-1	* FLORIDA LICENSE ABOVE. REVISED COPIES OF THIS DOCUMENT ARE NOT VALIDATED.

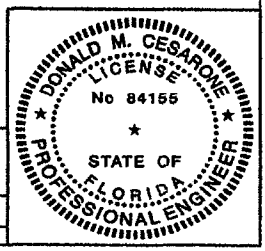


DOCK STEEL DETAIL "B"
SCALE: 3/4" = 1'-0"

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 OF FLORIDA -

Permit Number
 06-365848-005-006-EE

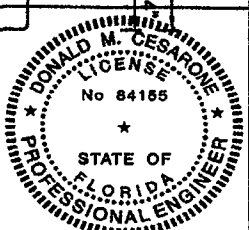
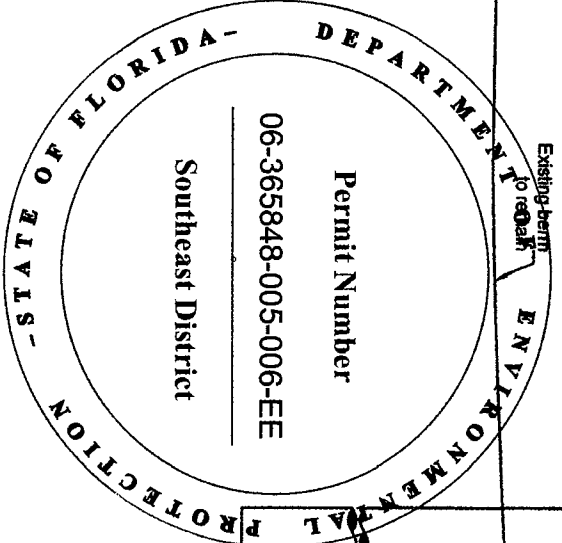
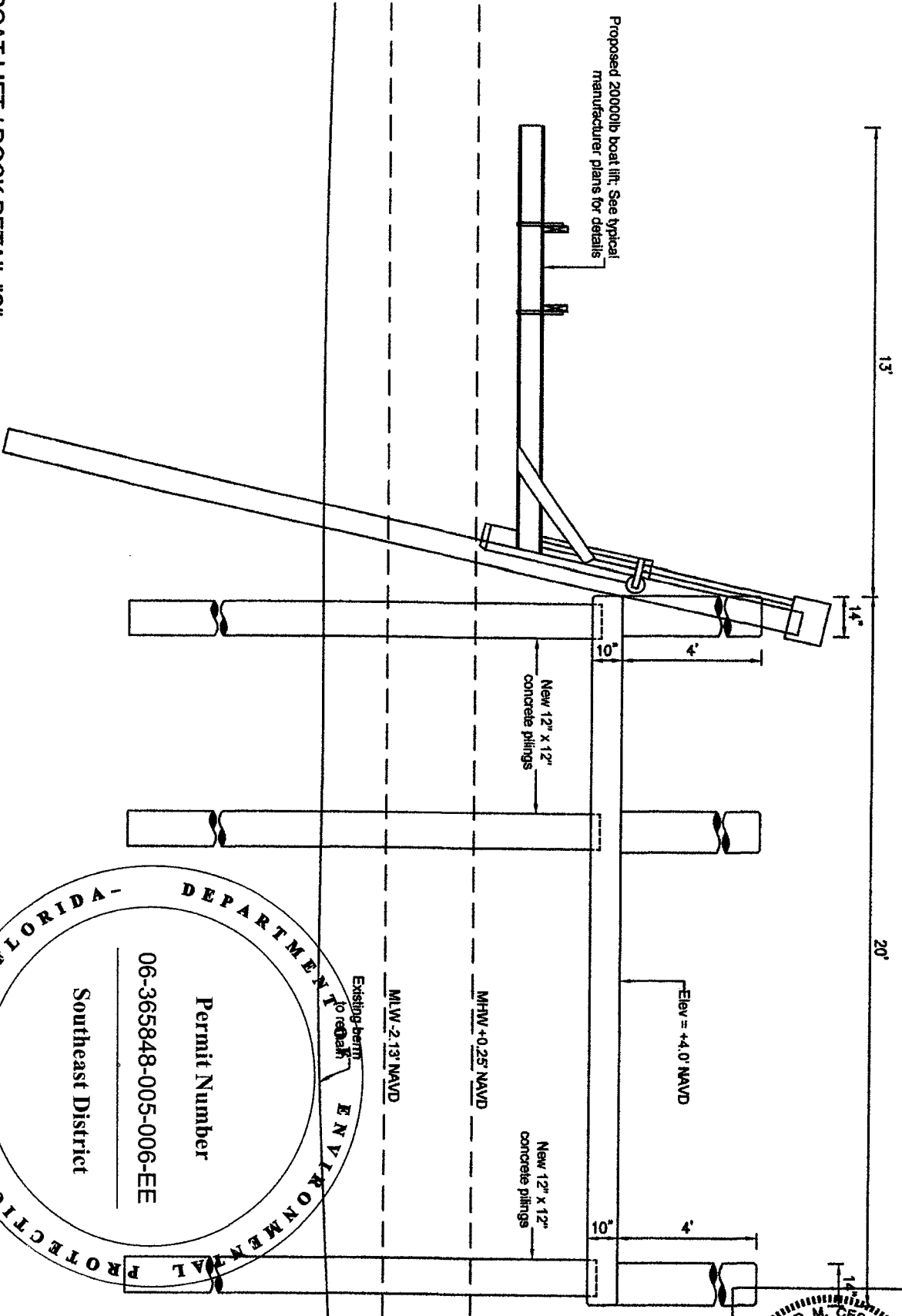
Southeast District



DATE DESIGNED BY DRAWN BY CHECKED BY APPROVED BY	REVISIONS NO. DESCRIPTION 1 2 3	PREPARED FOR: B & M MARINE CONSTRUCTION, INC. 3500 S.W. 14TH STREET DEERFIELD BEACH, FL 33442 954-421-1700 C6052820	DONALD CESARONE & ASSOCIATES, L.L.C. FPC CA LICENSE NO. 32460 1818 N.W. 12TH WAY CORAL SPRING, FL 32071 TEL: (954) 285-8940 DONALD@DMCA-FL.COM DONALD M. CESARONE, P.E. FLORIDA REGISTRATION NO. 84155 CIVIL ENGINEER
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DTL-3

BOAT LIFT / DOCK DETAIL "C"
 SCALE: 3/8" = 1'-0"



DATE	MODEL/REVISION	BY: [Signature] PYRAMID BUILDERS 515 IDLEWYLD DRIVE FORT LAUDERDALE, FL	PREPARED FOR: B & M MARINE CONSTRUCTION, INC. 3500 S.W. 14TH STREET DEERFIELD BEACH, FL 33442 954-421-1700 CCC052820	DONALD CESARONE & ASSOCIATES, LLC. FPEPC OR LICENSE NO. 32489 1548 NW 124TH WAY CORAL SPRINGS, FL 33071 TEL: (954) 895-5400 DMCESARONE@GMAIL.COM DONALD R. CESARONE, P.E. FLORIDA REGISTRATION NO. 8715 CIVIL ENGINEER	* DONALD M. CESARONE * LICENSE No 84155 * STATE OF FLORIDA PROFESSIONAL ENGINEER

DTL-4



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA BOULEVARD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

August 06, 2019

REPLY TO
ATTENTION OF

Regulatory Division
South Permits Branch
Palm Beach Gardens Permits Section
SAJ-2018-01809 (NW/GP-CGK)

Robert Anderson
703 Whithall Plains Road
Annapolis, Maryland 21409

Dear Mr. Anderson:

Your application for a Department of the Army permit received on June 21, 2018, has been assigned number SAJ-2018-01809 (NW/GP-CGK). A review of the information and drawings provided shows the proposed work is to (1) remove existing dock, install (2) a 405 square foot dock, (3) a 14-foot by 16-foot boatlift, (4) 50-linear feet of seawall no more than 18-inches wetface to wetface with a 3-foot wide cap, and (5) 50-linear feet of riprap 4-feet waterward of MHWL at a 2:1 slope. The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403), and Section 404 of the Clean Water Act (33 U.S.C. § 1344). The project is located at 515 Idlewyld Drive (Section 12, Township 50 South, Range 42 East), Fort Lauderdale, Florida.

Your project, as depicted on the enclosed drawings, is authorized by Nationwide Permit (NWP) Number 13. In addition, project specific conditions have been enclosed. This verification is valid until **March 18, 2022**. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit. Please access the U.S. Army Corps of Engineers' (Corps) Jacksonville District's Regulatory Internet page to access Internet links to view the Final Nationwide Permits, Federal Register Vol. 82, dated January 6, 2017, specifically pages 1983 to 2008, and the table of Regional Conditions. The Internet page address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive and should be entered as it appears above. Once there you will need to click on "Source Book"; and, then click on "Nationwide Permits." These files contain the description of the Nationwide Permit authorization, the Nationwide Permit general conditions, and the regional conditions, which apply specifically to this verification for NWP 13. Enclosed is a list of the six

General Conditions, which apply to all Department of the Army authorizations. You must comply with all of the special and general conditions and any project specific condition of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

Your project, as depicted on the enclosed drawings, is authorized by Regional General Permit (GP) SAJ-20. This authorization is valid until March 27, 2023. Please access the Corps' Jacksonville District Regulatory Division Internet page to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Once there you will need to click on "Source Book"; and, then click on "General Permits." Then you will need to click on the specific SAJ permit noted above. You must comply with all of the special and general conditions of the permit; and, any project-specific conditions noted below, or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to the following address:
 - a. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Special Projects and Enforcement Branch, Enforcement PM Address.
 - b. For electronic mail saj-rd-enforcement@usace.army.mil (not to exceed 10 MB).

The Permittee shall reference this permit number, SAJ-2018-01809 on all submittals

2. **As-Built Certification with XY's :** Within 60 days of completion of the work authorized by this permit, the Permittee shall submit as-built drawings of the authorized work and a completed "As-Built Certification By Professional Engineer" form (Attachment B) to the Corps. The as-built drawings shall be

signed and sealed by a registered professional engineer and include the following:

- a. A plan view drawing of the location of the authorized work footprint, as shown on the permit drawings, with transparent overlay of the work as constructed in the same scale as the permit drawings on 8½-inch by 11-inch sheets. The plan view drawing should show all "earth disturbance," including wetland impacts and water management structures.
 - b. A list of any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the attached "As-Built Certification By Professional Engineer" form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the asbuilt drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or "As-Built Certification By Professional Engineer" form does not constitute approval of any deviations by the Corps.
 - c. Include the Department of the Army permit number on all sheets submitted.
3. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
 4. **Manatee Conditions:** The Permittee shall comply with the enclosed (Attachment B) "Standard Manatee Conditions for In-Water Work – 2011."
 5. **Project Design Criteria (PDCs) for In-Water Activities:** The Permittee shall comply with National Marine Fisheries Service's "PDCs for In-Water Activities" dated November 20, 2017 (Attachment C).

6. **Consent to Easement:** A portion of the authorized work may be located within the Federal right-of-way for an identified Federal project and would require a Department of the Army Consent to Easement. By copy of this permit, the proposal is being forwarded to the Corps' Real Estate Division for action on the Consent to Easement. Failure to obtain the Consent to Easement or waiver invalidates this authorization. The Real Estate Division is responsible for issuing the Consent to Easement. Contact with Real Estate for questions or status updates can be done at Post Office Box 4970, Jacksonville, Florida 32232-0019 or by telephone at 904-570-4514
7. **Setback:** The proposed structure shall be no more than 62.5 feet from the near edge of the federal channel
8. **Notice of Permit:** The Permittee shall complete and record the "Notice of Department of the Army Permit" form (Attachment E) with the Clerk of the Circuit Court, Registrar of Deeds or other appropriate official charged with the responsibility of maintaining records of title to or interest in real property within the county of the authorized activity. Within 90 days from the effective date of this permit, the Permittee shall provide a copy of the recorded Notice of Permit to the Corps clearly showing a stamp from the appropriate official indicating the book and page at which the Notice of Permit is recorded and the date of recording.
9. **Daylight Hours:** All activities must be completed during daylight hours.
10. **Pile installation:** The maximum number of piles installed per day is to be no more than 10 piles per day.

11. Cultural Resources/Historic Properties:

- a. No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.
- b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified

shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition ; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

This authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Prior to the initiation of any construction, projects qualifying for this NWP/RGP permit must qualify for an exemption under section 403.813(1), F.S. or 373.406, F.S., or otherwise be authorized by the applicable permit required under Part IV of Chapter 373, F.S., by the Department of Environmental Protection, a water management district under section 373.069, F.S., or a local

government with delegated authority under section 373.441, F.S., and receive Water Quality Certification (WQC) and applicable Coastal Zone Consistency Concurrence (CZCC) or waiver thereto, as well as any authorizations required for the use of state-owned submerged lands under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

This authorization does not include conditions that would prevent the 'take' of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

This authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced NWP and RGP, please contact Christian Karvounis by e-mail at Christian.G.Karvounis@usace.army.mil or telephone at 561-472-3508.

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Karvounis". The signature is fluid and cursive, with the first name "Chris" and last name "Karvounis" clearly distinguishable.

Christian Karvounis
Project Manager

Enclosures:

- Attachment A: Project drawings
- Attachment B: As-Builts Form
- Attachment C: Manatee Conditions
- Attachment D: PDC's for In-Water Work
- Attachment E: Notice of Permit Form

Copies Furnished:

The Chapell Group, Inc.

GENERAL CONDITIONS

33 CFR PART 320-330

PUBLISHED FEDERAL REGISTER DATED 13 NOVEMBER 1986

1. The time limit for completing the work authorized ends on **date identified in the letter**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2018-01809 (NW/GP-CGK)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit 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 permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019 or electronic mail at saj-rd-enforcement@usace.army.mil.

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

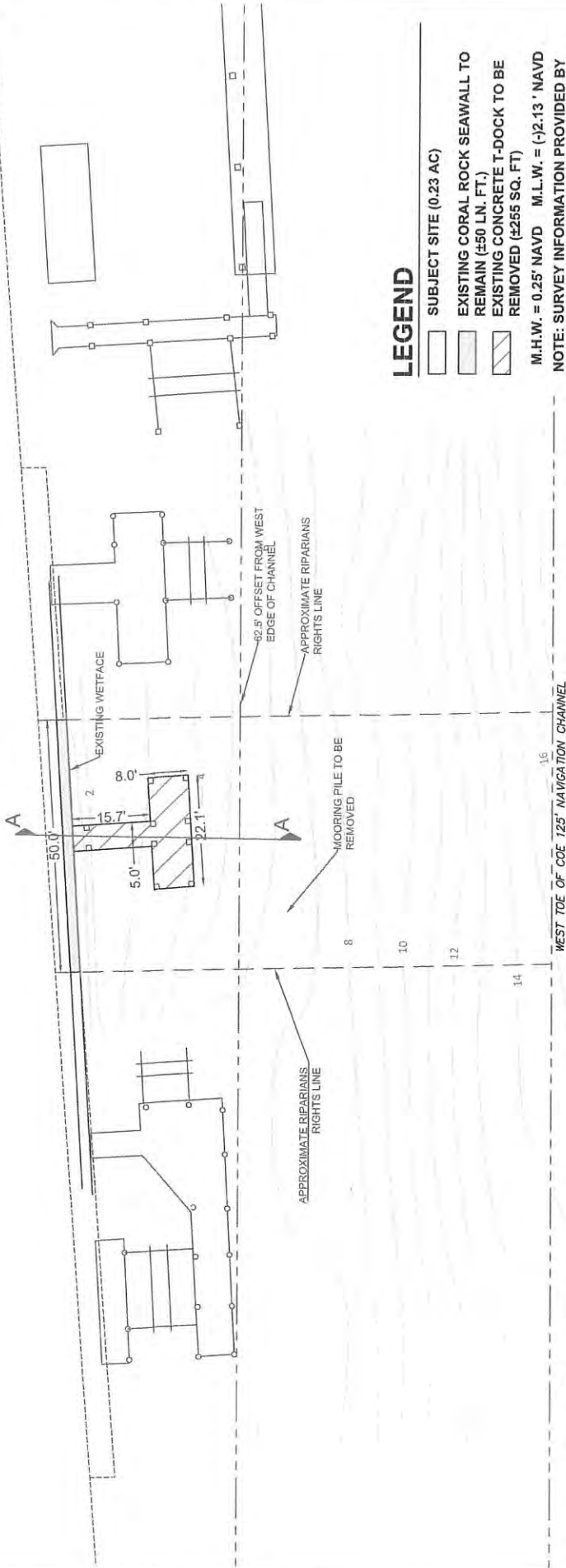
(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)




NORTH

SCALE
1" = 20'

APX. PROPERTY LINE (TYP)
 PER BCFA PARCEL DATA



LEGEND

-  SUBJECT SITE (0.23 AC)
-  EXISTING CORAL ROCK SEAWALL TO REMAIN (#50 LN. FT.)
-  EXISTING CONCRETE T-DOCK TO BE REMOVED (#255 SQ. FT)

M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD
 NOTE: SURVEY INFORMATION PROVIDED BY TERRAQUATIC. ELEVATIONS SHOWN AS NAVD83.

WEST TOE OF COE 125' NAVIGATION CHANNEL

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- TSE Species Surveys
- Phase I ESAs

515 IDLEWYLD DRIVE

PREPARED FOR:
 PYRAMID BUILDERS

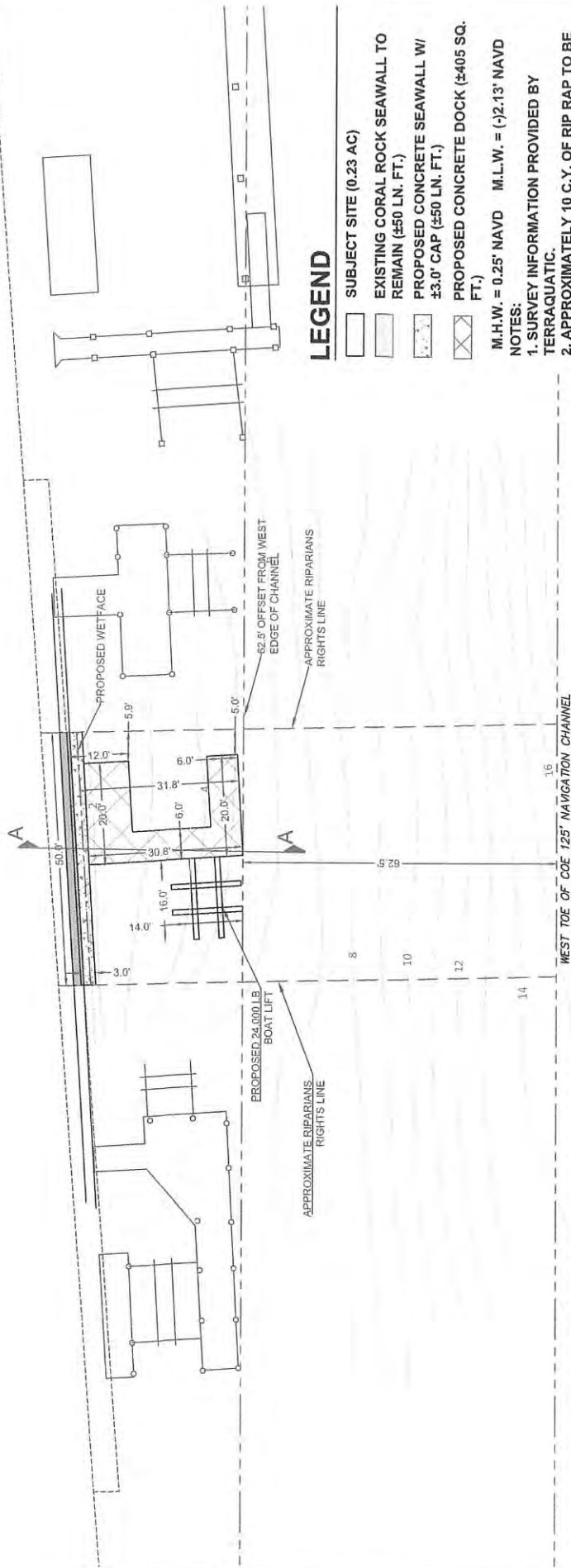
EXISTING CONDITIONS

Date:	5/16/2019	Sheet:	1	of:	4
Proj No.:	19-0018				

NORTH

SCALE
1" = 20'

APX. PROPERTY LINE (TYP)
 PER BOPA PARCEL DATA



LEGEND

-  SUBJECT SITE (0.23 AC)
-  EXISTING CORAL ROCK SEAWALL TO REMAIN (#50 LN. FT.)
-  PROPOSED CONCRETE SEAWALL W/ ±3.0' CAP (#50 LN. FT.)
-  PROPOSED CONCRETE DOCK (±405 SQ. FT.)

M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD
 NOTES:
 1. SURVEY INFORMATION PROVIDED BY TERRAQUATIC.
 2. APPROXIMATELY 10 C.Y. OF RIP RAP TO BE INSTALLED UNDERNEATH 20 LN. FT. OF DOCK.

PROPOSED CONDITIONS	
Date: 5/19/2019	Sheet: 2 of 4
Proj No.: 19-0018	

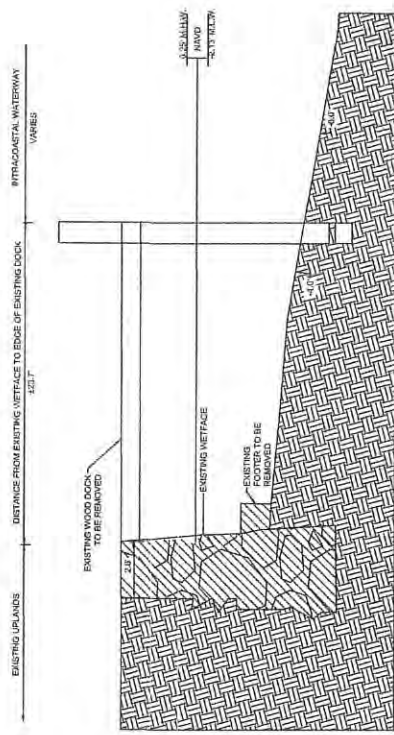
515 IDLEWYLD DRIVE
 PREPARED FOR:
 PYRAMID BUILDERS

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- Phase I ESAs

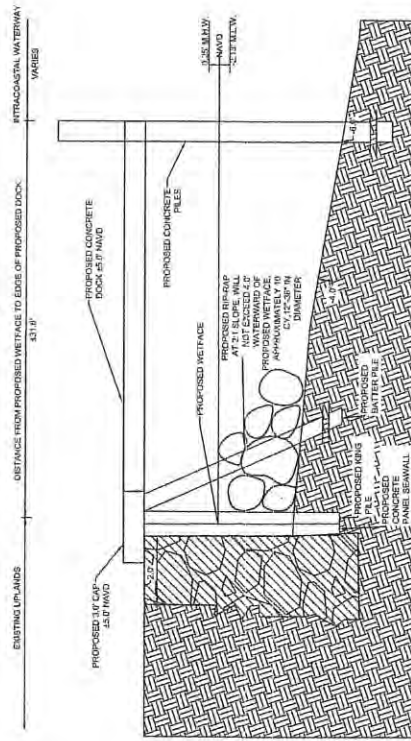
THE Chappell GROUP
 714 East McAlister Road
 Pompano Beach, Florida 33060
 tel. 954.782.1108 www.thechappellgroup.com
 fax. 954.782.1108

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EXISTING CONDITIONS A-A (TYP.)
N.E.3



PROPOSED CONDITIONS A-A (TYP.)
N.E.3



NOTE PROPOSED WETFACE TO BE NO GREATER THAN 18" WATERWARD OF EXISTING WETFACE

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515 IDLEWYLD DRIVE

PREPARED FOR:
PYRAMID BUILDERS

SECTIONS

Sheet :

3

of :

4

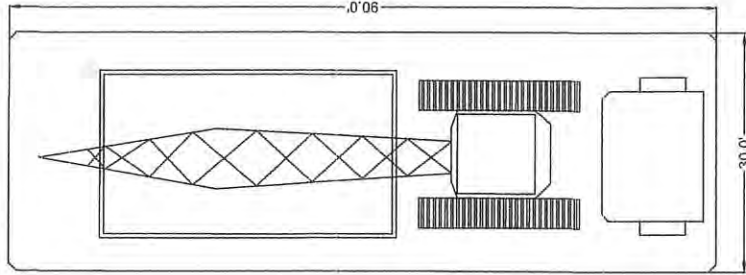
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5/16/2019

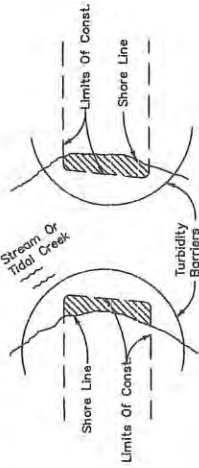
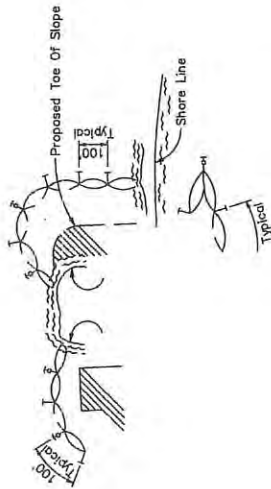
Proj No.:

19-0018

CONSTRUCTION BARGE (TYP.)



