



CITY OF FORT LAUDERDALE

**MARINE ADVISORY BOARD  
100 NORTH ANDREWS AVENUE  
COMMISSION CONFERENCE ROOM – EIGHTH FLOOR  
FORT LAUDERDALE, FLORIDA  
THURSDAY, OCTOBER 3, 2019 – 6:00 P.M.**

**Cumulative Attendance  
May 2019 – April 2020**

Grant Henderson, Chair	A	4	1
Ed Strobel, Vice Chair	P	4	1
Cliff Berry II	P	4	1
Robyn Chiarelli	A	2	3
Richard Graves	P	4	1
James Harrison	A	1	1
Rose Ann Lovell	A	5	1
Kitty McGowan	P	3	2
Norbert McLaughlin	P	6	0
Curtis Parker	A	2	3
Rossana Petreccia	P	4	1
Roy Sea	P	5	0
Randy Sweers	A	1	3
Bill Walker	P	5	0

As of this date, there are 14 appointed members to the Board, which means 8 would constitute a quorum.

**Staff**

Andrew Cuba, Manager of Marine Facilities  
Jonathan Luscomb, Marine Facilities Supervisor  
Sergeant Todd Mills, Fort Lauderdale Police Department  
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

**I. Call to Order / Roll Call**

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

**II. Approval of Minutes – September 5, 2019**

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

### **III. Statement of Quorum**

It was noted that a quorum was present at the meeting.

### **IV. Waterway Crime & Boating Safety Report**

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

- 6 citations
- 90 warnings
- 26 safety inspections
- 2 boating accidents
- 9 incidents, 5 of which were burglaries

Sgt. Mills concluded that the Fort Lauderdale International Boat Show will be held at the end of October. The event is under new management, which has addressed several previously existing issues.

### **V. Waiver of Limitations – Robert Bret and Nancy Lynn Anderson / 515 Idlewyld Drive**

David Nutter, representing the Applicant, explained that a previous Application had been approved by the Board for a different configuration; however, the Army Corps of Engineers (ACOE) did not approve that configuration, and the Applicant was asked to make changes. The configuration before the Board today is a U-shaped dock with a boat lift to the side, with a lesser extension into the waterway than what was previously approved. One boat will be raised on the lift. Access is also available on the outside of the dock.

The proposed configuration is typical for the Idlewyld Drive area, where most docks extend beyond the 25 ft. limit. The dock structure will extend an additional 8.2 ft. and the lift 7.5 ft. into the waterway.

Ms. McGowan requested clarification of why the U-shaped dock was preferred to the previously approved L-shaped dock. Mr. Nutter advised that a neighbor had raised concerns about the previous configuration. The existing mooring pilings on the site will be removed to make ingress/egress easier for neighboring vessels. The dock does not extend beyond the Applicant's own riparian lines.

There being no further questions from the Board at this time, Vice Chair Strobel opened the public hearing.

Brian Crew, private citizen, stated that while he is not opposed to the proposed dock, his issue is one of access. He had asked if the previously approved structure could be adjusted.

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

Mr. McLaughlin asked for clarification of the dock's configuration. Mr. Nutter confirmed that the U structure faces north, with the boat lift on its south side. Removal of the pilings will open an area to provide improved access. The Applicant does not anticipate docking more than two vessels on the property.

**Motion** made by Mr. McLaughlin, seconded by Mr. Parker, to approve the dock at 515 Idlewyld. In a voice vote, the **motion** passed unanimously.

**VI. Waiver of Limitations – 1476446 Ontario Limited, Gerhard Michael Sowa / 736 NE 20<sup>th</sup> Avenue**

Mr. Nutter, representing the Applicant, stated that several homeowners along 20<sup>th</sup> Avenue have mooring pilings and finger piers which extend into the canal. He added that this is the one area in Fort Lauderdale in which it is permissible to rent boat slips. The proposed pilings would be located 75 ft. and 125 ft. from the seawall cap, and 78 and 128 ft. respectively from the wet face of the seawall. The Applicant plans to dock one 80 ft. and one 100 ft. vessels at the subject property, which is not unusual for the neighborhood. The property is zoned Residential (RS-8).