- LEGEND**
- Pile Locations
 - ▨ Dredge Or Fill Area
 - M— Mooring Buoy w/Anchor
 - T Anchor
 - Barrier Movement Due To Current Action



Note: Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The design and construction of the barriers shall be the responsibility of the Contractor unless otherwise specified in the plans, however payment will be under the pay item(s) established in the plans for Floating Turbidity Barrier and/or Staked Turbidity Barrier. Posts in staked turbidity barriers to be installed in vertical position unless otherwise directed by the Engineer.

1. Turbidity barriers are to be used in all permanent bodies of water regardless of water depth.
2. Number and spacing of barriers dependent on current velocities.
3. Deployment of barrier around pile locations may vary to accommodate construction operations.
4. Navigation may require segmenting barrier during construction operations.
5. For additional information see Section 104 of the Standard Specifications.

TURBIDITY BARRIER APPLICATIONS

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- Phase I ESAs

515 IDLEWYLD DRIVE

PREPARED FOR:
 PYRAMID BUILDERS

DETAILS

Date: 5/16/2019	Sheet: 4	of: 4
Proj No.: 19-0018		

AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Enforcement Section, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, Florida. For electronic mail saj-rd-enforcement@usace.army.mil (not to exceed 10 MB). If you have questions regarding this requirement, please contact the Enforcement Branch at 904-232-3131.

1. Department of the Army Permit Number: SAJ-2018-01809 (NW/GP-CGK)

2. Permittee Information:

Name: _____

Address: _____

3. Project Site Identification (physical location/address):

4. As-Built Certification: I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled, and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

Signature of Engineer

Name (*Please type*)

(FL, PR, or VI) Reg. Number

Company Name

City

State

ZIP

(Affix Seal)

Date

Telephone Number

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:

Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



**U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological
Opinion (JaxBO) Project Design Criteria (PDCs) for In-Water Activities**

November 20, 2017

- 1) **(AP.7.) Education and Observation:** The permittee must ensure that all personnel associated with the project are instructed about the potential presence of species protected under the ESA and the Marine Mammal Protection Act (MMPA). All on-site project personnel are responsible for observing water-related activities for the presence of protected species. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing ESA-listed species or marine mammals. To determine which species may be found in the project area, please review the relevant Protected Species List at:
http://sero.nmfs.noaa.gov/protected_resources/section_7/threatened_endangered/index.html

- 2) **(AP.8.) Reporting** of interactions with protected species:
 - a) Any collision(s) with and/or injury to any sea turtle, sawfish, whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (1-727-824-5312) or by email to takeareport.nmfs@noaa.gov and SAJ-RD-Enforcement@usace.army.mil.
 - b) Smalltooth sawfish: Report sightings to 1-844-SAWFISH or email Sawfish@MyFWC.com
 - c) Sturgeon: Report dead sturgeon to 1-844-STURG 911 (1-844-788-7491) or email nmfs.ser.sturgeonnetwork@noaa.gov
 - d) Sea turtles and marine mammals: Report stranded, injured, or dead animals to 1-877-WHALE HELP (1-877-942-5343).
 - e) North Atlantic right whale: Report injured, dead, or entangled right whales to the USCG via VHF Channel 16.

- 3) **(AP.9.) Vessel Traffic and Construction Equipment:** All vessel operators must watch for and avoid collision with species protected under the ESA and MMPA. Vessel operators must avoid potential interactions with protected species and operate in accordance with the following protective measures:
 - a) *Construction Equipment:*
 - i) All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while operating in water depths where the draft of the vessel provides less than a 4-foot (ft) clearance from the bottom, and in all depths after a protected species has been observed in and has departed the area.
 - ii) All vessels will follow marked channels and/or routes using the maximum water depth whenever possible.
 - iii) Operation of any mechanical construction equipment, including vessels, shall cease immediately if a listed species is observed within a 50-ft radius of

construction equipment and shall not resume until the species has departed the area of its own volition.

- iv) If the detection of species is not possible during certain weather conditions (e.g., fog, rain, wind), then in-water operations will cease until weather conditions improve and detection is again feasible.

b) *All Vessels:*

- i) Sea turtles: Maintain a minimum distance of 150 ft.
- ii) North Atlantic right whale: Maintain a minimum 1,500-ft distance (500 yards).
- iii) Vessels 65 ft in length or longer must comply with the Right Whale Ship Strike Reduction Rule (50 CFR 224.105) which includes reducing speeds to 10 knots or less in Seasonal Management Areas (<http://www.fisheries.noaa.gov/pr/shipstrike/>).
- iv) Mariners shall check various communication media for general information regarding avoiding ship strikes and specific information regarding right whale sightings in the area. These include NOAA weather radio, USCG NAVTEX broadcasts, and Notices to Mariners.
- v) Marine mammals (i.e., dolphins, whales [other than North Atlantic right whales], and porpoises): Maintain a minimum distance of 300 ft.
- vi) When these animals are sighted while the vessel is underway (e.g., bow-riding), attempt to remain parallel to the animal's course. Avoid excessive speed or abrupt changes in direction until they have left the area.
- vii) Reduce speed to 10 knots or less when mother/calf pairs or groups of marine mammals are observed, when safety permits.

- 4) **(AP.10.) Turbidity Control Measures during Construction:** Turbidity must be monitored and controlled. Prior to initiating any of the work covered under this Opinion, the Permittee shall install turbidity curtains as described below. In some instances, the use of turbidity curtains may be waived by the USACE project manager if the project is deemed too minimal to generate turbidity (e.g., certain ATON installation, scientific survey device placement, marine debris removal) or if the current is too strong for the curtains to stay in place. Turbidity curtains specifications:

- a) Install floating turbidity barriers with weighted skirts that extend to within 1 ft of the bottom around all work areas that are in, or adjacent to, surface waters.
- b) Use these turbidity barriers throughout construction to control erosion and siltation and ensure that turbidity levels within the project area do not exceed background conditions.
- c) Position turbidity barriers in a way that does not block species' entry to or exit from designated critical habitat.
- d) Monitor and maintain turbidity barriers in place until the authorized work has been completed and the water quality in the project area has returned to background conditions.
- e) In the range of ESA-listed corals (St. Lucie Inlet, Martin County south to the Dry Tortugas and the U.S. Caribbean) and Johnson's seagrass (Turkey Creek/Palm

Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida):

- i) Projects that include upland earth moving (e.g., grading to install a building or parking lot associated with a dock and seawall project), must install sediment control barriers to prevent any upland sediments from reaching estuarine or marine waters.
 - ii) The turbidity curtain requirement cannot be waived for any project that moves or removes sediment (e.g., dredging, auger to create a pile, trenching to install a cableline). If turbidity curtains are not feasible in an area based on site conditions such as water current, high wave action, or stormy conditions, the project must undergo individual Section 7 consultation and is not covered under this Programmatic Opinion.
- 5) **(AP.11.) Entanglement:** All turbidity curtains and other in-water equipment must be properly secured with materials that reduce the risk of entanglement of marine species (described below). Turbidity curtains likewise must be made of materials that reduce the risk of entanglement of marine species.
- a) In-water lines (rope, chain, and cable, including the lines to secure turbidity curtains) must be stiff, taut, and non-looping. Examples of such lines are heavy metal chains or heavy cables that do not readily loop and tangle. Flexible in-water lines, such as nylon rope or any lines that could loop or tangle, must be enclosed in a plastic or rubber sleeve/tube to add rigidity and prevent the line from looping and tangling. In all instances, no excess line is allowed in the water.
 - b) Turbidity curtains and other in-water equipment must be placed in a manner that does not entrap species within the construction area or block access for them to navigate around the construction area.

Prepared by:

Permittee: _____

Address: _____

Phone: _____

NOTICE OF DEPARTMENT OF THE ARMY AUTHORIZATION

TAKE NOTICE the United States Army Corps of Engineers (Corps) has issued a permit or verification SAJ-2018-01809 to Robert Anderson (Permittee) on August 6, 2019, authorizing work in navigable waters of the United States in accordance with Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C 403) on a parcel of land known as Folio/Parcel ID: _____

located at 515 Idlewyld Drive (Section 12, Township 50 South, Range 42 East), Fort Lauderdale, Florida.

Within 30 days of any transfer of interest or control of said property, the Permittee must notify the Corps in writing of the property transfer by submitting the completed permit transfer page included with the issued permit or verification. The subject permit or verification concerns only that portion of the property determined to fall within the jurisdiction of the Corps and this notice is applicable only to those portions of the subject property in, over, under, or affecting navigable waters of the United States.

Conditions of the Permit/Verification: The permit or verification is subject to General Conditions and Special Conditions which may affect the use of the work authorized in Intracoastal Waterway. Accordingly, interested parties should closely examine the entire permit or verification, all associated applications, and any subsequent modifications.

To obtain a copy of the authorization in its entirety submit a written request to:
U.S. Army Corps of Engineers
Regulatory Division - Special Projects & Enforcement Branch
Post Office Box 4970
Jacksonville, Florida 32232-0019

Questions regarding compliance with these conditions should be directed to:
U.S. Army Corps of Engineers
Enforcement Section
Post Office Box 4970
Jacksonville, Florida 32232-0019

Conflict Between Notice and Permit

This Notice of Authorization is not a complete summary of the issued permit or verification. Provisions in this Notice of Permit shall not be used in interpreting the

permit or verification provisions. In the event of conflict between this Notice of Permit and the permit or verification, the permit or verification shall control.

This Notice is Not an Encumbrance

This Notice is for informational purposes only. It is not intended to be a lien, encumbrance, or cloud on the title of the premises.

Release

This Notice may not be released or removed from the public records without the prior written consent of the Corps.

This Notice of Authorization is executed on this _____ day of _____, _____. This document is being submitted for recordation in the Public Records of Broward County, Florida as part of the requirement imposed by the authorization SAJ-2018-01809 issued by Corps.

Permittee:

Address:

Phone:

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, who is personally known to me or has produced _____ as identification.

Notary Public

(seal)

Print

My Commission Expires _____













230





ITEM VI

MEMORANDUM MF NO. 19-17

DATE: September 19, 2019

TO: Marine Advisory Board

FROM: Andrew Cuba, Manager of Marine Facilities

RE: October 3, 2019 MAB Meeting - Dock Waiver of Distance Limitations
- 1476446 Ontario Limited, Gerhard Michael Sowa / 736 NE 20th Avenue

Attached for your review is an application from 1476446 Ontario Limited, Gerhard Michael Sowa / 736 NE 20th Avenue (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for the installation of one (1) triple-pile mooring cluster and two (2) single mooring piles. The property line is landward of the seawall's wet-face, and is the point from which the waiver is measured, as represented in **TABLE 1**:

TABLE 1

STRUCTURE	PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
1	Three Pile Mooring Cluster	+/-81.3'	25'	+/-56.3'
2	Mooring pile #2	+/-131.3'	25'	+/-106.3'
3	Mooring pile #3	+/-131.3'	25'	+/-106.3'

ULDR Section 47-19.3 D. limits the maximum distance of mooring piles to 25 feet, or 30% of the width of the waterway, whichever is less. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has specified that the extra distance for the mooring piles and mooring pile cluster is necessary for protecting vessels due to wave action.

PROPERTY LOCATION AND ZONING

The property is located within the RS-8 Residential Single Family / Low Density Zoning District. It is situated on the Middle River where the width of the Middle River ranges between 600+ and 800+ feet, according to the Narrative Summation provided in **Exhibit 1**.

DOCK PLAN AND BOATING SAFETY

Marine Facilities records reflect that there have been nineteen (19) waivers of docking distance limitations approved by the City Commission since 1983 in the immediate area. A comparison of these as shown in **Table 2** including the maximum distances of structures extending into the Middle River follows:

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
March 1983	834 N.E. 20 th Avenue	Pilings – 45'
April 1983	714 N.E. 20 th Avenue	Pilings – 45' Piers – 37'
July 1985	808 N.E. 20 th Avenue	Pilings – 48' Piers – 38'
January 1990	840 N.E. 20 th Avenue	Pilings – 48' Pier – 48'
September 1992	738 N.E. 20 th Avenue	Pilings – 75' Pier – 39'
November 2007	810 N.E. 20 th Avenue	Pilings – 68' Piers – 73'
January 2008	852 N.E. 20 th Avenue	Pilings – 86' Pier – 49'
October 2008	714 N.E. 20 th Avenue	Pier – 108'
November 2012	810 N.E. 20 th Avenue	Pilings- 124.4'
May 2013	720 N.E. 20 th Avenue	Pilings-80' Pier-42'
May 2013	816 N.E. 20 th Avenue	Pilings-112.4'
March 2014	704 N.E. 20 th Avenue	Pilings – 125'
October 2014	720 N.E. 20 th Avenue	Pilings-125'
November 2014	726 N.E. 20 th Avenue	Pilings-125'
February 2015	824 N.E. 20 th Avenue	Pilings-106.3'
January 2016	900/910 N.E. 20 th Avenue	Pilings – 80.3'
November 2017	800 N.E. 20 th Avenue	Pilings – 100'
March 2018	826 NE 20 th Avenue	Pilings – 68.5'
January 2019	866 NE 20 th Avenue	Pilings – 71'

RECOMMENDATIONS

Should the Marine Advisory Board consider approval of 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. 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 City Staff with copies of "As Built" drawings from a certified and licensed contractor.
3. The applicant is required to install and affix reflector tape to the proposed mooring piles and mooring pile clusters in accord with Section 47.19.3.E of the Unified Land and Development Regulations (ULDR).

AC
Attachment

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

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: 1476446 Ontario Limited

TELEPHONE NO: (home) 419-708-9795 (business) FAX NO.

2. APPLICANT'S ADDRESS (if different than the site address):
500 Manitou Drive, Kitchener, Ontario, Canada N2C 1L3

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:
Waiver of Limitations for mooring pilings

4. SITE ADDRESS: 736 NE 20th Avenue, Fort Lauderdale, FL 33304 ZONING: RS-8

LEGAL DESCRIPTION:
The South 18 feet of Lot 4, all of Lot 5, and the North 15 feet of Lot 6, in Block 1, of Victoria Highlands, according to the Plat thereof, as recorded in Plat Book 9, at Page 47 of the Public records of Broward County, Florida, less the North 7 feet of the South 18 feet of said Lot 4

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).
See attached table of contents and documents

Applicant's Signature

9/3/19 Date

The sum of \$ 300.00 was paid by the above-named applicant on the of 2017 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



CITY OF FORT LAUDERDALE

Map Created by GIS Mailer

736 NE 20th Ave.



0 90 180 Feet

GIS
Fort Lauderdale

Printed on: 9/17/2019

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September 16, 2019

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

Re: Gerhard Sowa/1476446 Ontario Limited
736 NE 20th Avenue
Fort Lauderdale, FL 33304

Dear Board Members,

We are requesting a waiver of limitations to install new mooring pilings at a single-family site. The existing seawall will remain and be repaired with a cap uppour; the seawall work will not require a waiver. The project also includes the installation of one new 3-piling mooring cluster and two single mooring pilings. The single pilings will be steel pipe pilings and the cluster will be made up by three wood pilings.

The City Building Code, Section 47-19.3, Paragraph d, allows mooring or dolphin pilings to extend out 30% of the waterway's width, up to a maximum of 25 feet, as measured from the property line. 30% is also the limit for vessels. Recently the Zoning Department has been interpreting this rule to mean, as measured from the property line or wetface, whichever is most landward. At this property, the property line is the more landward than the wetface by 3.25 feet.

The new 3-piling cluster will extend a total of 81.3 feet from the property line. The two single mooring pilings will extend 131.3 feet property line. (The measurements from the wetface will be 78 feet and 128 feet, respectively.) These pilings would then require a variance of 106.3 feet.

While these numbers may seem excessively high, this is typical for this neighborhood. Several properties along this street moor very long vessels that require mooring pilings farther out in the water than allowed by the code. Several of these properties have gone through and been approved for similar waivers for the mooring pilings at waterward extensions similar to the ones requested here. Also, please note that within this particular neighborhood, owners are allowed to rent mooring spaces at their properties.

The waterway width at this location is 708 feet. 30% of the waterway width is 212 feet. The new mooring pilings and the new cluster will be well within that 30% limit. The vessels that can be moored here, will also be well within the 30% limit proscribed for vessels. Furthermore, the new structures will not encroach into or near the navigational channel.

Therefore, the requested Waiver of Limitations will be for an additional 106.3 feet of additional waterward extension for the new mooring pilings and cluster, as measured from the property line.

Considering the navigational traffic on this waterway, the mooring pilings are essential in protecting the vessels from damage due to wave actions. This request is in line with and similar to other waiver requests in this area. The new mooring pilings will not extend further waterward than similarly approved pilings in the immediate vicinity, many which have been approved under similar waivers.

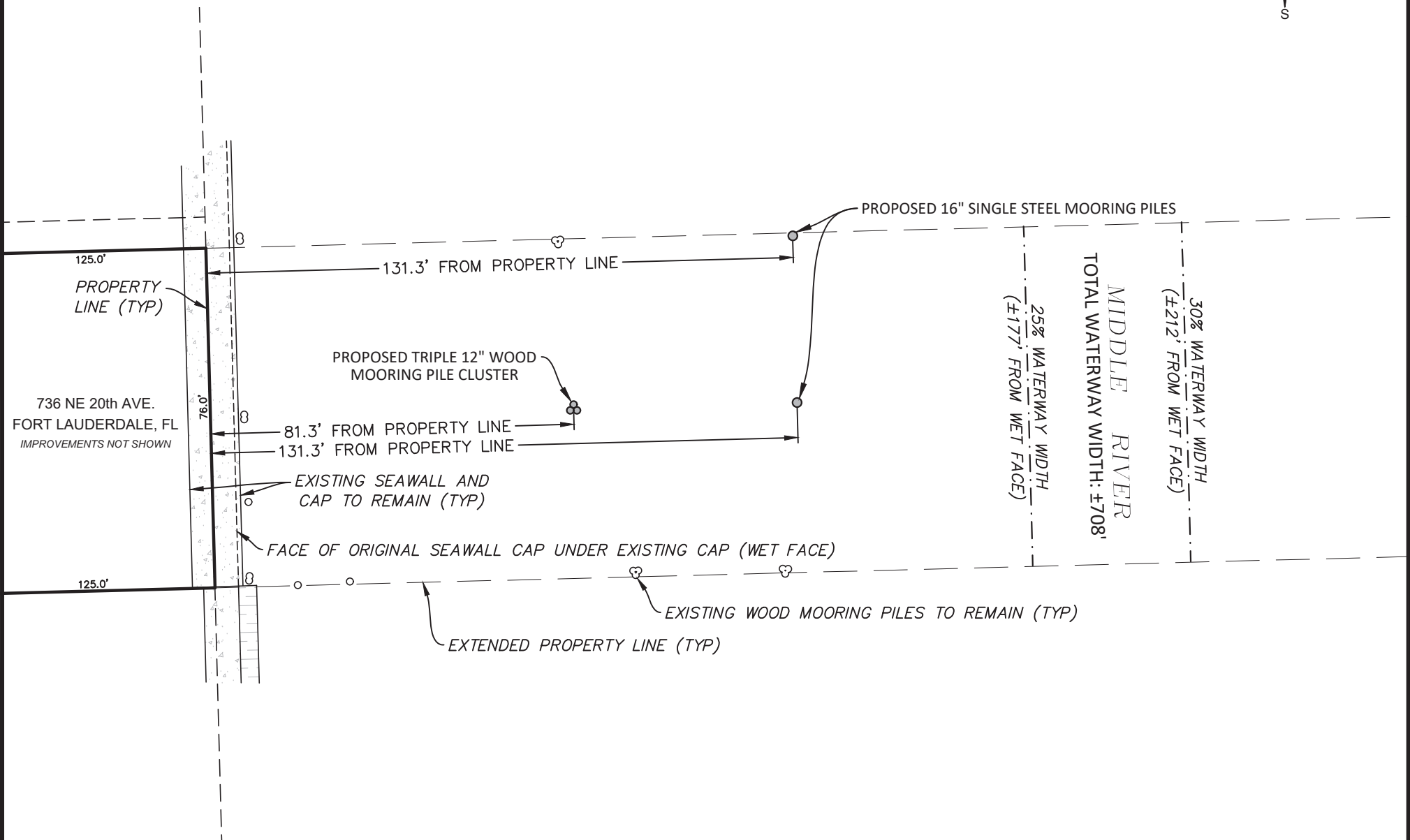
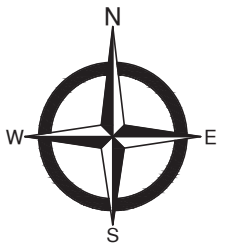
Sincerely,

David Nutter
B & M Marine Construction Inc.

SPECIFIC PURPOSE SURVEY

SOUTH 11' OF LOT 4, LOT 5 AND NORTH 15' OF LOT 6 IN BLOCK 1 of "VICTORIA HIGHLANDS"
 PLAT BOOK 9, PAGES 47 B.C.R.
 SECTION 1, TOWNSHIP 50 SOUTH, RANGE 42 EAST
 BROWARD COUNTY, FLORIDA

0' 15' 30'
 HORIZONTAL SCALE: 1" = 30'



SURVEY NOTES:

1. THIS IS NOT A BOUNDARY SURVEY. THIS IS A SPECIFIC PURPOSE SURVEY AS DEFINED IN THE STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE.
2. THIS SURVEY IS CERTIFIED TO 1476446 ONTARIO LIMITED AND B&M MARINE CONSTRUCTION.
3. THIS SURVEY IS INTENDED EXCLUSIVELY FOR THE USE BY THOSE TO WHOM IT IS CERTIFIED. IT IS NOT TO BE USED BY OTHERS FOR CONSTRUCTION, PERMITTING, DESIGN OR ANY OTHER USE WITHOUT THE WRITTEN CONSENT OF TERRAQUATIC, INC.
4. THIS SURVEY, AND ANY REPRODUCTION THEREOF, IS NOT VALID WITHOUT AN ORIGINAL OR VERIFIED DIGITAL SIGNATURE AND SEAL OF A FLORIDA REGISTERED SURVEYOR. ADDITIONALLY, THIS SURVEY IS NOT VALID IF PRINTED BEARING A DIGITAL SIGNATURE AND SEAL.
6. OTHER THAN THOSE SHOWN ON THE REFERENCED PLAT, NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED FOR EASEMENTS, ENCUMBRANCES OR OTHER INSTRUMENTS OF RECORD WHICH MAY AFFECT THIS PARCEL OF LAND.
7. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1" = 30' OR SMALLER.
8. UNDERGROUND UTILITIES WERE NOT LOCATED AS PART OF THIS SURVEY.
8. GEOGRAPHIC AND PLANE COORDINATES SHOWN HERON ARE RELATIVE TO THE NORTH AMERICA DATUM OF 1983, FLORIDA STATE PLANE, ZONE 901, TRANSVERSE MERCATOR PROJECTION IN THE U.S. SURVEY FOOT UNIT OF MEASUREMENT.
9. LOCATIONS OF ALL IMPROVEMENTS WERE OBTAINED USING REAL TIME KINEMATIC GPS METHODOLOGIES WITH BROADCAST CORRECTIONS FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION REFERENCE NETWORK AND ARE ACCURATE TO THIRD ORDER, CLASS II.
10. THE SPECIFIC PURPOSE OF THIS SURVEY IS TO SHOW THE LOCATION OF PROPOSED IMPROVEMENTS FOR PERMITTING PURPOSES.
11. EXISTING AND PROPOSED MOORING PILES ARE NOT TO SCALE.

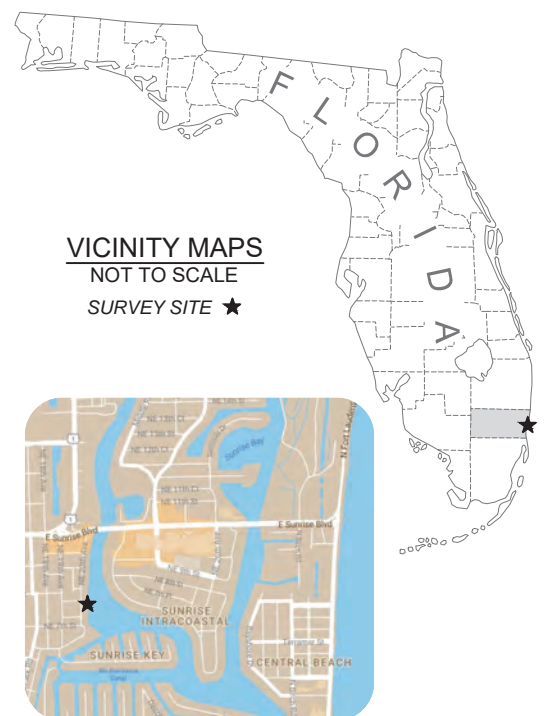
LEGEND:

APX	APPROXIMATE
BCR	BROWARD COUNTY RECORDS
LB	LICENSED BUSINESS
PGS	PAGES
PSM	PROFESSIONAL SURVEYOR AND MAPPER
RNG	RANGE
SEC	SECTION
TYP	TYPICAL
TWP	TOWNSHIP

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SPECIFIC PURPOSE SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION ON 9/18/19.

I FURTHER CERTIFY THAT THIS SPECIFIC PURPOSE SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTE 472.027.

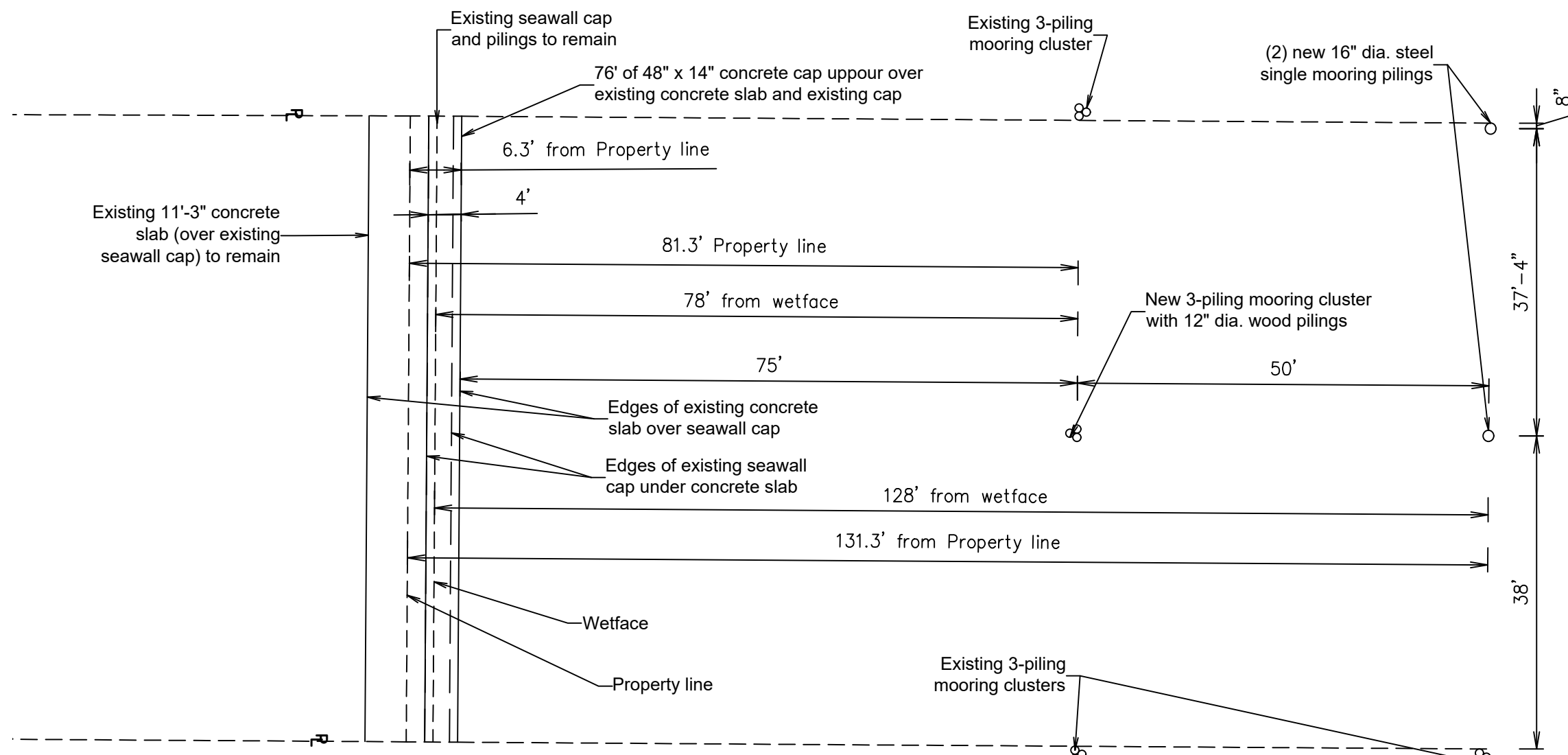


KENNETH C. JACKSON, PSM - FLORIDA REGISTRATION NUMBER 4549

PREPARED BY:
TERRAQUATIC, INC
 1220 TANGELO TERR, UNIT A12
 DELRAY BEACH, FL 33444
 TELEPHONE: (561) 806-6085
 CERTIFICATE OF AUTHORIZATION NO. 7324

SITE OWNER / ADDRESS
1476446 ONTARIO LIMITED
 736 NE 20TH AVENUE
 FORT LAUDERDALE, FL 33304

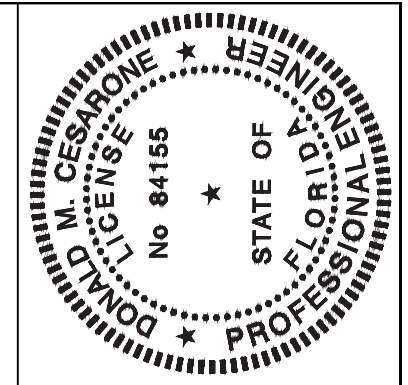
DRAWING: 736 NE 26th AVE PERMIT.dwg		DRAWN BY: BL	
SCALE: 1" = 30'	DATE: 9/18/19	JOB No.: 19-888	CHECKED BY: KCJ
REV:		SHEET 1 OF 1	



SITE PLAN
SCALE: 1/16" = 1'-0"

General Notes:

1. Dowel and epoxy #5 bars or L-bars into top of existing cap, staggered @ 24" o.c., min. 4" embedment.
2. New wood pilings to be min. 12" dia. CCA treated wood pilings.
3. New steel pilings to be min 16" dia. epoxy coated steel pipe.
4. All reinforcing steel shall be grade 60, with a minimum 3" clearance.
5. Concrete to be min. 5000 psi @ 28 days.
6. All pilings to be driven 8' into strata. If hard strata is encountered, a 2' minimum penetration is required.
7. Turbidity barriers are to surround all in water construction areas during piling and/or panel installation activities.
8. Approved contractor to verify all dimensions. The approved contractor is responsible for all methods, means, sequences and procedures of work.
9. Any deviation &/or substitution from the approved plans herein shall be submitted to the Engineer for approval prior to commencement of work.
10. Elevations shown are based on the North American Vertical Datum of 1988.
11. Design in accordance with 2017 6th Edition of the Florida Building Code.
12. Contractor covenants and agrees to fully indemnify and hold harmless, engineer, and engineer's employees, officers, directors, and representatives, from and against damages, liabilities or costs, including reasonable attorney fees and defense costs, from any and all claims, actions, causes of action, or demands of any kind or nature for loss, damage, or liability arising from Contractor's work under this agreement. The indemnity provided for in this section shall not apply to any liability resulting from defects in plans, designs, or specifications prepared, approved, or used by engineer or negligence of the engineer in the rendition or conduct of professional duties called for or arising out of the construction contract and the plans, designs, or specifications that are a part of the construction contract and arising from personal injury or death, property damage, or any expenses arising therefrom. To that extent, the total liability of Donald Cesarone & Associates, LLC or any of its employees, officers, directors, and representatives due to plan or specifications defects or negligence shall be limited to the sum equal to the amount paid to Donald Cesarone & Associates, LLC., for these engineered drawings. Acceptance and understanding of this agreement are hereby acknowledged.



DONALD CESARONE & ASSOCIATES, LLC.
FBPE CA LICENSE No. 32499
12190 NW 15TH COURT
CORAL SPRINGS, FL 33071
TEL: (954) 895-9403
DMCESARONE@GMAIL.COM

DONALD M. CESARONE, P.E.
FLORIDA REGISTRATION No. 84155
CIVIL ENGINEER

IF SIGNED DIGITALLY ABOVE, PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED VALID AND SEALED AND THE SIGNATURE MUST BE VERIFIED BY ELECTRONIC COPIES

PREPARED FOR:
B & M MARINE CONSTRUCTION, INC.
3500 S.W. 14TH. STREET
DEERFIELD BEACH, FL 33442
954-421-1700 CGC052820

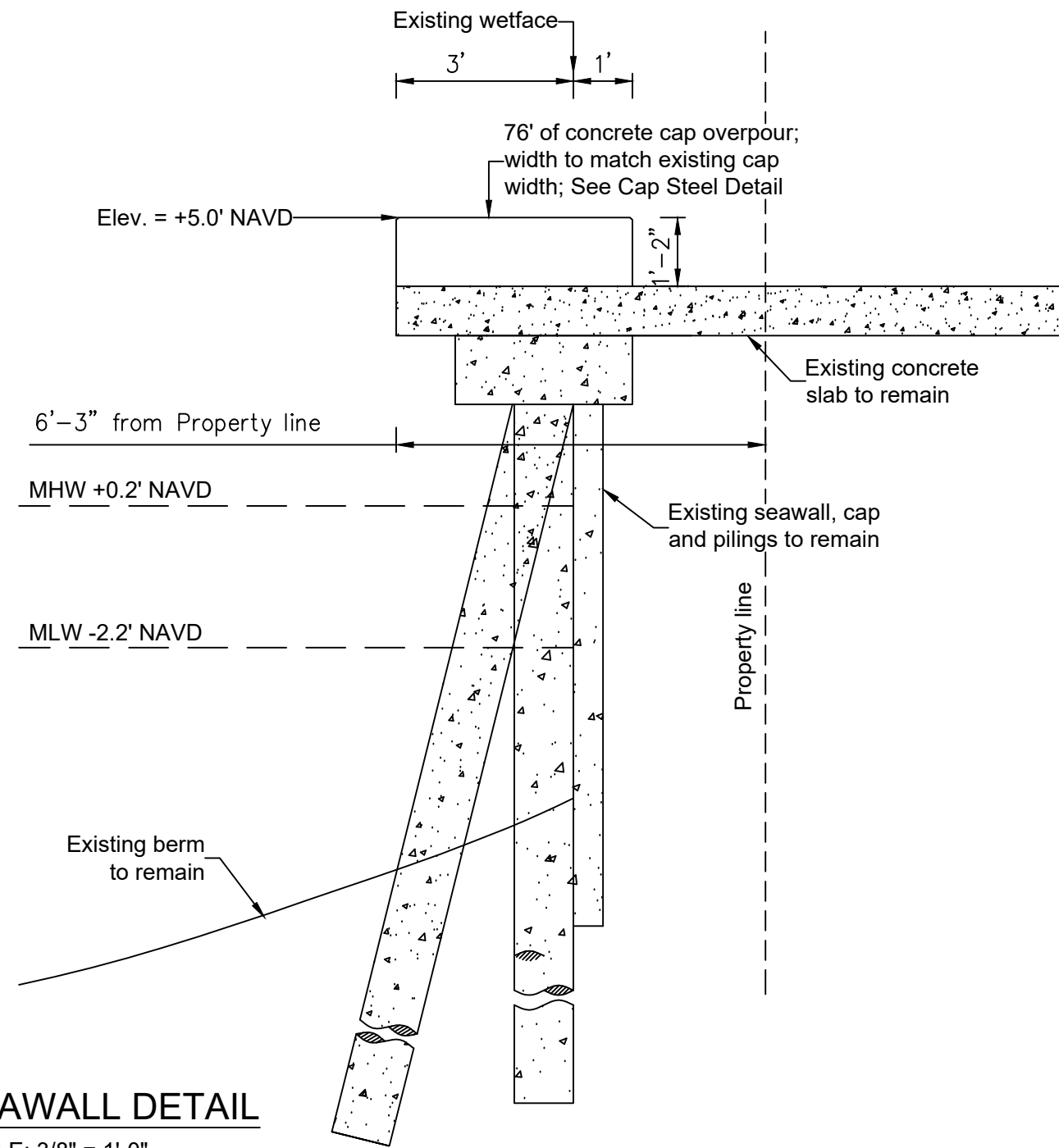
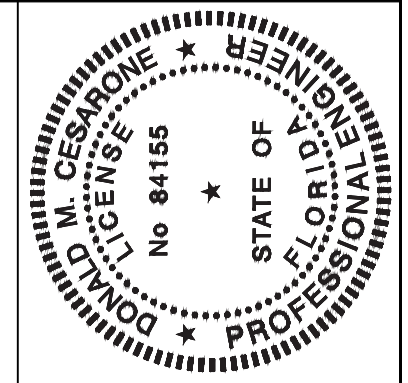
CONCRETE CAP OVERPOUR AND MOORING PILINGS FOR:
SOWA RESIDENCE
736 NE 20th AVENUE
FORT LAUDERDALE, FL

DATE	NOTES/REVISIONS

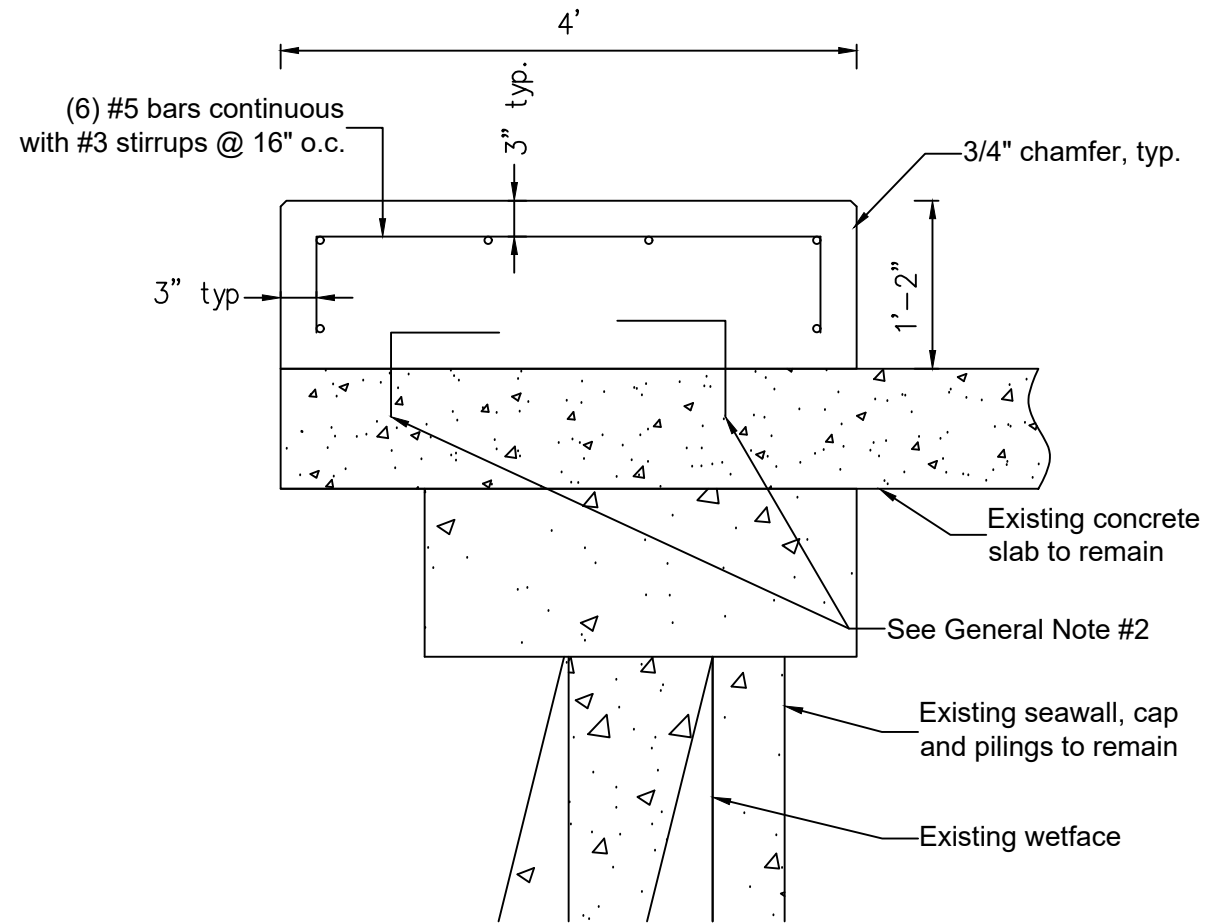
SCALE: AS NOTED

JOB No:

SP



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



CAP STEEL DETAIL
SCALE: 3/4" = 1'-0"

DONALD M. CESARONE & ASSOCIATES, LLC.
FBPE CA LICENSE No. 32499
12190 NW 15TH COURT
CORAL SPRINGS, FL 33071
TEL: (954) 895-8403
DMCESARONE@GMAIL.COM

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PREPARED FOR:
B & M MARINE, INC.
CONSTRUCTION, INC.
3500 S.W. 14TH STREET
DEERFIELD BEACH, FL 33442
954-421-1700 CCG052820

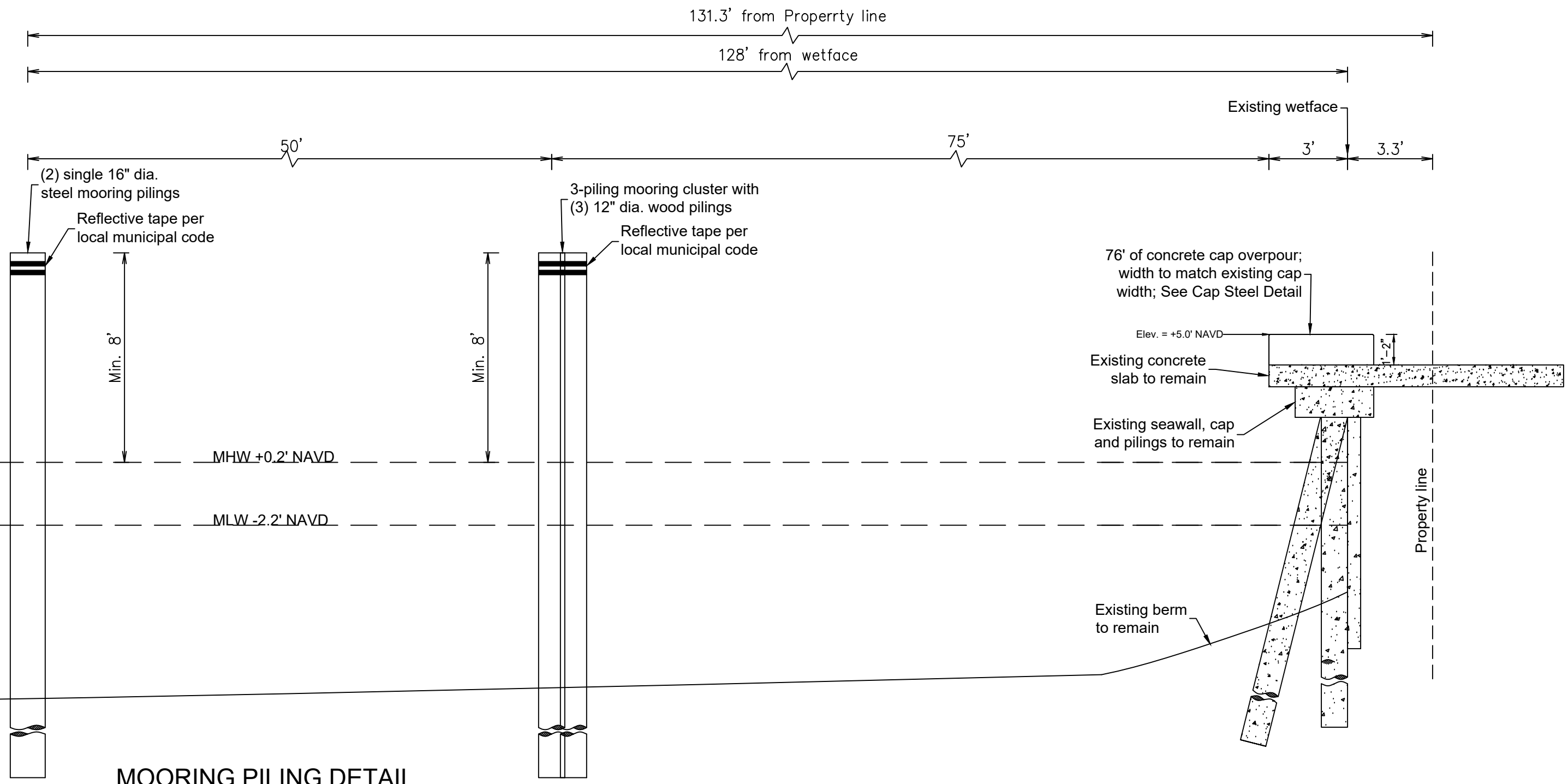
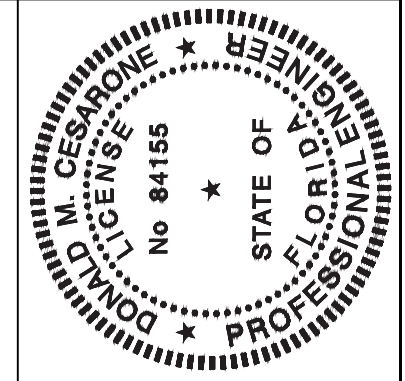
CONCRETE CAP
OVERPOUR AND
MOORING PILING FOR:
SOWA RESIDENCE
736 NE 20th AVENUE
FORT LAUDERDALE, FL

DATE	NOTES/REVISIONS

SCALE: AS NOTED

JOB No:

DTL-1



MOORING PILING DETAIL
SCALE: 1/4" = 1'-0"

DONALD M. CESARONE & ASSOCIATES, LLC.
FBPE CA LICENSE No. 32489
12190 NW 15TH COURT
CORAL SPRINGS, FL 33071
TEL: (954) 895-8403
DMCESARONE@GMAIL.COM

DONALD M. CESARONE, P.E.
FLORIDA REGISTRATION NO. 84155
CIVIL ENGINEER

PREPARED FOR:
B & M MARINE, INC.
CONSTRUCTION, INC.
3500 S.W. 14TH STREET
DEERFIELD BEACH, FL 33442
954-421-1700 CGC052820

CONCRETE CAP
OVERPOUR AND
MOORING PILING FOR:
SOWA RESIDENCE
736 NE 20th AVENUE
FORT LAUDERDALE, FL

DATE	NOTES/REVISIONS

SCALE: AS NOTED

JOB No:

DTL-2

IF SIGNED DIGITALLY ABOVE, PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED VALID AND SHOULD BE REJECTED. THE SIGNATURE MUST BE VERIFIED ON THE ELECTRONIC COPY.

This Document Prepared By and Return to:
Robert S. Forman, Esquire
Robert S. Forman, P.A.
2101 West Commercial Boulevard, Suite 2800
Fort Lauderdale, Florida 33309

Parcel ID Number: 5042-02-13-0040

Warranty Deed

This Indenture, Made this 12 day of July, 2017 A.D., **Between**
Alan G. Leigh, a single man

of the County of **Broward**, State of **Florida**, **grantor**, and
1476446 Ontario Limited

whose address is: **500 Manitou Drive, Kitchener, Ontario Canada N2C1L3**

of the **City of Kitchener**, **Country of Ontario Canada**, **grantee.**

Witnesseth that the GRANTOR, for and in consideration of the sum of

~~_____~~ **TEN DOLLARS (\$10)** ~~_____~~

DOLLARS,

and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of **Broward** State of **Florida** to wit:

The South 18 feet of Lot 4, all of Lot 5, and the North 15 feet of Lot 6, in Block 1, of Victoria Highlands, according to the Plat thereof, as recorded in Plat Book 9, at Page 47, of the Public Records of Broward County, Florida, Less the North 7 feet of the South 18 feet of said Lot 4.

(Continued on Attached)

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

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

Signed, sealed and delivered in our presence:

Jean Seibold
Printed Name: Jean Seibold
Witness

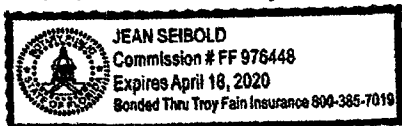
Alan G. Leigh (Seal)
Alan G. Leigh
P.O. Address: 738 NE 20th Avenue, Fort Lauderdale, FL 33304

Robin Harper
Printed Name: Robin Harper
Witness

STATE OF **Florida**
COUNTY OF **Broward**

The foregoing instrument was acknowledged before me this 14th day of **July**, 2017 by
Alan G. Leigh, a single man

who is personally known to me or who has produced his **Florida driver's license** as identification.



Jean Seibold
Printed Name: _____
Notary Public
My Commission Expires: _____

Warranty Deed - Page 2

Parcel ID Number: 5042-02-13-0040

Subject to restrictions, reservations, easements and limitations of record, if any, provided that this shall not serve to reimpose the same, zoning ordinances, and real property taxes for 2017 and subsequent years.

Canada)
Province of Ontario) **To all whom these Presents**
To Wit) **May come, be seen or known**

I, David R. Jutzi

a Notary Public, in and for the Province of Ontario, by Royal Authority duly appointed, residing at the

CITY OF WATERLOO

in said Province

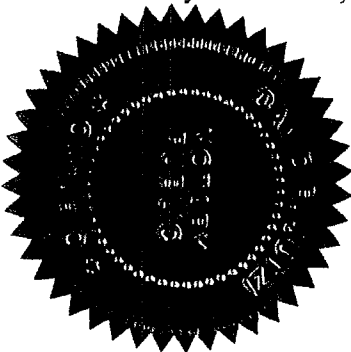
Do Certify and Attest that the paper-writing hereto annexed is a true copy of a document produced and shown to me and purporting to be the:

1. DIRECTORS' REGISTER of 1476446 ONTARIO LIMITED dated the 6th day of November, 2013; and
2. OFFICERS' REGISTER of 1476446 ONTARIO LIMITED dated the 6th day of November, 2013,

the said copies having been compared by me with the said original documents, an act whereof being requested I have granted under my Notarial Form and Seal of Office to serve and avail as occasion shall or may require.

In Testimony Whereof I have hereto subscribed my name and affixed my Notarial Seal of Office at Waterloo

this 3rd day of October, 2018.



David R. Jutzi

A Notary Public in and for the Province of Ontario.



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-FTL1809-067

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

Applicant: 1476446 Ontario Limited - Gerhard Sowa
736 NE 20TH AVE, Fort Lauderdale

Description: Install 76' of seawall cap overpour; Install (1) 3-piling mooring cluster (12" dia. wood pilings); Install (2) single mooring pilings (16" dia steel pilings); Existing seawall, cap, pilings, mooring pilings, and clusters to remain

Issue Date: 10/22/2018 Expiration Date: 10/21/2020

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: Kristen Scheffer

Telephone: (954) 519-1266

email: kscheffer@broward.org

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-FTL1809-067

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-FTL1809-067

1. All watercraft associated with the construction and use of the permitted structure shall only operate within waters of sufficient depth so as to preclude bottom scouring or prop dredging. Specifically, there shall be a minimum 12-inch clearance between the deepest draft of the vessel (with the motor in the down position) and the top of any submerged resources or canal bottom at mean low water.
2. Backfill material shall be clean fill as defined by Section 27-332 of the Broward County Code of Ordinances.
3. 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.
4. No dredging other than that required for proper installation of the proposed seawall as authorized by this license.
5. The seawall wetface shall be located within 1' of the existing seawall wetface and shall be constructed as shown on the attached drawings. The seawall returns shall not conflict with any existing setbacks or drainage or other utility easements.
6. Turbidity levels shall be monitored and recorded if a visible turbidity plume is observed leaving the site during construction activities. If monitoring reveals that turbidity levels exceed 29 NTU's above natural background 50 feet downstream of the point of discharge, project activities shall immediately cease, and work shall not resume until turbidity levels drop to within these limits (62-302.530(69) Florida Administrative Code [FAC]).

7. Turbidity screens, silt fences, or equivalent shall be properly employed and maintained as necessary to effectively contain suspended sediments and/or runoff during construction activities. Dredging, filling, excavation, seawall removal, seawall construction, and other projects which result in similar degrees of disturbance to wet sediments shall in all cases employ turbidity control measures designed to effectively enclose the entire work area. Connected turbidity curtain segments shall be overlapped and tied at the top and bottom so as to prevent turbidity from escaping through gaps between segments.



MARTY KIAR
BR **WARD**
REALTOR

Site Address	736 NE 20 AVENUE, FORT LAUDERDALE FL 33304-3414	ID #	5042 02 13 0040
Property Owner	1476446 ONTARIO LIMITED	Millage	0312
Mailing Address	500 MANITOU DR *KITCHENER ON CA N2C 1L3	Use	01
Abbr Legal Description	VICTORIA HIGHLANDS AMD PLAT 15-9 B PT OF BLK 1 F/P/A LOTS 4 S 18, LOT 5,6 N 15 LESS LOT 4 N 7 OF S 18, BLK 1 VICTORIA HIGHLANDS		

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					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2018	\$522,120	\$952,970	\$1,475,090	\$1,475,090	
2017	\$522,120	\$701,170	\$1,223,290	\$1,005,460	\$20,256.66
2016	\$582,110	\$655,280	\$1,237,390	\$960,630	\$20,470.00

2018 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$1,475,090	\$1,475,090	\$1,475,090	\$1,475,090
Portability	0	0	0	0
Assessed/SOH	\$1,475,090	\$1,475,090	\$1,475,090	\$1,475,090
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$1,475,090	\$1,475,090	\$1,475,090	\$1,475,090

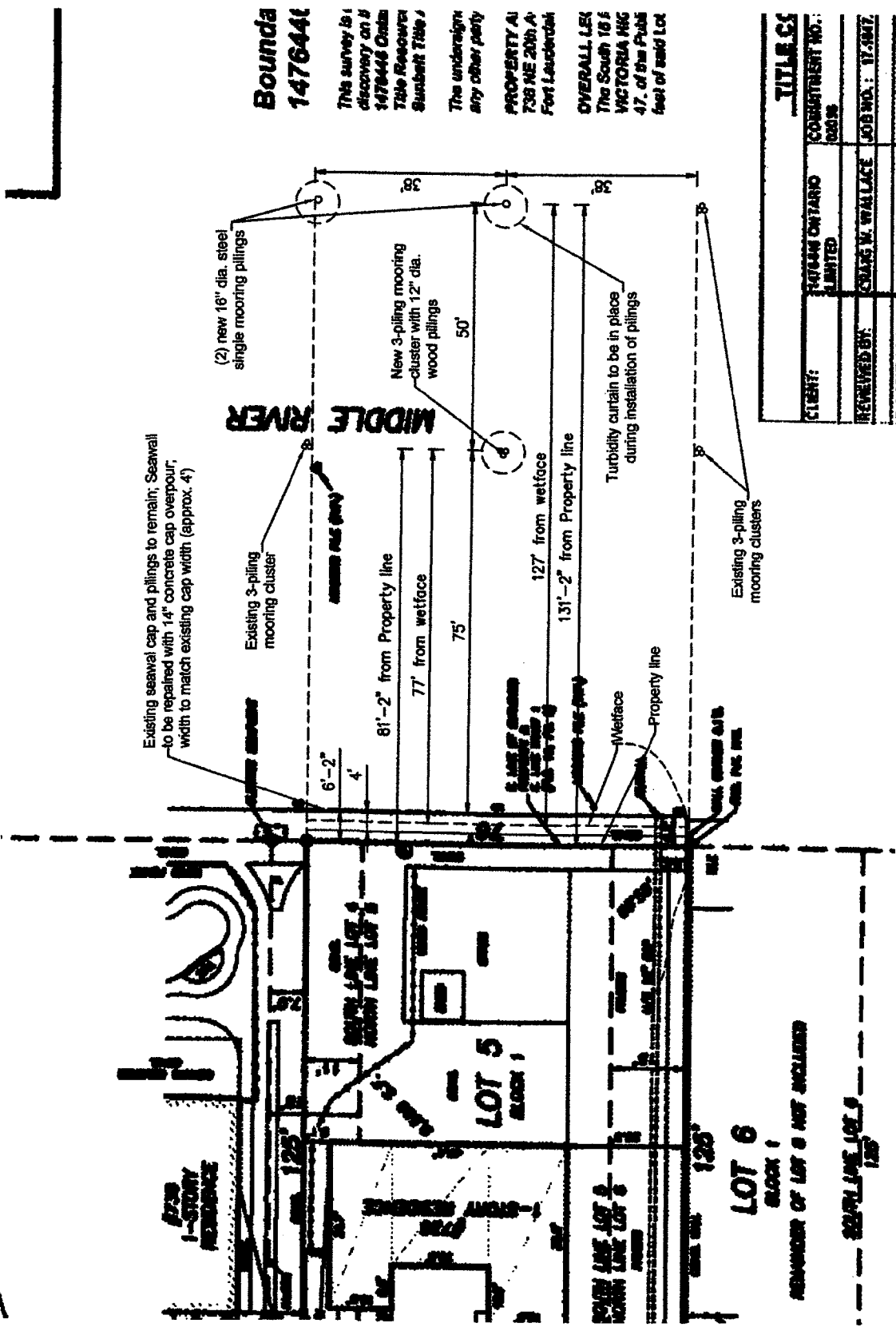
Sales History			
Date	Type	Price	Book/Page or CIN
7/11/2017	WD-Q	\$1,695,500	114511254
10/11/2002	QCD	\$347,000	33995 / 1430
10/5/2000	WD	\$405,000	30947 / 1095
3/1/1986	QCD	\$110	15205 / 589
3/1/1978	WD	\$82,000	

Land Calculations		
Price	Factor	Type
\$55.00	9,493	SF
Adj. Bldg. S.F. (Card, Sketch)		1363
Units		1
Eff./Act. Year Built: 1966/1949		

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03								
R								
1								

LEGEND

- A. - 1/4" = 1' - 0"
- B. - 1/8" = 1' - 0"
- C. - 1/16" = 1' - 0"
- D. - 1/32" = 1' - 0"
- E. - 1/64" = 1' - 0"
- F. - 1/128" = 1' - 0"
- G. - 1/256" = 1' - 0"
- H. - 1/512" = 1' - 0"
- I. - 1/1024" = 1' - 0"
- J. - 1/2048" = 1' - 0"
- K. - 1/4096" = 1' - 0"
- L. - 1/8192" = 1' - 0"
- M. - 1/16384" = 1' - 0"
- N. - 1/32768" = 1' - 0"
- O. - 1/65536" = 1' - 0"
- P. - 1/131072" = 1' - 0"
- Q. - 1/262144" = 1' - 0"
- R. - 1/524288" = 1' - 0"
- S. - 1/1048576" = 1' - 0"
- T. - 1/2097152" = 1' - 0"
- U. - 1/4194304" = 1' - 0"
- V. - 1/8388608" = 1' - 0"
- W. - 1/16777216" = 1' - 0"
- X. - 1/33554432" = 1' - 0"
- Y. - 1/67108864" = 1' - 0"
- Z. - 1/134217728" = 1' - 0"
- AA. - 1/268435456" = 1' - 0"
- AB. - 1/536870912" = 1' - 0"
- AC. - 1/1073741824" = 1' - 0"
- AD. - 1/2147483648" = 1' - 0"
- AE. - 1/4294967296" = 1' - 0"
- AF. - 1/8589934592" = 1' - 0"
- AG. - 1/17179869184" = 1' - 0"
- AH. - 1/34359738368" = 1' - 0"
- AI. - 1/68719476736" = 1' - 0"
- AJ. - 1/137438953472" = 1' - 0"
- AK. - 1/274877906944" = 1' - 0"
- AL. - 1/549755813888" = 1' - 0"
- AM. - 1/1099511627776" = 1' - 0"
- AN. - 1/2199023255552" = 1' - 0"
- AO. - 1/4398046511104" = 1' - 0"
- AP. - 1/8796093022208" = 1' - 0"
- AQ. - 1/17592186044416" = 1' - 0"
- AR. - 1/35184372088832" = 1' - 0"
- AS. - 1/70368744177664" = 1' - 0"
- AT. - 1/140737488355328" = 1' - 0"
- AU. - 1/281474976710656" = 1' - 0"
- AV. - 1/562949953421312" = 1' - 0"
- AW. - 1/1125899906842624" = 1' - 0"
- AX. - 1/2251799813685248" = 1' - 0"
- AY. - 1/4503599627370496" = 1' - 0"
- AZ. - 1/9007199254740992" = 1' - 0"
- BA. - 1/18014398509481984" = 1' - 0"
- BB. - 1/36028797018963968" = 1' - 0"
- BC. - 1/72057594037927936" = 1' - 0"
- BD. - 1/14411518807585584" = 1' - 0"
- BE. - 1/28823037615171168" = 1' - 0"
- BF. - 1/57646075230342336" = 1' - 0"
- BG. - 1/115292150460684672" = 1' - 0"
- BH. - 1/230584300921369344" = 1' - 0"
- BI. - 1/461168601842738688" = 1' - 0"
- BJ. - 1/922337203685477376" = 1' - 0"
- BK. - 1/1844674407370954752" = 1' - 0"
- BL. - 1/3689348814741909504" = 1' - 0"
- BM. - 1/7378697629483819008" = 1' - 0"
- BN. - 1/14757395258967638016" = 1' - 0"
- BO. - 1/29514790517935276032" = 1' - 0"
- BP. - 1/59029581035870552064" = 1' - 0"
- BQ. - 1/118059162071741104128" = 1' - 0"
- BR. - 1/236118324143482208256" = 1' - 0"
- BS. - 1/472236648286964416512" = 1' - 0"
- BT. - 1/944473296573928833024" = 1' - 0"
- BU. - 1/1888946593147857666048" = 1' - 0"
- BV. - 1/3777893186295715332096" = 1' - 0"
- BW. - 1/7555786372591430664192" = 1' - 0"
- BX. - 1/15111572745182861328384" = 1' - 0"
- BY. - 1/30223145490365722656768" = 1' - 0"
- BZ. - 1/60446290980731445313536" = 1' - 0"
- CA. - 1/120892581961462890627104" = 1' - 0"
- CB. - 1/241785163922925781254208" = 1' - 0"
- CC. - 1/483570327845851562508416" = 1' - 0"
- CD. - 1/967140655691703125016832" = 1' - 0"
- CE. - 1/1934281311383406250333664" = 1' - 0"
- CF. - 1/3868562622766812500667328" = 1' - 0"
- CG. - 1/7737125245533625001334656" = 1' - 0"
- CH. - 1/1547425049106725002669312" = 1' - 0"
- CI. - 1/3094850098213450005338624" = 1' - 0"
- CJ. - 1/6189700196426900010677248" = 1' - 0"
- CK. - 1/12379400392853800021354496" = 1' - 0"
- CL. - 1/24758800785707600042708992" = 1' - 0"
- CM. - 1/49517601571415200085417984" = 1' - 0"
- CN. - 1/99035203142830400170835968" = 1' - 0"
- CO. - 1/19807040625766080034167136" = 1' - 0"
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- CU. - 1/1267650600491011202186696704" = 1' - 0"
- CV. - 1/2535301200982022404373393408" = 1' - 0"
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- DA. - 1/81129638431424716939948589056" = 1' - 0"
- DB. - 1/162259276862849438799897178112" = 1' - 0"
- DC. - 1/324518553725698877599794356224" = 1' - 0"
- DD. - 1/649037107451397755199588712448" = 1' - 0"
- DE. - 1/1298074214902955110399177448896" = 1' - 0"
- DF. - 1/2596148429805910220798354897792" = 1' - 0"
- DG. - 1/5192296859611820441596709795584" = 1' - 0"
- DH. - 1/10384593719223640883193419911168" = 1' - 0"
- DI. - 1/20769187438447281766386839822336" = 1' - 0"
- DJ. - 1/41538374876894563472773679644672" = 1' - 0"
- DK. - 1/83076749753789126945547359289344" = 1' - 0"
- DL. - 1/166153499507578253891097185778688" = 1' - 0"
- DM. - 1/332306999015156507782194371557376" = 1' - 0"
- DN. - 1/664613998030313015564388743114752" = 1' - 0"
- DO. - 1/132922799606062603112887766229504" = 1' - 0"
- DP. - 1/265845599212125206225775524459008" = 1' - 0"
- DQ. - 1/531691198424250412451551048918016" = 1' - 0"
- DR. - 1/106338239684850082902310209783632" = 1' - 0"
- DS. - 1/212676479369700165804620419567264" = 1' - 0"
- DT. - 1/425352958739400331609240839134528" = 1' - 0"
- DU. - 1/850705917478800663218481678269056" = 1' - 0"
- DV. - 1/1701411834957601326436963376538112" = 1' - 0"
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- EN. - 1/446014765466389458117459496512663552" = 1' - 0"
- EO. - 1/892029530932778916234918993025327104" = 1' - 0"
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- GO. - 1/40173438641681757704355226316014844656" = 1' - 0"
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- GR. - 1/32138748913345406163488021052811875648" = 1' - 0"
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- HQ. - 1/107839746562750243441781679996954444416" = 1' - 0"
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- IF. - 1/3533692666568200135111150744051555552" = 1' - 0"
- IG. - 1/706738533313640027022230148011111104" = 1' - 0"
- IH. - 1/141347706662728005404446029602222208" = 1' - 0"
- II. - 1/2826954133254560108088920592044444416" = 1' - 0"
- IJ. - 1/565390826650912021617784118408888832" = 1' - 0"
- IK. - 1/1130781653301824043235576376177777664" = 1' - 0"
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- IT. - 1/578960208640939839288930621382222208" = 1' - 0"
- IU. - 1/1157920417281879678577801242764444416" = 1' - 0"
- IV. - 1/231584083456375935715560248552888832" = 1' - 0"
- IV. - 1/463168166912751871431120497105777664" = 1' - 0"</



**Bounda
147644t**

The survey is a
discovery on a
147644t Chain
Table Resurvey
Submittal Title 1
The undersigned
is/are party
PROPERTY AT
736 NE 20th A
Fort Lauderdale
OVERALL LEG
The South 16 S
VICTORIA HIG
47. of the Publ
feet of said Lot

TITLE C3	
CLIENT:	FAYATON ONTARIO LIMITED
CONTRACT NO.:	00018
PREPARED BY:	CHRIS M. WALLACE
JOB NO.:	17.047

PROPOSED CONDITIONS
SCALE: 1" = 20'-0"

PREPARED FOR:
**B & M MARINE
CONSTRUCTION, INC.**
1500 S.W. 14TH STREET
DEERFIELD BEACH, FL 33442
954-421-1700
00002820

CONCRETE CAP OVERPILING
AND MOORING PILING FOR
SOWA RESIDENCE
736 NE 20th AVENUE
FORT LAUDERDALE, FL

PC

DATE: 01/11/2017
 DRAWN BY: J. M. MARRAS
 CHECKED BY: J. M. MARRAS
 PROJECT NO.: 17-0000001

Blay and Associates
 Engineering, LLC
 555 W. Republic Road
 Ocala, FL 32067
 T: 352.776.0115
 F: 352.776.0115
 www.blayandassociates.com

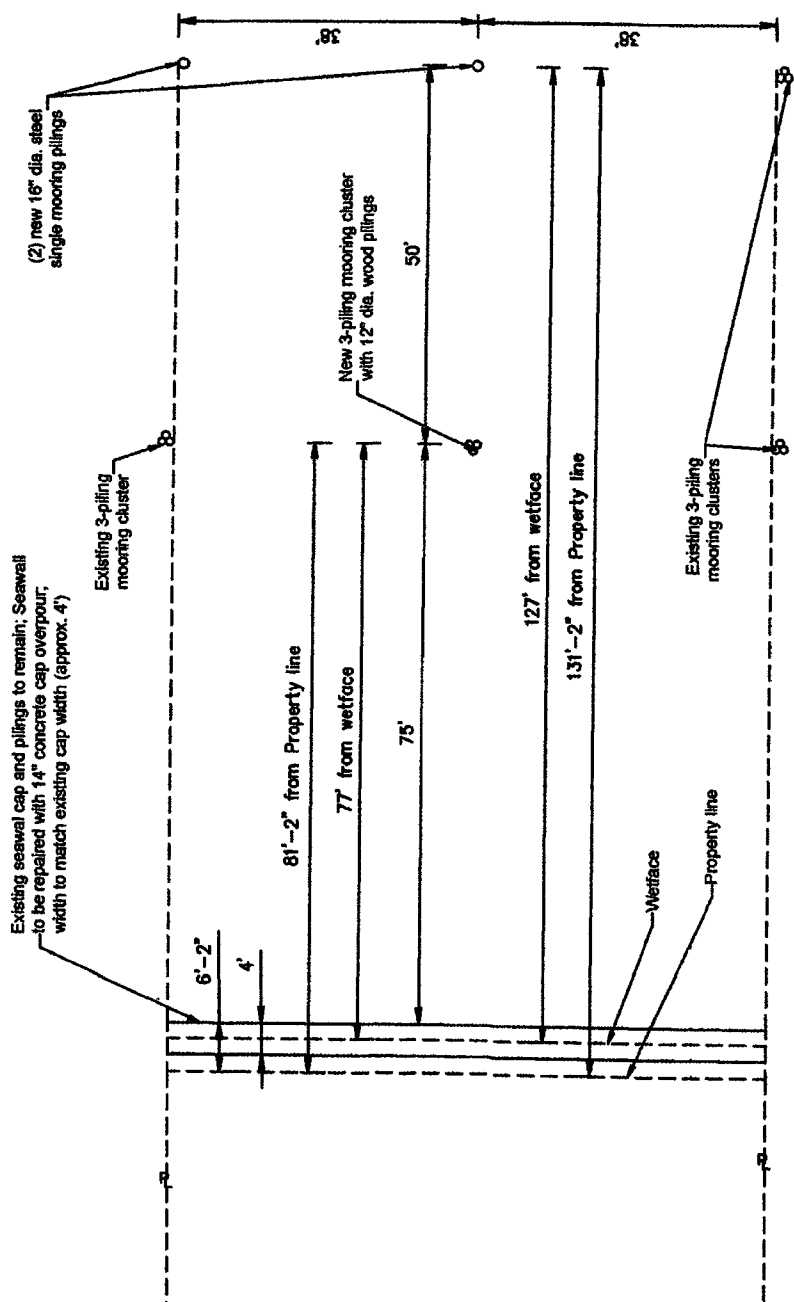


PREPARED FOR:
 B & M MARINE
 CONSTRUCTION, INC.
 3500 S.W. 14TH STREET
 DEERFIELD BEACH, FL 33442
 954-421-1700
 08052820

CONCRETE CAP OVERPOUR
 AND MOORING PILING FOR
 SOVA RESIDENCE
 758 NE 20th AVENUE
 FORT LAUDERDALE, FL

DATE	01/11/2017
SCALE	AS SHOWN
PROJECT NO.	17-0000001
DRAWN BY	J. M. MARRAS
CHECKED BY	J. M. MARRAS

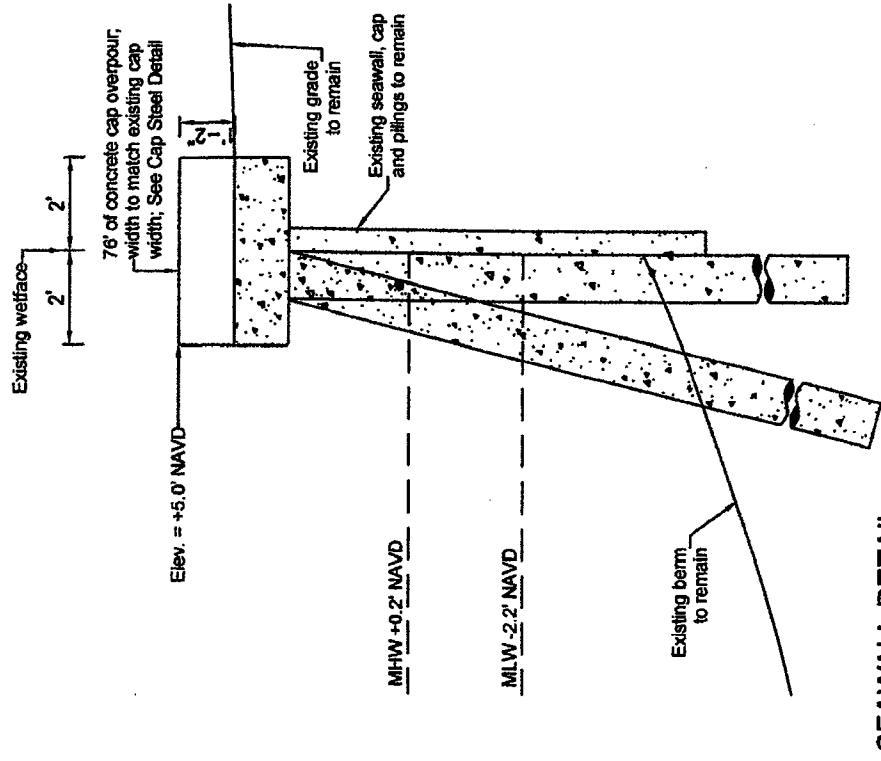
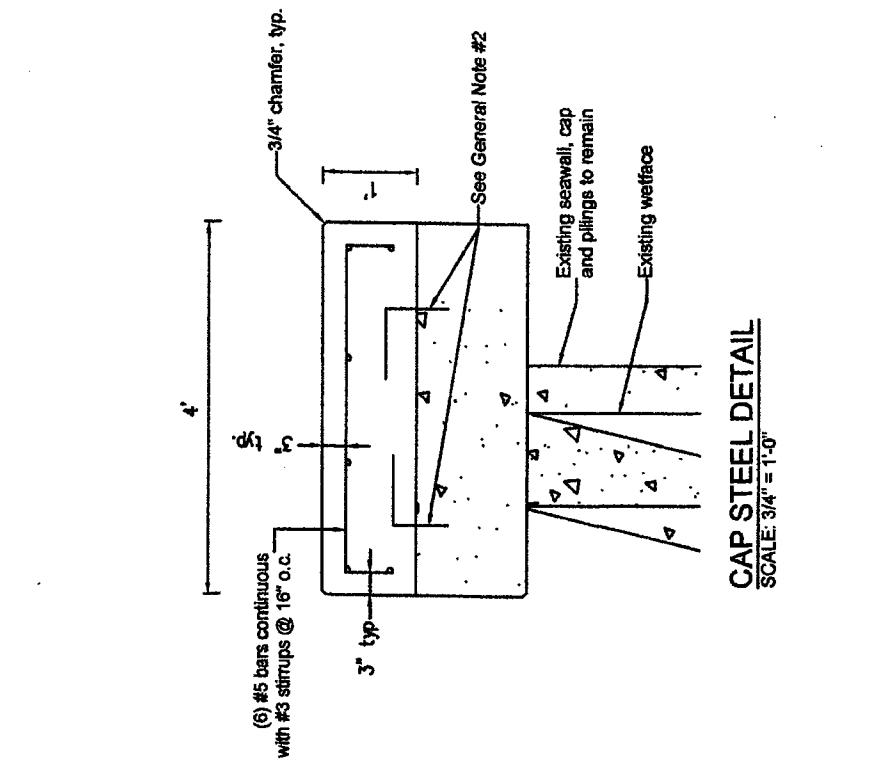
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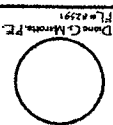


SITE PLAN
 SCALE: 1/16" = 1'-0"

General Notes:

1. For all new prestressed pilings, extend pilings strands a min. of 18" into cap/dock slab steel or cut strands even w/ top of pilings & dowel & epoxy (2) #5 L-bars, 12" long w/ 12" bend, into top of pilings, w/ a min. of 4" embedment.
2. Dowel and epoxy #5 bars or L-bars into top and front of existing cap, staggered @ 24" o.c., min. 4" embedment.
3. New wood pilings to be min. 12" dia. CCA treated wood pilings.
4. New steel pilings to be min 16" dia. epoxy coated steel pipe.
5. All reinforcing steel shall be grade 60, with a minimum 3" clearance.
6. Concrete to be min. 5000 psi @ 28 days.
7. All pilings to be driven 8' into strata. If hard strata is encountered, a 2' minimum penetration is required.
8. Approved contractor to verify all dimensions. The approved contractor is responsible for all methods, means, sequences and procedures of work.
9. Any deviation &/or substitution from the approved plans herein shall be submitted to the Engineer for approval prior to commencement of work.
10. Elevations shown are based on the North American Vertical Datum of 1988.
11. Design in accordance with 2017 6th Edition Florida Building Code.





Diag and Associates
 Engineering, LLC
 2175 Fringedale
 Orlando, FL 32817
 Phone: 407.277.1011
 Fax: 407.277.1012

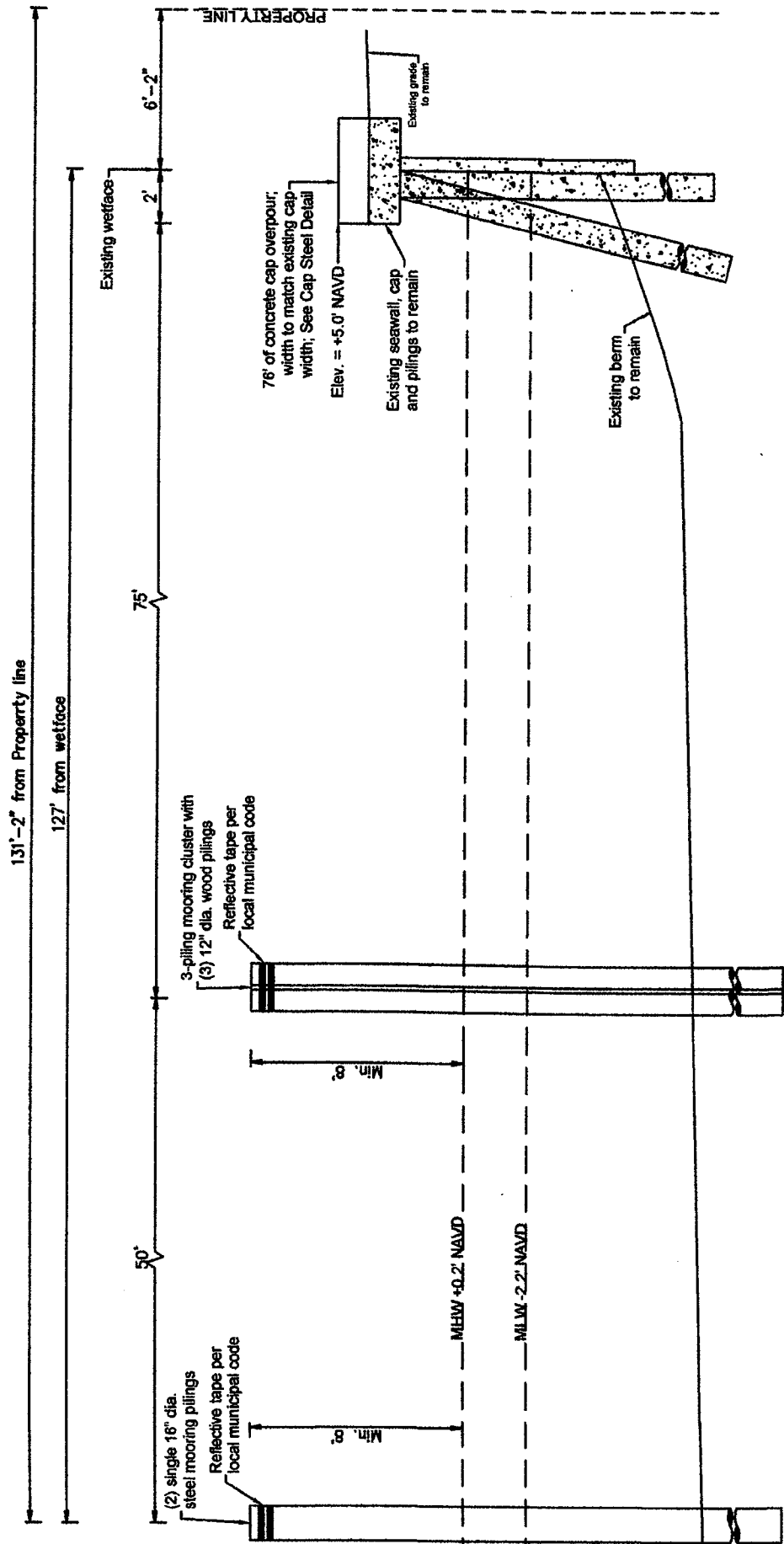


B & M MARINE
 CONSTRUCTION, INC.
 2500 SW 14TH STREET
 DEERFIELD BEACH, FL 33442
 954-421-1700
 954-421-1700
 CC0052820

PREPARED FOR:
 CONCRETE CAP OVERPOUR
 AND MOORING PILING FOR
 9000 RESIDENCE
 736 NE 20th AVENUE
 FORT LAUDERDALE, FL

DATE	
SCALE	AS NOTED
NO. DRAWING	
DATE	
NO. DRAWING	
DATE	
NO. DRAWING	

DTL-2



MOORING PILING DETAIL
 SCALE: 1/4" = 1'-0"



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District
3301 Gun Club Road, MSC7210-1
West Palm Beach, FL 33406
561-681-6600

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

October 25, 2018

Gerhard Sowa
500 Manitou Dr.
Kitchener, Ontario, Canada
Sent via e-mail to: permits@bm-marine.com

Re: File No.: 06-0368892-001, 002-EE
File Name: Sowa

Dear Mr. Sowa:

On Sept 20, 2018, we received your application for an exemption to 1) repair a 76 linear foot seawall with a cap overpour and 2) install one 3 pile mooring cluster and two single mooring piles. The project is located in the Middle River, Class III Waters, adjacent to 736 NE 20th Ave. Ft. Lauderdale (Section 2, Township 50 South, Range 42 East), in Broward County (Latitude N 26° 8' 0.17", Longitude W 80° 7' 9.29").

This determination does not convey or create any property right, or any interest in real property. This determination does not authorize any trespass, entrance upon, or activities on property which is not owned or controlled by you, or convey any rights or privileges other than those specified in this determination and applicable rules and statutes.

You shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the activities described in this determination or any use of the structure/activities.

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project qualifies for all three. However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity.

1. Regulatory Review – VERIFIED

Based on the information submitted, the Department has verified that the activity as proposed is exempt under Chapter 62-330.051(12)(d), (5)(a), Florida Administrative Code, from the need to obtain a regulatory permit under part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification will expire after one year,

and will not be valid at any other time if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. However, the activity may still be conducted without further notification to or verification from the Department after the one-year expiration of this verification, provided: 1) the project design does not change; 2) site conditions do not materially change; and 3) there are no changes to the statutes or rules governing the exempt activity. In the event you need to re-verify the exempt status for the activity after the one-year expiration of this verification, a new application and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required. Conditions of compliance with the regulatory exemption are contained in Attachment A.

2. Proprietary Review – GRANTED

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under chapters 253 of the Florida Statutes, and chapter 18-21 of the Florida Administrative Code.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity qualifies for an automatic Consent by Rule under rule 18-21.005(1)(b), F.A.C. and section 253.77 of the Florida Statutes to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. No further application is required for this consent of use.

General Conditions for State-Owned Submerged Land Authorizations:

- (a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.
- (b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.
- (c) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.
- (d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
- (e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.

(g) Structures or activities shall not create a navigational hazard.

(h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(i) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(f), F.A.C., or any other applicable law.

3. Federal Review – SPGP APPROVED

Your proposed activity as outlined on your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit V, and a separate permit or authorization will not be required from the Corps. Please note that the Federal authorization expires on July 26, 2021. You, as permittee, are required to adhere to all General Conditions and Special conditions that may apply to your project." A copy of the SPGP V with all terms and conditions and the General Conditions may be found at http://www.saj.usace.army.mil/Portals/44/docs/regulatory/sourcebook/permitting/general_permits/SPGP/SPGPV-Permit%20Instrument-Complete.pdf?ver=2016-07-27-071925-250.

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to insure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the

applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the order is filed with the Clerk of the Department.

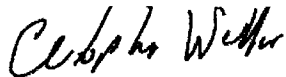
Judicial Review

Any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Thank you for applying to the Submerged Lands and Environmental Resource Permit Program. If you have any questions regarding this matter, please contact Bruce Kay at (561) 681-6695 or by email at Bruce.Kay@floridadep.gov

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Christopher Weller
Environmental Manager
Southeast District

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were sent on the filing date below to the following listed persons:

FDEP – Monica Sovacool, Bruce Kay
Linda Sunderland, Broward County EPD, LSunderland@broward.org
David Nutter, B & M Marine Construction, nutt3839@bellsouth.net

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk **Date**
October 25, 2018

Enclosures:

Attachment A- Specific Exemption Rule
General Conditions for use of the Federal SPGP V
Project Drawings, 7 pages

Attachment A

Chapter 62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

(12) Construction, Replacement, Restoration, Enhancement, and Repair of Seawall, Riprap, and Other Shoreline Stabilization –

(d) Installation of batter piles, king piles, or a seawall cap, used exclusively to stabilize and repair seawalls, provided they do not impede navigation.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work -

(a) Installation or repair of pilings and dolphins associated with private docking facilities or piers that are exempt under section 403.813(1)(b), F.S.

General Conditions for Federal Authorization for SPGP V

1. The time limit for completing the work authorized ends on July 26, 2021.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or Construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
3. **Reliance on Applicant's Data:** The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
 4. **Reevaluation of Permit Decision:** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
 5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
 6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.
 7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

Department of the Army Permit Transfer for SPGP V

PERMITEE: _____

PERMIT NUMBER: _____ DATE: _____

ADDRESS/LOCATION OF PROJECT:

(Subdivision) (Lot) (Block)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit 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 permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

(Transferee Signature) (Date)

(Name Printed)

(Street address)

(Mailing address)

(City, State, Zip Code)

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK
2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com/manatee). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

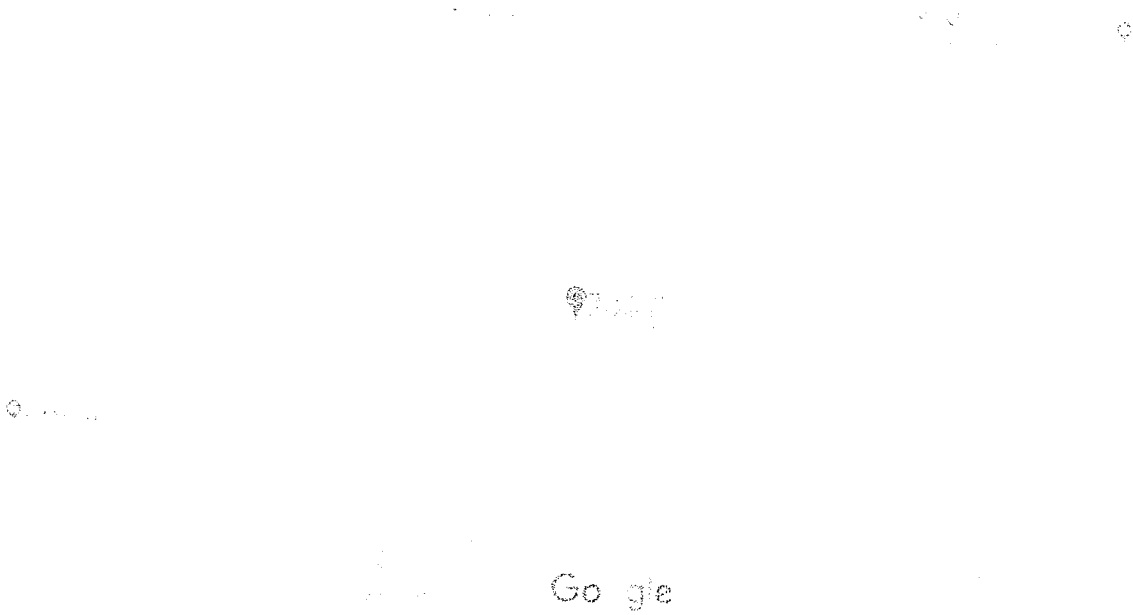
The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.
- h. Any collision(s) with and/or injuries to any whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312).

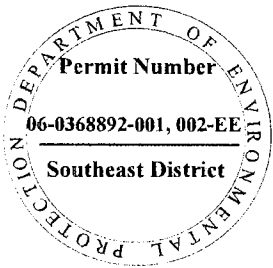
- i. Reports to NMFS's Protected Resources Division (PRD) may be made by email to takereport.nmfs@noaa.gov.
- j. Sea turtle and marine stranding/rescue organizations' contact information is available by region at <http://www.nmfs.noaa.gov/pr/health/networks.htm>.
- k. Smalltooth sawfish encounters shall be reported to <http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html>.
- l. All work must occur during daylight hours.



Google Maps 736 NE 20th Ave

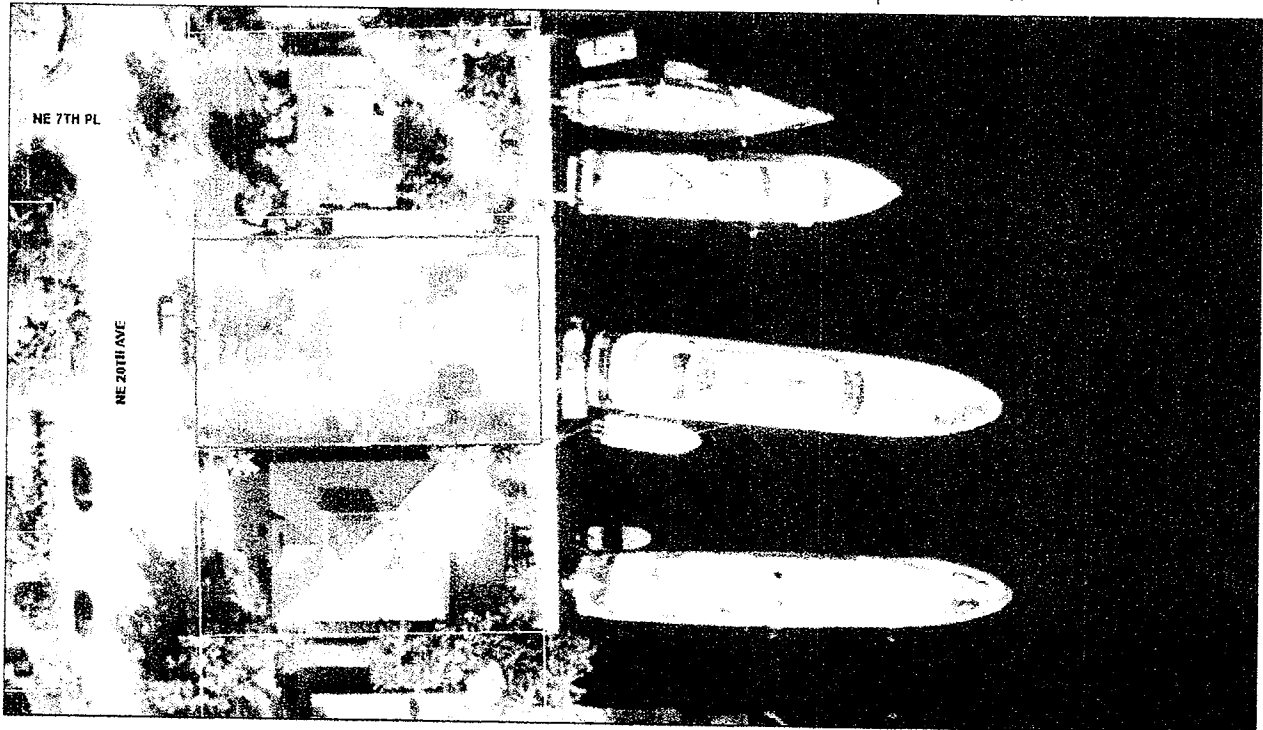


Map data ©2018 Google 200 ft



Property Id: 504202130040

**Please see map disclaimer



September 17, 2018

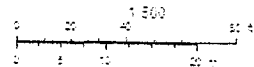
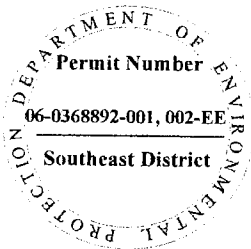
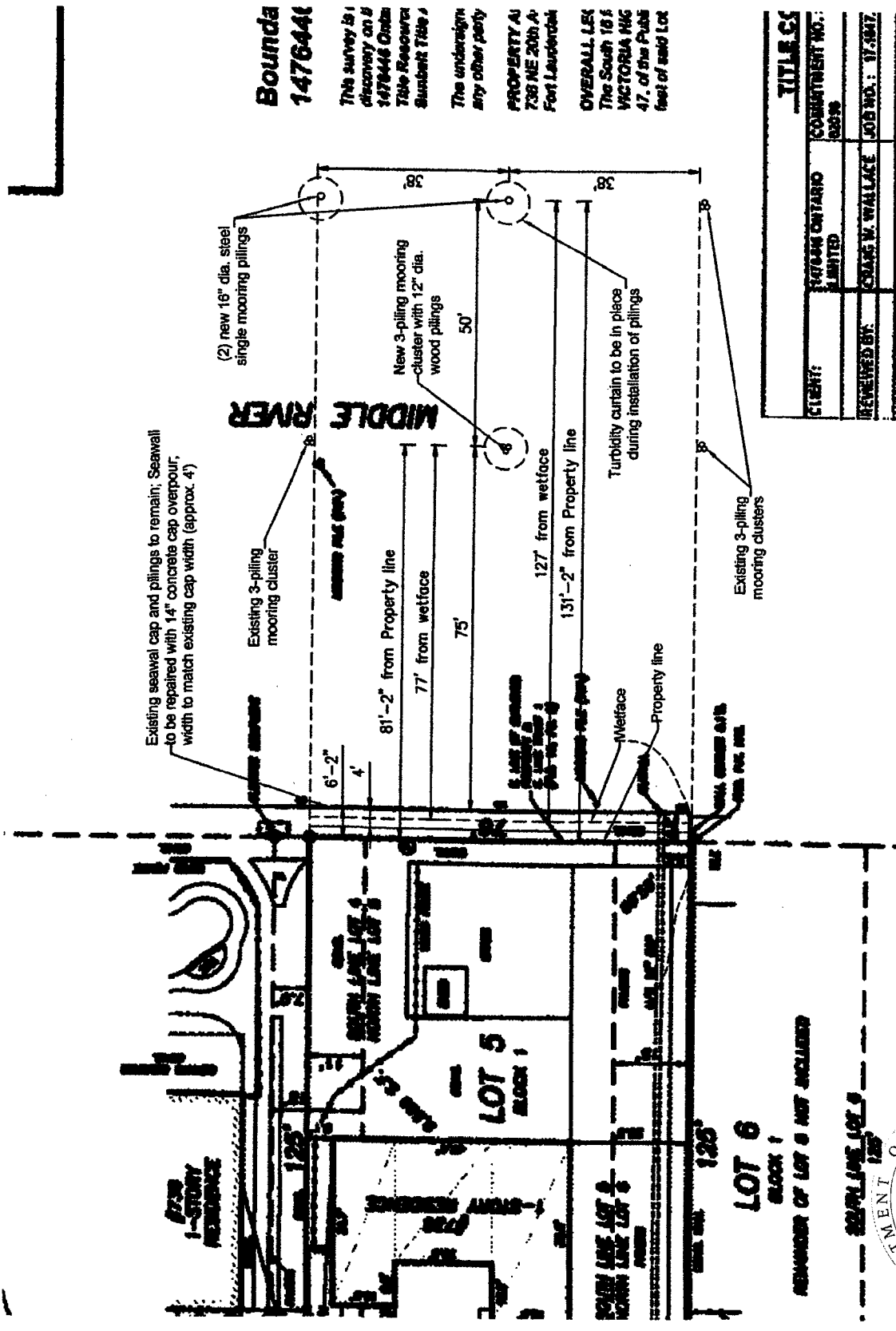


Figure 1: Aerial Photograph of Property





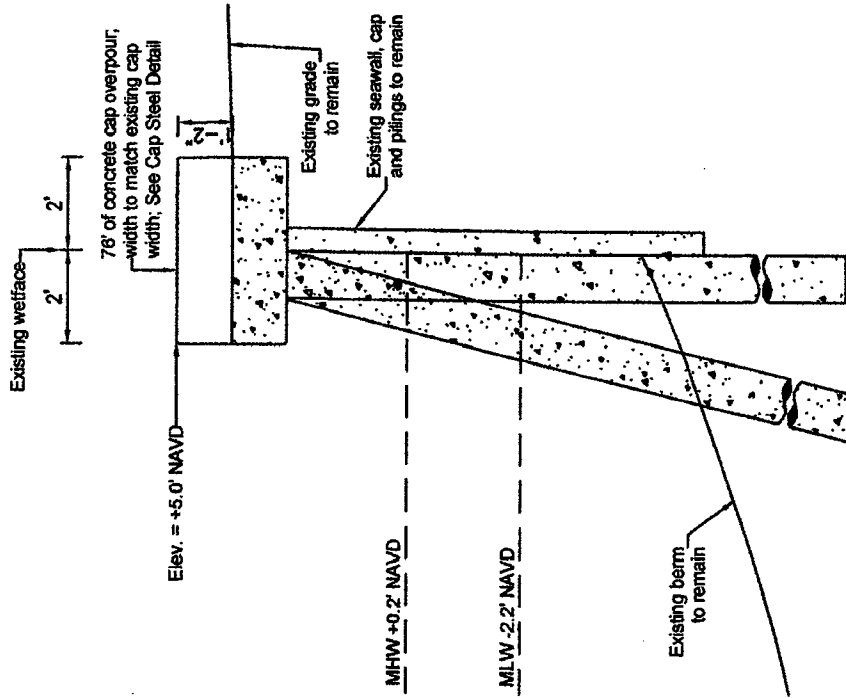
**Bounda
1476441**

This survey is a
discovery on a
1476441 Omba
Title Research
Subsist Title
The undersigned
any other party
PROPERTY A/
738 NE 20th A/
Fort Lauderdale
OVERALL LEG
The South 18 1/2
VICTORIA HIG
47. of the Publ
feet of said Lot

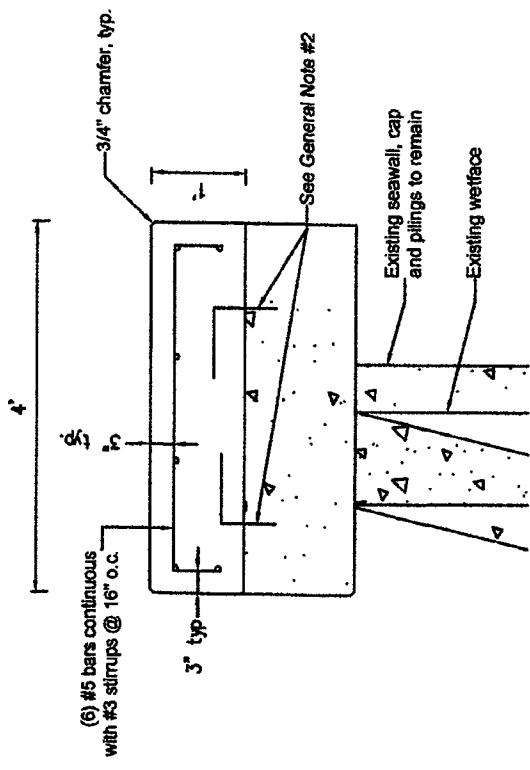
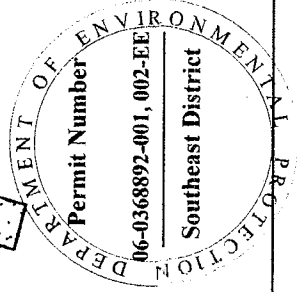
TITLE 55	
CLIENT:	1476441 ONTARIO LIMITED
COMMITMENT NO.:	02036
REVIEWED BY:	CHARLES W. WALLACE
JOB NO.:	17.017

PROPOSED CONDITIONS
SCALE: 1" = 20'-0"





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



CAP STEEL DETAIL
SCALE: 3/4" = 1'-0"

<p>Day and Associates Engineering LLC 333 Westport Road Orlando, FL 32801 Tel: 407.774.0113 Fax: 407.774.0113</p>	<p>B & M MARINE CONSTRUCTION, INC. 3600 S.W. 14TH STREET DEERFIELD BEACH, FL 33442 954-421-1700 000052820</p>	<p>CONCRETE CAP OVERPOUR AND MOORING PILING FOR SOWA RESIDENCE 738 NE 20th AVENUE FORT LAUDERDALE, FL</p>	DATE	SCALE AS NOTED	<p>DTL-1</p>
			REVISIONS	DATE	

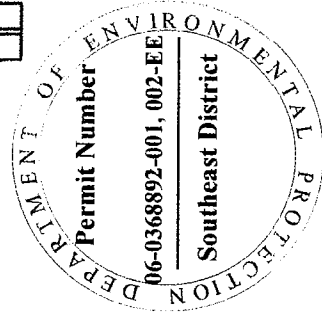
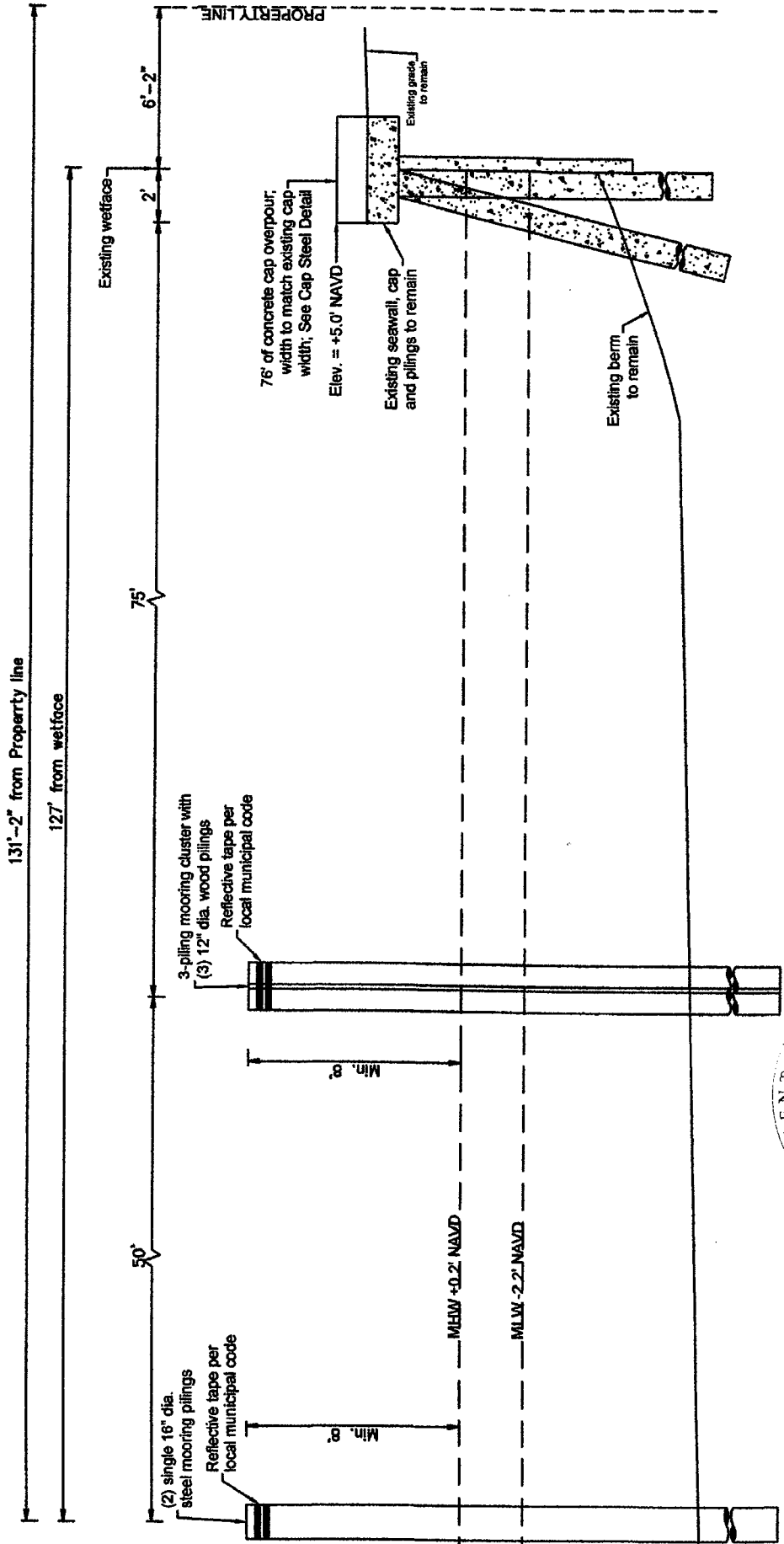
DATE	
SCALE	AS SHOWN
NO. DRAWINGS	
DATE	
SCALE	
NO. DRAWINGS	

CONCRETE CAP OVERPOUR
AND MOORING PILING FOR:
SCWA RESIDENCE
730 NE 20th AVENUE
FORT LAUDERDALE, FL

PREPARED FOR:
**B & M MARINE
CONSTRUCTION, INC.**
3900 S.W. 14th STREET
DEERFIELD BEACH, FL 33442
954-431-1700
0905292920

J
Bligh and Associates
225 W. Flagler Road
Fort Lauderdale, FL 33309
Tel: 954-561-1500
Fax: 954-561-1501

Diane C. Marotta, P.E.
FL # 22791



MOORING PILING DETAIL
SCALE: 1/4" = 1'-0"













BOYS

TOWN, C.I.



ITEM VII

MEMORANDUM MF NO. 19-18

DATE: September 19, 2019

TO: Marine Advisory Board

FROM: Andrew Cuba, Manager of Marine Facilities

RE: October 3, 2019 MAB - Dock Waiver of Distance Limitations
–Leonardo Guillermo Coll Mazzei – Costa Bahia LLC. / 435
Bayshore Drive

Attached for your review is an application from Leonardo Guillermo Coll Mazzei-Costa Bahia LLC. / 435 Bayshore Drive (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for the installation of two (2) 24,000 pound boatlifts extending a maximum distance of +/- 48.5' from the property line into the Intracoastal Waterway (ICWW). The distances these proposed structure would extend from the property line into the ICWW is shown in the survey in **Exhibit 1** and summarized in Table 1 below:

TABLE 1

PROPOSED STRUCTURE	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING WAIVER
Boat Lift A	+/-48.5'	25'	+/-23.5'
Boat Lift B	+/-43.1'	25'	+/-18.1'

Section 47-19.3 C limits the maximum distance of mooring structures to 25 feet or 25% of the width of the waterway, whichever is less. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has indicated that the boat lifts are necessary for safely mooring resident's vessels, especially during high wind events, severe weather and boat traffic (property not in 'No Wake' zone).

PROPERTY LOCATION AND ZONING

The property is located within the IOA/Intracoastal Overlook Area Zoning District. It is situated on the ICW where the width of the waterway to the closest structure is approximately +/-600', according to the narrative provided in **Exhibit 1**. At its closest proximity, the distance from the outermost edge of the outermost boatlift to the eastern edge of the navigable channel of the ICWW is approximately +/-101'.

DOCK PLAN AND BOATING SAFETY

Records reflect that there have been five (5) waivers of dockage distance limitations approved by the City Commission within close proximity since 2009. A comparison of these as shown in Table 2 including the maximum distances of mooring structures extending into the ICWW:

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
2009	209 Grand Birch, Slip 4	45'6"
2011	215 N. Birch Road	47.5'
2013	209 Grand Birch, Slip 3	39.3'
2014	321 N. Birch Road	75'
2017	435 Bayshore Drive	61'

RECOMMENDATIONS

Should the Marine Advisory consider approval of the application, the Resolution under consideration for approval 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. 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 appropriate City staff with copies of "As Built" drawings from a certified and licensed contractor.
3. The applicant is required to install and affix reflector tape to the proposed mooring piling clusters in accord with Section 47.19.3.E of the Unified Land and Development Regulations (ULDR).

AC
Attachment

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

**ADAGIO
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: **Leonardo Guillermo Coll Mazzei, Costa Bahia LLC.**

TELEPHONE NO: _____

(home)

(954) 716-7529
(business)

EMAIL: **LGCOLL@GRUPOALCO.COM**

2. APPLICANT'S ADDRESS (if different than the site address): **1650 SE 17th Street Suite 404 Fort Lauderdale, FL 33316**
3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:
The applicant requests a waiver for the proposed construction of two boatlifts beyond 25 feet from the property line.

4. SITE ADDRESS:
435 Bayshore Drive Fort Lauderdale, FL 33304

ZONING:
IOA

LEGAL DESCRIPTION AND FOLIO NUMBER:

ROYAL ATLANTIC 174-32B PARCEL A

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

Applicant's Signature _____

8/26/19
Date

The sum of \$ _____ was paid by the above-named applicant on the _____ of _____, 20____ 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 _____

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EXHIBIT II
SUMMARY DESCRIPTION

Summary Description
Adagio
TCG Project No. 15-0063.001

The project site is located along the Intracoastal Waterway at 435 Bayshore Drive, in Section 01, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida

The property is located along the Intracoastal Waterway (ICWW), which is a tidal water. The nearest direct connection to the Atlantic Ocean is 2.4 miles to the south at the Port Everglades Inlet. As the project site is located along the ICWW, the incoming tidal waters (flood) at the site move to the northwest and the outgoing waters (ebb) move to the southeast.

The project site consists of an existing 2.5' seawall cap, $\pm 1,272$ ft² concrete marginal dock, four ± 80 ft² finger piers, and fourteen (14) mooring piles. The proposed project includes the installation of two (2) 24,000lb boatlifts into the ICWW. As measured from the property line, the proposed structures encroach more than 25' from the property line into the ICWW. As these distances are over the allowable 25' distance into the waterway from the property line, the proposed boatlifts will require a variance waiver.

The existing structures have been authorized by the City of Fort Lauderdale, (Resolution No. 17-175), Broward County Environmental Protection & Growth Management Department (DF19-1044), Florida Department of Environmental Protection (06-342158-001-EI), and US Army Corps of Engineers (SAJ-2004-02383(LP-JKA)). The existing structures were authorized to extend a maximum of $\pm 61'$ from the property line. The proposed structures will extend a maximum of $\pm 48.5'$ from the property line.

The following five (5) 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 ($\pm 600'$), the proposed project will not impede navigation within the ICWW.
3. The boatlifts are necessary for safely mooring resident's vessels, especially during high wind events, severe weather and boat traffic (not in no wake zone).
4. The proposed structures are consistent with the adjacent neighbors and do not exceed the neighbor's finger pier at 75.0'.

5. The proposed structures are consistent with the previously authorized structures at the Applicant's property and do not exceed the mooring piles at 61.0'.

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

STRUCTURE	PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
A	Boatlift	±48.5'	25'	±23.5'
B	Boatlift	±43.1'	25'	±18.1

**EXHIBIT III
WARRANTY DEED**

THIS INSTRUMENT WAS PREPARED BY
AND SHOULD BE RETURNED TO:

Conrad J. Boyle, Esquire
Mombach, Boyle, Hardin & Simmons, P.A.
100 N.E. Third Avenue, Suite 1000
Fort Lauderdale, FL 33301

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, is made and executed as of the 11th day of August, 2015, by **ATLANTIC RESIDENTS DEVELOPMENT, LLC**, a Florida limited liability company, whose address is 26 South Pennsylvania Avenue, #201, Atlantic City, New Jersey 08401 (hereinafter referred to as the "Grantor"), to **COSTA BAHIA LLC**, a Florida limited liability company, whose address is 700 E. Las Olas Boulevard, #307, Fort Lauderdale, Florida 33301 (hereinafter referred to as the "Grantee");

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto the Grantee that certain piece, parcel or tract of land situated in Broward County, Florida more particularly described as follows, to wit:

SEE EXHIBIT "A" ATTACHED HERETO

(hereinafter referred to as the "Subject Property");

TOGETHER WITH all the tenements, hereditaments, easements and appurtenances, including riparian rights, if any, thereto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the Subject Property in fee simple forever.

AND the Grantor does hereby covenant with and warrant to the Grantee that the Grantor is lawfully seized of the Subject Property in fee simple; that the Grantor has good right and lawful authority to sell and convey the Subject Property; and that the Grantor fully warrants the title to the Subject Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

THE conveyance made herein, however, is expressly made SUBJECT TO ad valorem real property taxes and assessments for the year 2015 and thereafter, and easements and restrictions of record, if any, the reference to which shall not operate to reimpose the same.

STATE OF NJ
COUNTY OF ATLANTIC

The foregoing instrument was acknowledged before me this 11 day of August, 2015 by George Miller, as Manager of ATLANTIC RESIDENTS DEVELOPMENT, LLC, a Florida limited liability company, on behalf of the company. He is X personally known to me or _____ has produced _____ as identification.

(NOTARY SEAL)

Rosemary Siciliano
Notary Public Signature

Sworn to and subscribed
before me this
11 day of Aug. 2015

(Name typed, printed or stamped)
Notary Public, State of ROSEMARY SICILIANO
Commission No.: NOTARY PUBLIC OF NEW JERSEY
My Commission Expires: My Commission Expires 10/23/2015

EXHIBIT "A" TO SPECIAL WARRANTY DEED

PARCEL "A" OF "ROYAL ATLANTIC" ACCORDING TO THE PLAT THEREOF AS RECORDED
IN PLAT BOOK 174 AT PAGES 32 & 33 OF THE PUBLIC RECORDS OF BROWARD COUNTY,
FLORIDA.



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

Detail by Entity Name

Florida Limited Liability Company
COSTA BAHIA LLC

Filing Information

Document Number	L15000135006
FEI/EIN Number	NONE
Date Filed	08/10/2015
State	FL
Status	ACTIVE
Last Event	LC STMNT OF RA/RO CHG
Event Date Filed	04/22/2019
Event Effective Date	NONE

Principal Address

1650 SE 17TH STREET., SUITE 404
FT. LAUDERDALE, FL 33316

Changed: 10/25/2017

Mailing Address

1650 SE 17TH STREET., SUITE 404
FT. LAUDERDALE, FL 33316

Changed: 10/25/2017

Registered Agent Name & Address

NRAI SERVICES, INC.
1200 SOUTH PINE ISLAND ROAD
PLANTATION, FL 33324

Name Changed: 04/22/2019

Address Changed: 04/22/2019

Authorized Person(s) Detail

Name & Address

Title MGR

LEONARDO GUILLERMO COLL MAZZEI
1650 SE 17TH STREET., SUITE 404
FT. LAUDERDALE, FL 33316

Title MBR

COSTA SIX S.A.
1650 SE 17TH STREET., SUITE 404
FT. LAUDERDALE, FL 33316

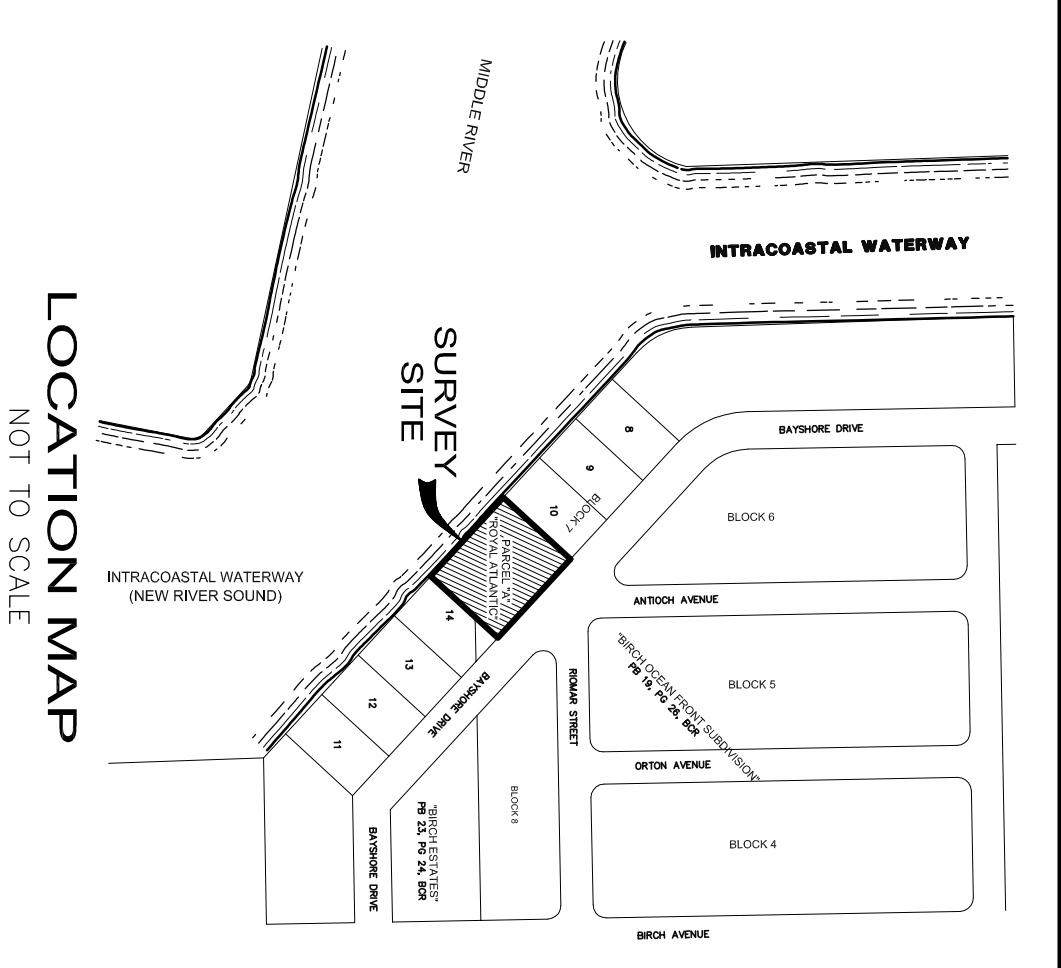
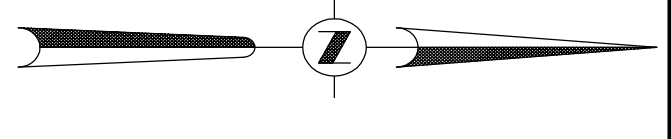
Annual Reports

Report Year	Filed Date
2017	01/17/2017
2018	01/16/2018
2019	04/17/2019

Document Images

04/22/2019 -- CORLCRACHG	View image in PDF format
04/17/2019 -- ANNUAL REPORT	View image in PDF format
01/16/2018 -- ANNUAL REPORT	View image in PDF format
01/17/2017 -- ANNUAL REPORT	View image in PDF format
04/12/2016 -- ANNUAL REPORT	View image in PDF format
08/10/2015 -- Florida Limited Liability	View image in PDF format

**EXHIBIT IV
ORIGINAL SURVEY**



LEGEND

	CONCRETE
	ASPHALT PAVEMENT
	ELEVATION
	OVERHEAD WIRES
	UNDERGROUND WATER LINE
	UNDERGROUND STORM SEWER LINE
	UNDERGROUND SANITARY SEWER LINE
	UNDERGROUND TELEPHONE LINE
	UNDERGROUND GAS LINE
	CENTERLINE
	O.R.B.
	TRAVERSE POINT (FOR FIELD INFORMATION ONLY)
	FPL
	FLORIDA POWER & LIGHT COMPANY

LEGAL DESCRIPTION:
 PARCEL "A", OF "ROYAL ATLANTIC", ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 174, PAGE 32, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

- NOTES:**
- 1) THIS SITE CONTAINS 33,998 SQUARE FEET (0.7808 ACRES) MORE OR LESS.
 - 2) THIS SURVEY WAS PREPARED BY THE AMERICAN SURVEYING AND MAPPING COMPANY, INC., A FLORIDA LIMITED LIABILITY COMPANY, IN PARTIAL FULFILLMENT OF THE OBLIGATIONS OF THE CONTRACT DATED 8/18/14.
 - 3) FLOOD ZONE: AE & X; BASE FLOOD ELEVATION: 5 FEET & NONE; PANEL #25105 0388H, MAP DATE: 8/18/14.
 - 4) THIS SITE LIES IN SECTION 1, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA.
 - 5) BEARINGS ARE BASED ON THE NORTHEASTERLY LINE OF PARCEL "A" BEING N46°58'56" W.
 - 6) REASONABLE EFFORTS WERE MADE REGARDING THE EXISTENCE AND THE LOCATION OF THIS UNDERGROUND UTILITIES. THIS FIRM, HOWEVER, DOES NOT ACCEPT RESPONSIBILITY FOR THIS INFORMATION, BEFORE EXCAVATION OR CONSTRUCTION CONTACT THE APPROPRIATE UTILITY COMPANY.
 - 7) THIS SURVEY IS CERTIFIED EXCLUSIVELY TO: GRUPO ALCO INTERNATIONAL, LLC, A FLORIDA LIMITED LIABILITY COMPANY; FIDELITY NATIONAL TITLE INSURANCE COMPANY AND GREENSPRING WARDER, P.A.
 - 8) THE HORIZONTAL POSITIONAL ACCURACY OF WELL DEFINED IMPROVEMENTS ON THIS SURVEY IS ±0.2'. THE VERTICAL ACCURACY OF ELEVATIONS OF WELL DEFINED IMPROVEMENTS ON THIS SURVEY IS ±0.1'.
 - 9) THIS SURVEY WAS PREPARED WITH BENEFIT OF TITLE COMMITMENT, ORDER NO. 5361335, PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY WITH AN EFFECTIVE DATE OF JUNE 22, 2015.
- THE FOLLOWING ITEMS ARE SCHEDULE B SECTION II EXCEPTIONS TO SAID COMMITMENT:
- ITEMS 1 - 2, 3, 4, 5, 6 & 7 - STANDARD EXCEPTIONS, NOT ADDRESSED.
- ITEM 8 - RESTRICTIONS, COVENANTS, CONDITIONS, EASEMENTS AND OTHER MATTERS ON PLAT BOOK 174, PAGE 32, TOGETHER WITH AND AS AFFECTED BY AGREEMENT FOR AMENDMENT OF NOTATION ON PLAT IN O.R.B. 50700, PAGE 492 AFFECT THIS SITE AS DEPICTED HEREON.
- ITEM 9 - EASEMENT(S) AND RIGHTS-OF-WAY IN WARRANTY DEED IN DEED BOOK 541, PAGE 382 AFFECT THIS SITE AS DEPICTED HEREON.
- ITEM 10 - CITY OF FORT LAUDERDALE ORDINANCE IN O.R.B. 1282, PAGE 182 MAY AFFECT THIS SITE.
- ITEM 11 - SOVEREIGNTY SUBMERGED LANDS LEASE NO. 060005466 IN O.R.B. 21202, PAGE 56, TOGETHER WITH AND MODIFIED, RENEWED AND ASSIGNED BY O.R.B. 27578, PAGE 466, O.R.B. 29067, PAGE 890, O.R.B. 32385, PAGE 484, O.R.B. 42502, PAGE 949, O.R.B. 47623, PAGE 1458 AND O.R.B. 50460, PAGE 423 AFFECT THIS SITE BUT ARE NOT PLOTTABLE.
- ITEM 12 - NOTICE IN O.R.B. 28071, PAGE 945 AFFECTS THIS SITE BUT IS NOT PLOTTABLE.
- ITEM 13 - PROPRIETARY DEED OF CONSERVATION EASEMENT IN O.R.B. 42046, PAGE 1919 AFFECTS THIS SITE AS DEPICTED HEREON.
- ITEM 14 - DE-WATERING AFFIDAVIT IN O.R.B. 42099, PAGE 99 AFFECTS THIS SITE BUT IS NOT PLOTTABLE.
- ITEM 15 - NOT ADDRESSED.

CERTIFICATION:
 I HEREBY CERTIFY: THAT THIS SKETCH OF SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES ("DOACS") CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER, LS2691
 DEBTH BURNS, PROFESSIONAL SURVEYOR AND MAPPER, LS6136
 STATE OF FLORIDA

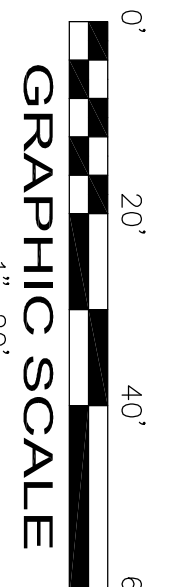
NO.	REVISIONS	BY
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2	ISSUED - UPDATE SURVEY - 9/15/15	MLP
3	ISSUED - UPDATE SURVEY - 9/15/15	MLP
4	ISSUED - UPDATE SURVEY - 9/15/15	MLP
5	ISSUED - NEW BOOK (O.R.B. 50700) - 02/27/15	MLP
6	ISSUED - UPDATE SURVEY - 4/23/15	MLP

BOUNDARY AND TOPOGRAPHIC SURVEY

PULICE LAND SURVEYORS, INC.
 5381 NOB HILL ROAD
 SUNRISE, FLORIDA 33351

E-MAIL: survey@pulicesurveyors.com
 TELEPHONE: (954) 572-1777
 FAX: (954) 572-1778

CHECKED BY: JFP
 SCALE: 1" = 20'
 SURVEY DATE: 7/29/15
 FILE: GRUPO ALCO INTERNATIONAL, LLC
 ORDER NO.: 39480



COPYRIGHT 2015 BY PULICE LAND SURVEYORS, INC.
 ALL RIGHTS RESERVED. NO PART OF THIS SURVEY
 MAY BE REPRODUCED, IN ANY FORM OR BY ANY
 MEANS, WITHOUT PERMISSION IN WRITING FROM AN
 OFFICER OF PULICE LAND SURVEYORS, INC.

CENTER LINE OF CHANNEL
 OF CHANNEL FIELD LOCATED S-12-02

INTRACOASTAL WATERWAY (NEW RIVER SOUND)

VACANT

BAYSHORE DRIVE



ANTIOCH AVENUE

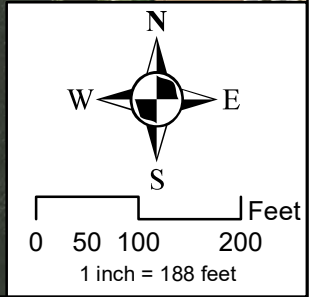
RIOMAR STREET

**EXHIBIT V
ZONING AERIAL**



LEGEND

-  300' Buffer
-  Property Location



CITY OF FORT LAUDERDALE

435 BAYSHORE DRIVE

GIS
Fort Lauderdale

Date: 4/19/2017

**EXHIBIT VI
SITE PHOTOGRAPHS**



1. Southeast corner of the subject site, facing northwest.

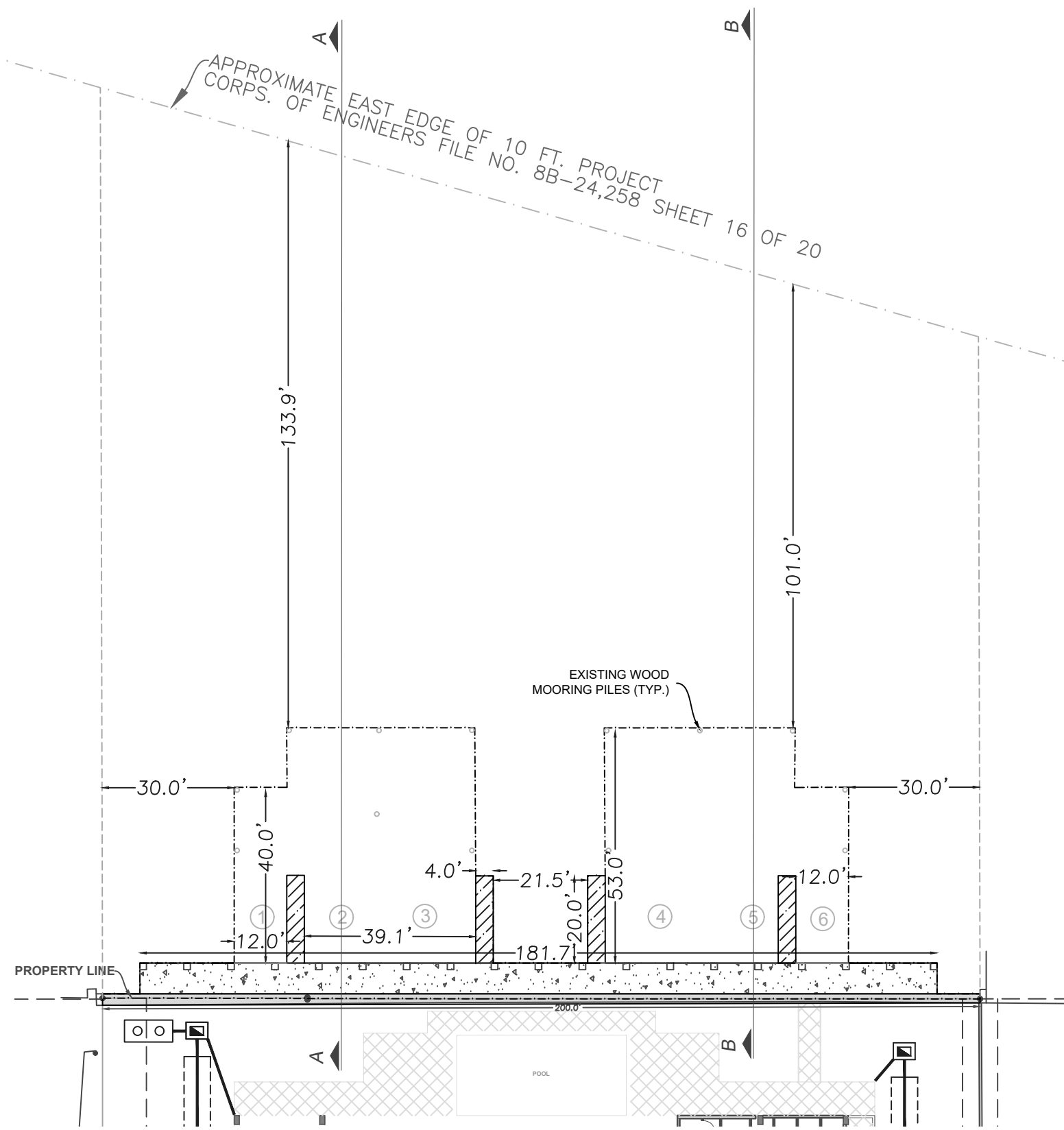


2. Northwest corner of the subject site, facing southeast.

**EXHIBIT VII
PROJECT PLANS**



APPROXIMATE EAST EDGE OF 10 FT. PROJECT
CORPS. OF ENGINEERS FILE NO. 8B-24,258 SHEET 16 OF 20



LEGEND

- EXISTING SEAWALL CAP ±2.5' (±200 In. ft.)
- EXISTING CONCRETE DOCK TO REMAIN (±1,272 SQ.FT.)
- EXISTING FINGER PIERS (±320 SQ.FT.)
- EXISTING SUBMERGED LAND LEASE (±7,250.5 SQ.FT.)
- EXISTING MOORING PILES

M.H.W. = 0.3' NAVD M.L.W. = (-) 2.1' NAVD

NOTE:

1. EXISTING STRUCTURES PREVIOUSLY AUTHORIZED BY CITY OF FORT LAUDERDALE (RESOLUTION No. 17-175), BCEPGMD ERL DF19-1044, FDEP No. 06-342158-001-EI, AND USACOE No. SAJ-2004-02383(LP-JKA).
2. BOUNDARY AND TOPOGRAPHIC SURVEY PROVIDED BY PULICE LAND SURVEYORS, INC.

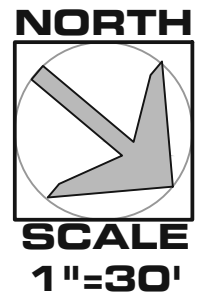
THIS DRAWING AND ALL APPURTENANT MATTER CONTAINS INFORMATION PROPRIETARY TO THE CHAPPELL GROUP, INC. AND IS LOANED SUBJECT TO RETURN UPON DEMAND AND MUST NOT BE REPRODUCED, COPIED, LOANED, REVEALED, NOR LISTED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS SPECIFICALLY FURNISHED WITHOUT EXPRESSED WRITTEN CONSENT OF THE CHAPPELL GROUP, INC.
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THE Chappell GROUP INC.
714 East McNab Road
Pompano Beach, Florida 33060
tel. 954.782.1908
fax. 954.782.1108
www.thechappellgroup.com

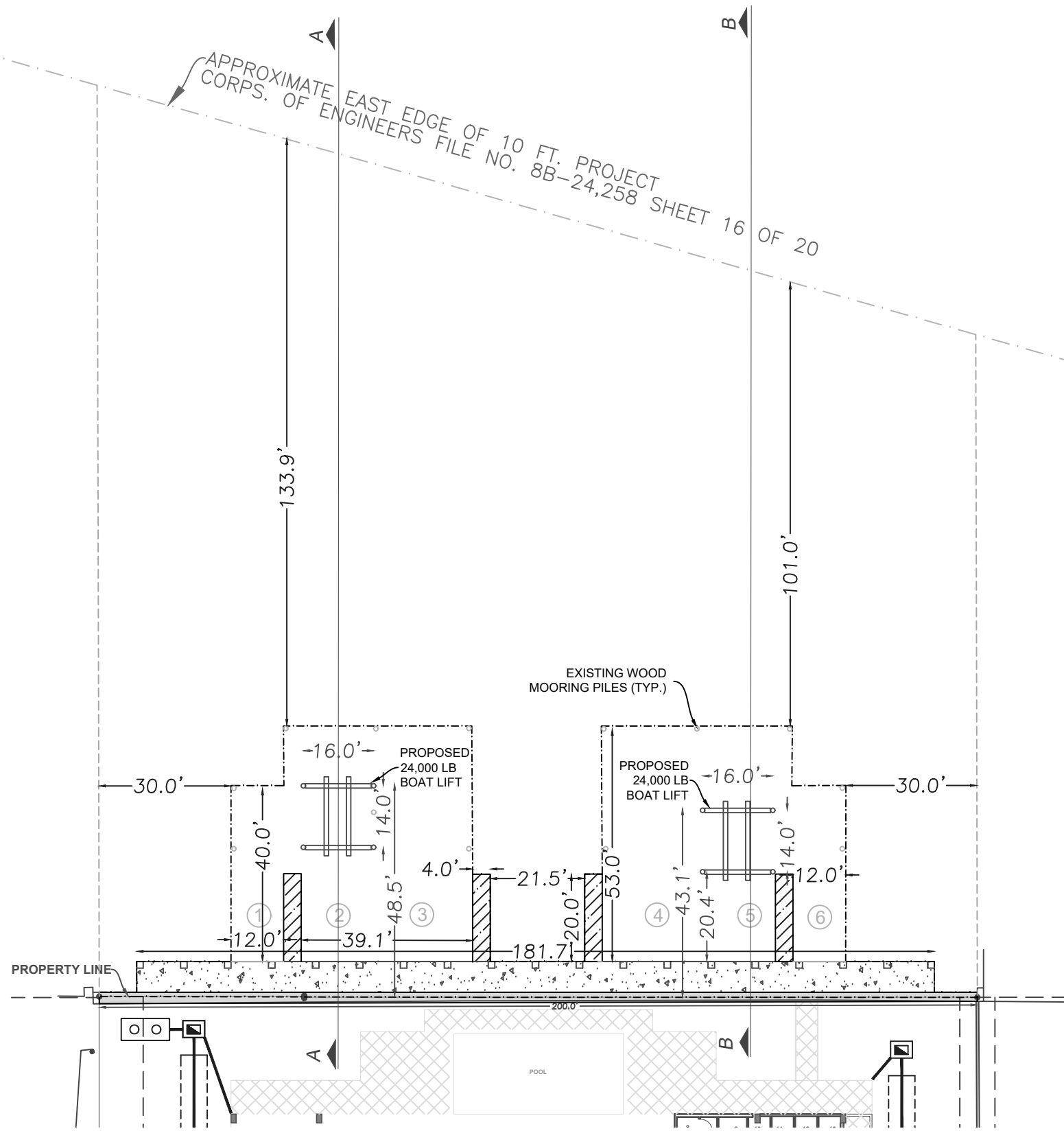
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PREPARED FOR:
GREGG STONE






EXISTING CONDITIONS		
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Proj No.: 15-0063.001		



APPROXIMATE EAST EDGE OF 10 FT. PROJECT
CORPS. OF ENGINEERS FILE NO. 8B-24,258 SHEET 16 OF 20



LEGEND

-  EXISTING SEAWALL CAP ±2.5' (±200 In. ft.)
-  EXISTING CONCRETE DOCK TO REMAIN (±1,272 SQ.FT.)
-  EXISTING FINGER PIERS (±320 SQ.FT.)
-  EXISTING SUBMERGED LAND LEASE (±7,250.5 SQ.FT.)
-  EXISTING MOORING PILES

M.H.W. = 0.3' NAVD M.L.W. = (-) 2.1' NAVD

NOTE:

1. EXISTING STRUCTURES PREVIOUSLY AUTHORIZED BY CITY OF FORT LAUDERDALE (RESOLUTION No. 17-175), BCEPGMD ERL DF19-1044, FDEP No. 06-342158-001-EI, AND USACOE No. SAJ-2004-02383(LP-JKA).
2. BOUNDARY AND TOPOGRAPHIC SURVEY PROVIDED BY PULICE LAND SURVEYORS, INC.

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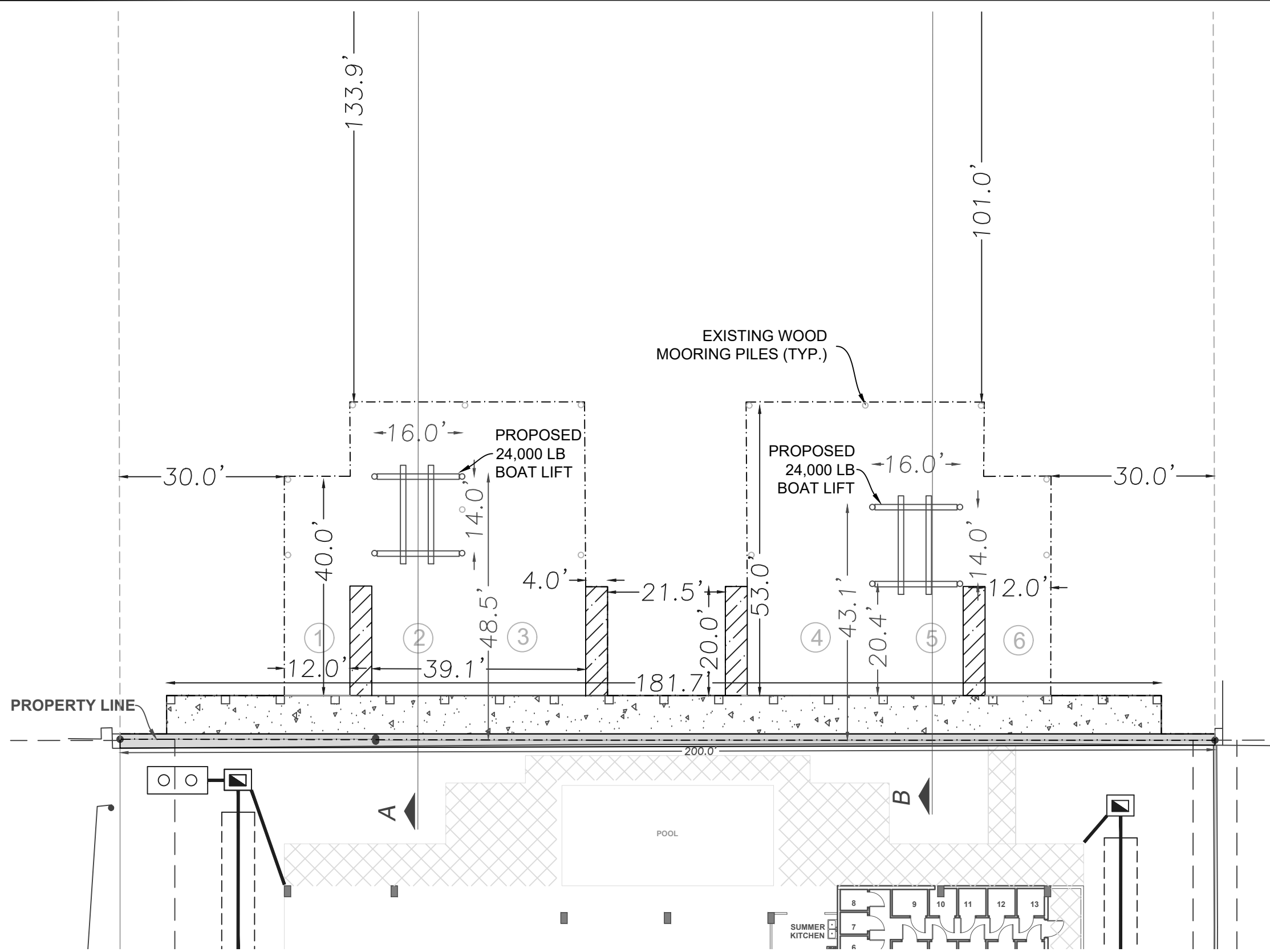
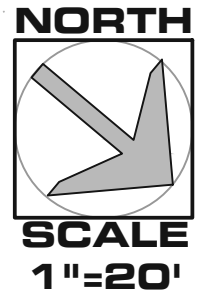
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




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PROPOSED CONDITIONS

Date: 9/20/2019	Sheet : 2	of : 6
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LEGEND

-  EXISTING SEAWALL CAP ±2.5' (±200 ln. ft.)
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-  EXISTING FINGER PIERS (±320 SQ.FT.)
-  EXISTING SUBMERGED LAND LEASE (±7,250.5 SQ.FT.)
-  EXISTING MOORING PILES

M.H.W. = 0.3' NAVD M.L.W. = (-) 2.1' NAVD

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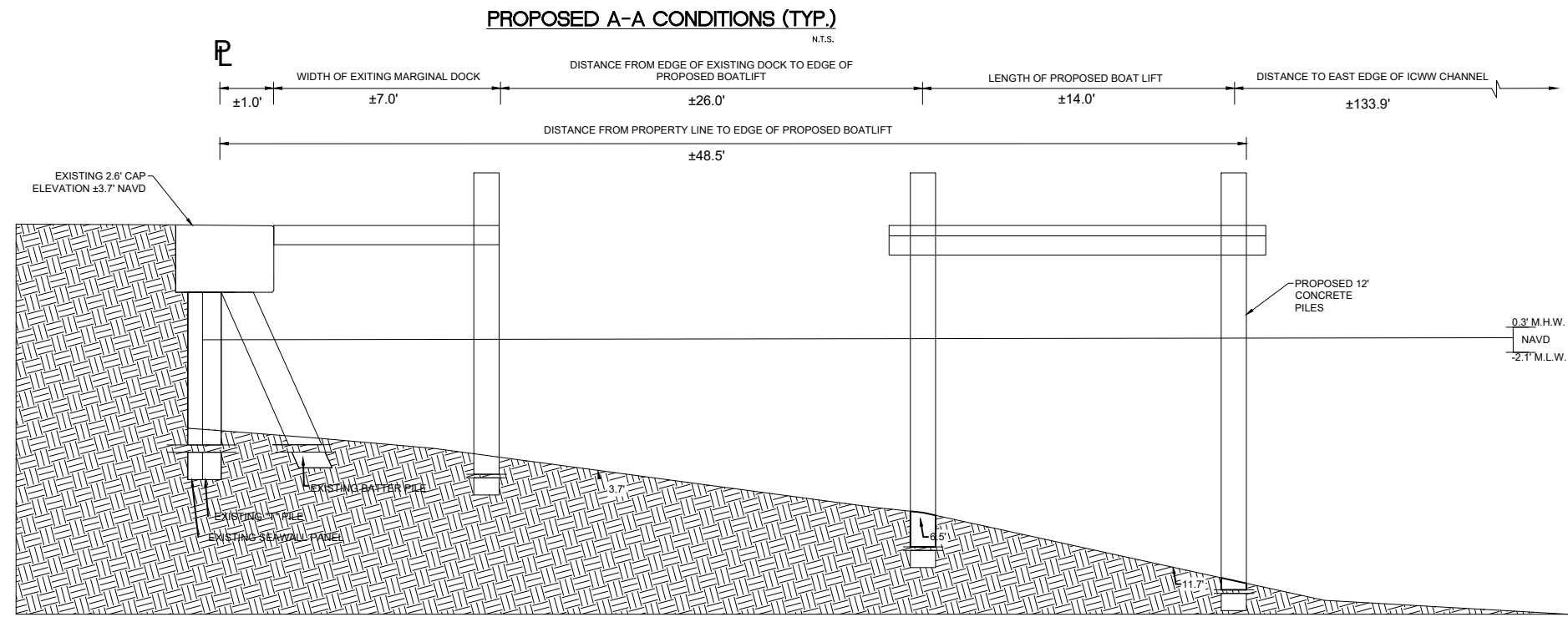
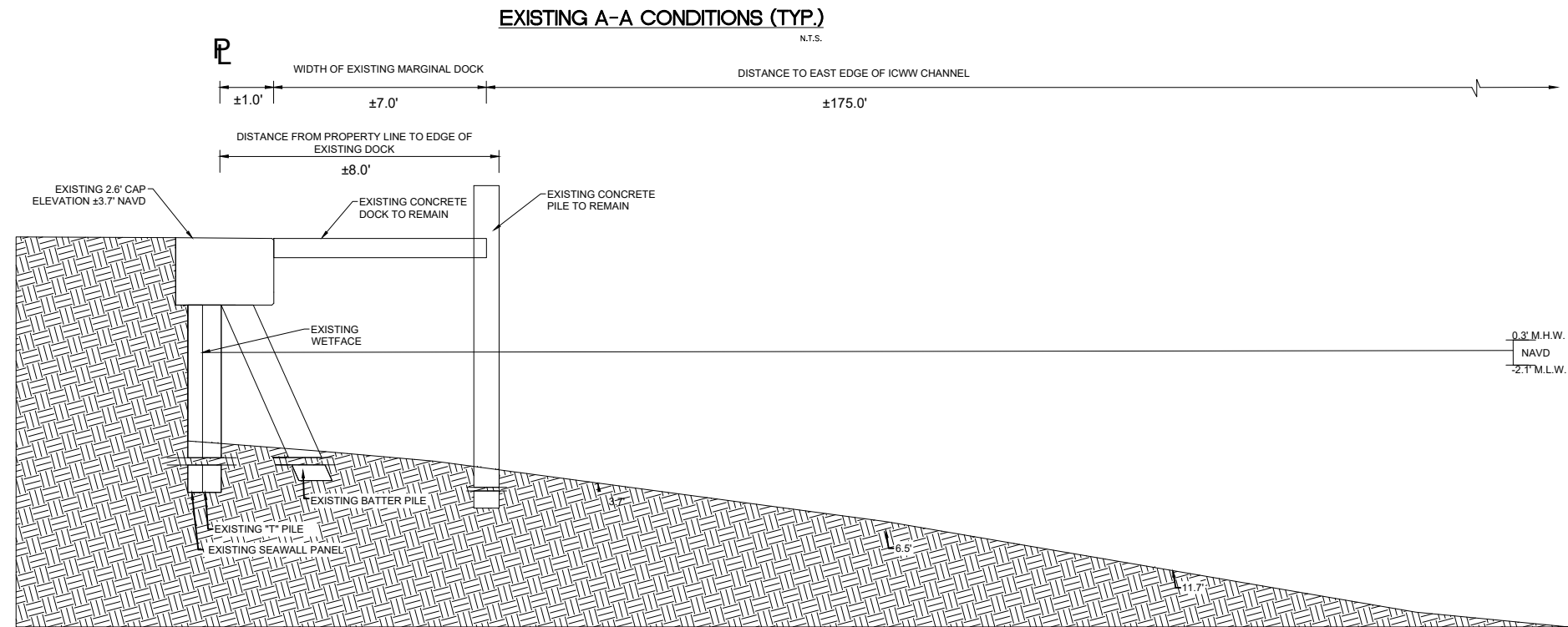
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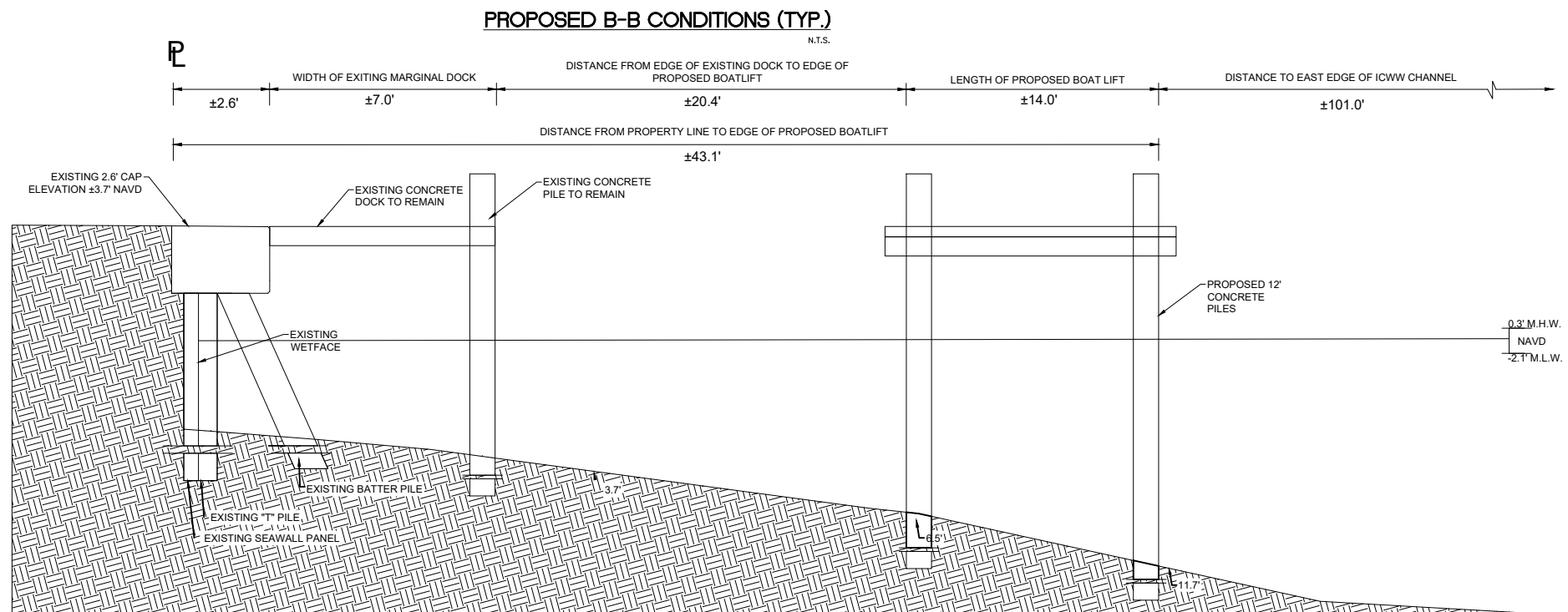
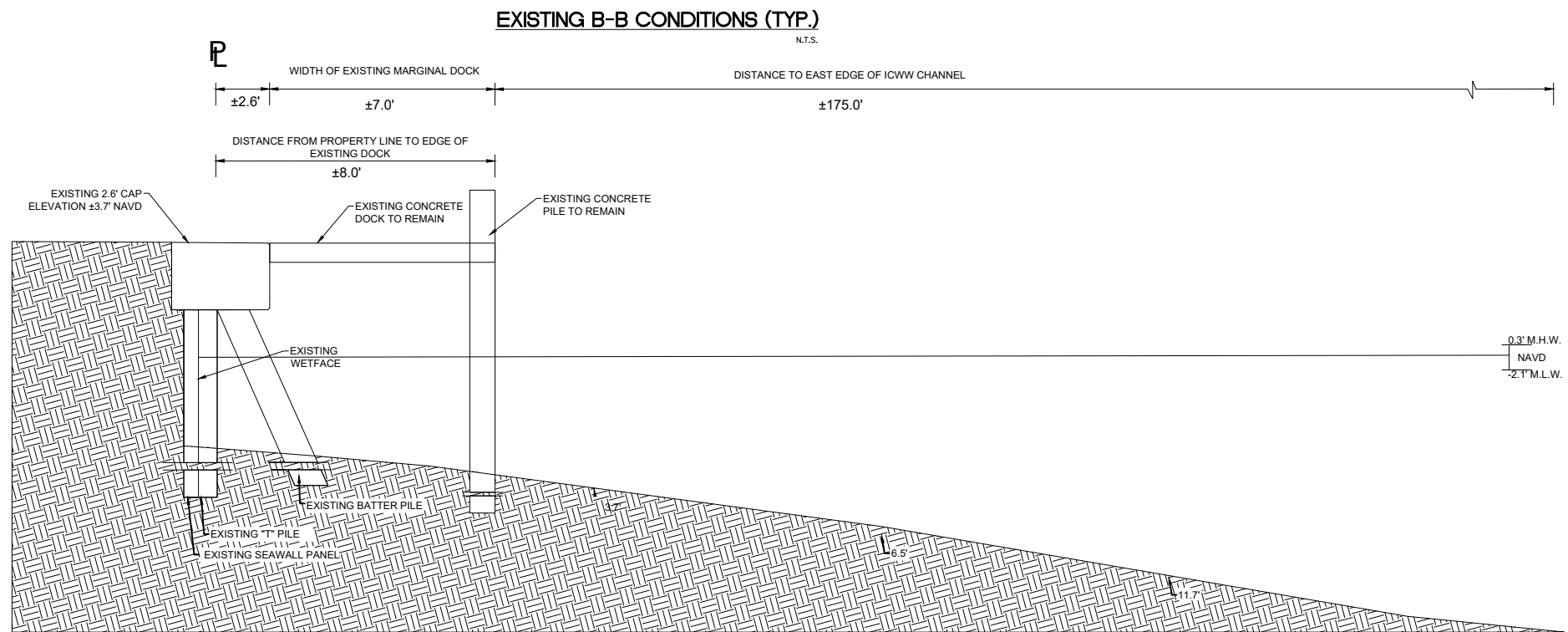
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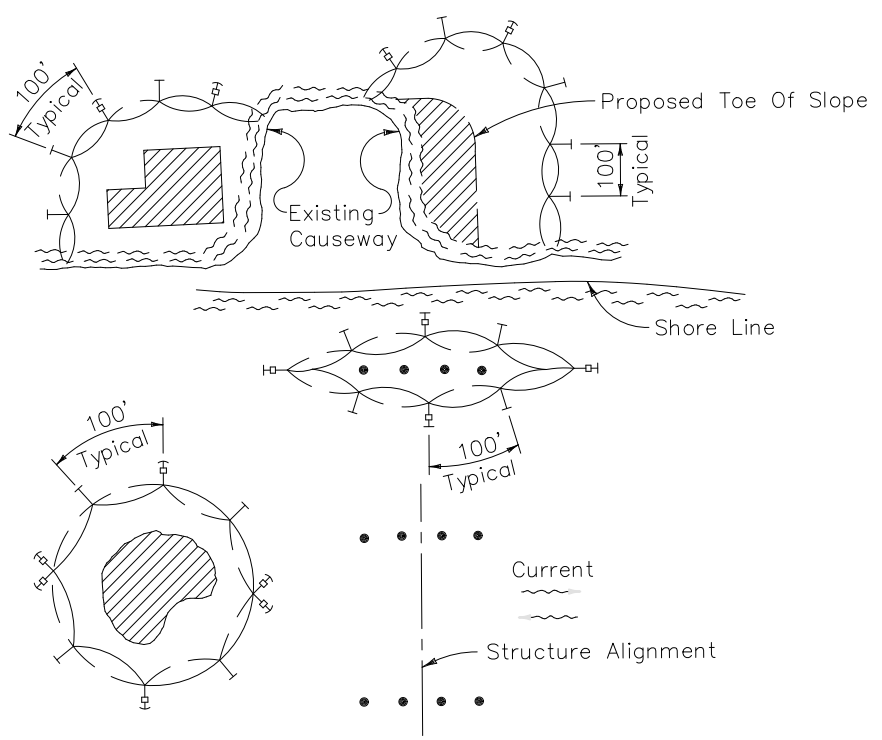
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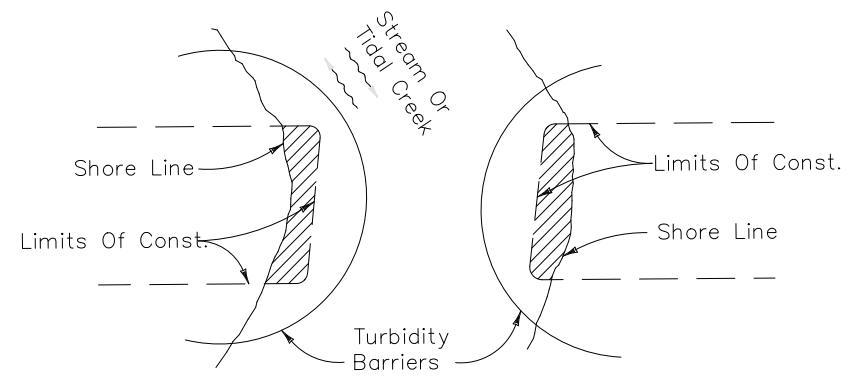
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CONSTRUCTION BARGE (TYP.)

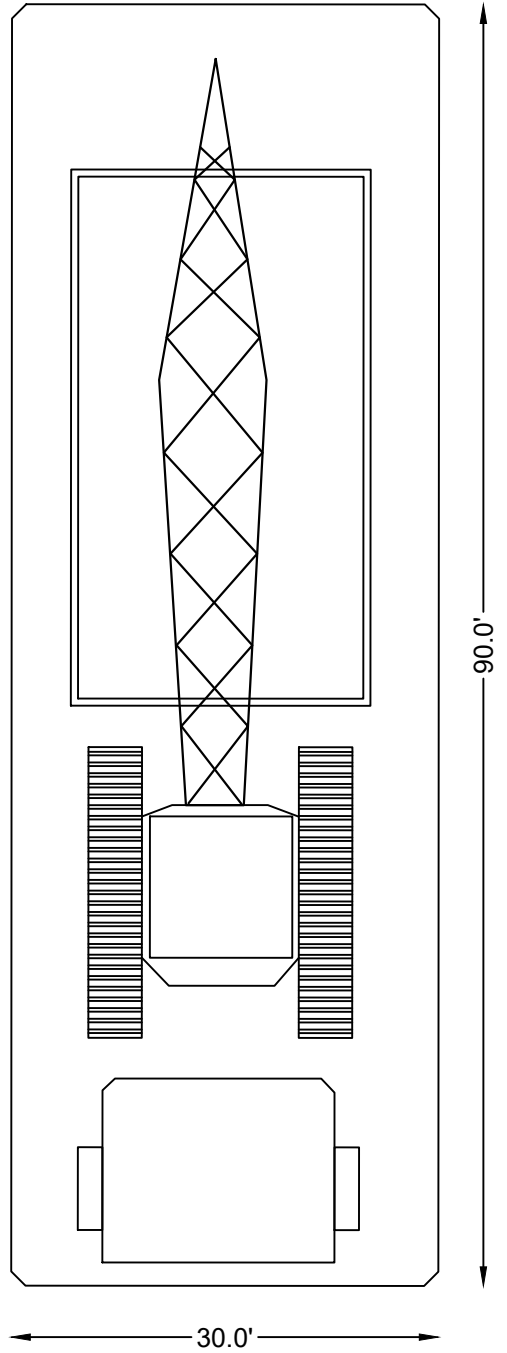


- LEGEND**
- Pile Locations
 - ▨ Dredge Or Fill Area
 - ⊕ Mooring Buoy w/Anchor
 - ⊖ Anchor
 - ⊖ Barrier Movement Due To Current Action



Note:
Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractors option unless otherwise specified in the plans, however payment will be under the pay item(s) established in the plans for Floating Turbidity Barrier and/or Staked Turbidity Barrier. Posts in staked turbidity barriers to be installed in vertical position unless otherwise directed by the Engineer.

- NOTES:**
1. Turbidity barriers are to be used in all permanent bodies of water regardless of water depth.
 2. Number and spacing of anchors dependent on current velocities.
 3. Deployment of barrier around pile locations may vary to accommodate construction operations.
 4. Navigation may require segmenting barrier during construction operations.
 5. For additional information see Section 104 of the Standard Specifications.



TURBIDITY BARRIER APPLICATIONS

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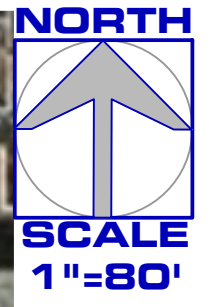
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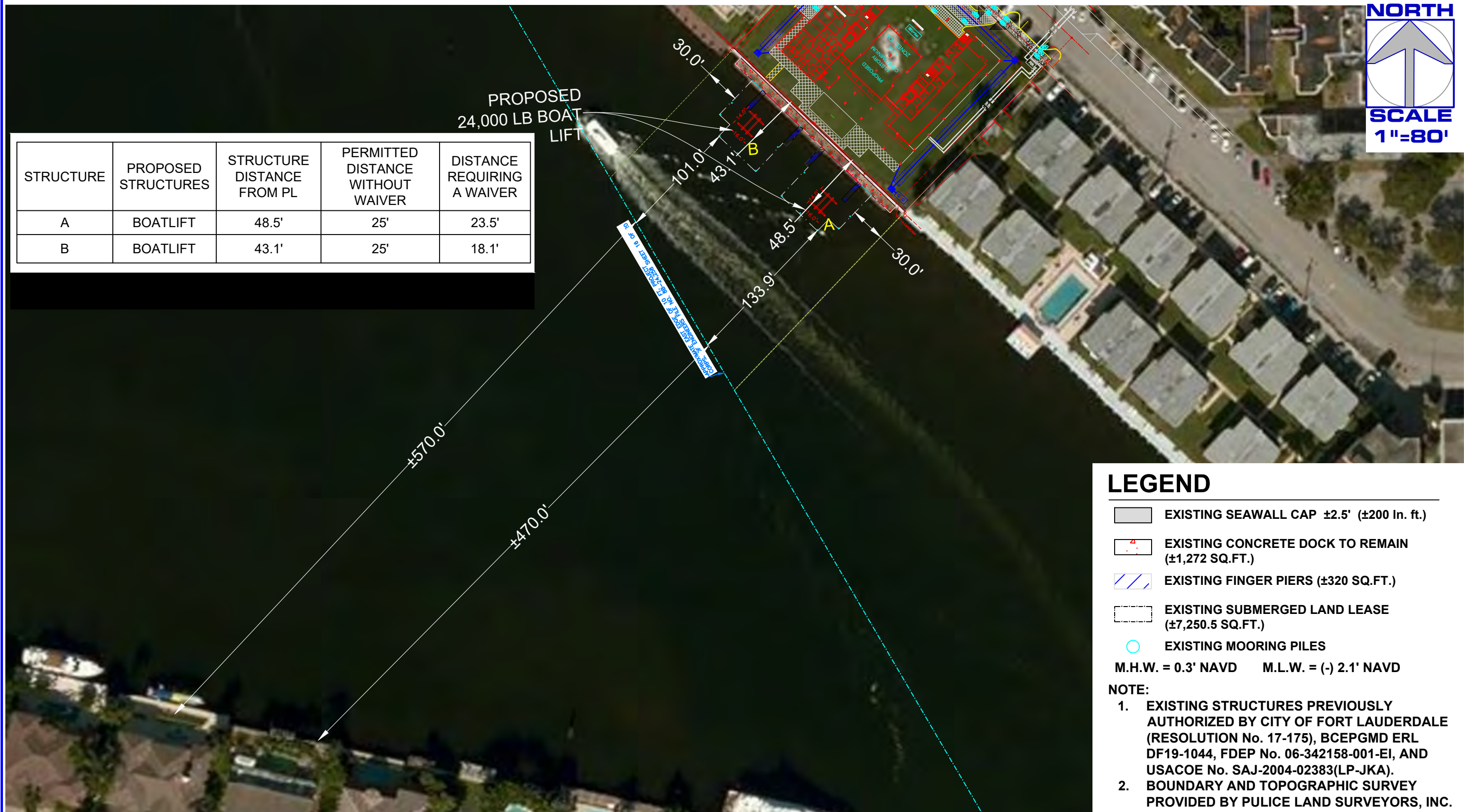
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Date: 9/20/2019	Sheet : 6	of : 6
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**EXHIBIT VIII
DISTANCE EXHIBIT**








PROPOSED
24,000 LB BOAT
LIFT

STRUCTURE	PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PL	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
A	BOATLIFT	48.5'	25'	23.5'
B	BOATLIFT	43.1'	25'	18.1'



LEGEND

-  EXISTING SEAWALL CAP ±2.5' (±200 In. ft.)
 -  EXISTING CONCRETE DOCK TO REMAIN (±1,272 SQ.FT.)
 -  EXISTING FINGER PIERS (±320 SQ.FT.)
 -  EXISTING SUBMERGED LAND LEASE (±7,250.5 SQ.FT.)
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DISTANCE AERIAL		
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**EXHIBIT IX
EXISTING WAIVERS IN THE VICINTY**

EXISTING WAIVERS IN THE VICINITY



ADDRESS	MAXIMUM DISTANCE
209 Grand Birch, Slip 4	45.5'
209 Grand Birch, Slip 3	39.3'
215 N. Birch Rd	47.5'
321 N Birch Rd	75'
Subject Site	48.5'

EXHIBIT X
LETTERS OF SUPPORT



Costa Bahia LLC

August 27, 2019

Costa Bahia LLC
435 Bayshore Drive
Fort Lauderdale, FL 33304

RE: Adagio Fort Lauderdale
City of Fort Lauderdale Waiver Request

Dear Mr. Coll,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) boat lifts, beyond 25 feet from the property line into the Intracoastal Waterway. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 425 Bayshore Drive, and support the project as proposed.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Hanrahan", is written over a yellow rectangular highlight.

John Hanrahan – President
Fort Lauderdale Surf Club, Inc.
425 Bayshore Drive
Fort Lauderdale, FL 33304