Mr. Walker asked if boat slips may be rented on the subject property. Mr. Nutter replied that the Applicant plans to rent out at least one slip. Mr. Cuba pointed out that slips may be rented at commercially zoned properties along 20<sup>th</sup> Avenue, but rentals are not permitted in the residentially zoned areas. It is permissible for individuals to rent upland properties and use existing docks on those properties.

Vice Chair Strobel added that zoning is outside the Board's purview: they may not grant permission related to the use of the property.

There being no further questions from the Board at this time, Vice Chair Strobel opened the public hearing.

Priscilla Juranich, private citizen, requested clarification that the pilings would not be farther out than 125 ft. from the seawall cap. This was confirmed. She added that the Applicant's LLC purchased the property for use of the dock with a support building. There is no oversight of environmental, fuel and maintenance, or other issues on the property, as would occur at a marina.

Ms. Juranich continued that both marine wildlife and recreational swimmers are in the water near the subject property, and may be exposed to environmental and health hazards from dumped sewage. She cautioned that a significant storm surge, particularly when combined with tides, could produce 4 to 6 ft. of inundation above ground level,

and vessels left in place could break away and damage other boats or homes. She concluded that the Mediterranean mooring proposed for vessels in the area is not practical in deep water or regions with significant tides or hurricanes.

Mr. Sea commented that if the dock is rented, an agreement should be put into place that boats may not be moored there in the event of a hurricane. It was reiterated that it may not be legal to rent dock space on the subject property.

Ms. McGowan asked how far a boat may extend past 125 ft. into the waterway. Mr. Nutter replied that City Code allows a vessel to extend up to 30% of the width of the canal, with or without pilings. Water at the subject location may be 4 ft. to 6 ft. deep.

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

Mr. Nutter reiterated that the waiver requests placement of two single mooring pilings at 125 ft. from the edge of the seawall cap and a triple pile cluster 75 ft. from the cap. There are no piers proposed by the Application.

Mr. Berry asked if there are any pilings in the area that extend more than 128 ft. from the wet face of the seawall. Mr. Cuba replied he did not believe there were any clusters farther than this distance.

**Motion** made by Mr. Berry, seconded by Mr. Walker, that [the Board] consider [the Application] but not to exceed any of the other clusters that have gone before this Board for a waiver, and not to exceed 125 ft. as the maximum that other clusters along that area.

Ms. McGowan requested clarification of whether the 125 ft. limit would be from the cap or the wet face of the seawall. Mr. Cuba advised that this distance is historically from the property line, which is typically but not always consistent with the seawall. Mr. McLaughlin stated, however, that the industry standard is typically from the wet face of the seawall.

Mr. Berry **amended** his **motion** as follows: the distance would be limited to 125 ft. from the wet face of the seawall.

Mr. McLaughlin cautioned that this could establish a precedent that no pilings could be placed at a greater distance than 125 ft. from the wet face of the seawall. Mr. Cuba added that the Applicant would need to provide an updated set of plans for the pilings representing this distance.

In a voice vote, the **motion** passed unanimously.

## **VII. Waiver of Limitations – Leonardo Guillermo Cole Mazzei, Costa Bahia LLC / 435 Bayshore Drive**

Catherine Bongarzone, representing the Applicant, showed a PowerPoint presentation on the Application, explaining that the Board and City Commission previously approved a waiver for the same property, which approved the construction of two 20 ft. finger piers and mooring pilings at 53 ft. and 40 ft. from the property line. These structures have already been built.

The current request would add two 24,000 lb. boat lifts. The existing dock is 7 ft. and the first proposed boat lift and first piling would be 26 ft. from the property line. The second piling would be 48.5 ft. from the property line. The second boat lift would be at 43.1 ft. from the property line. The waterway is approximately 600 ft. wide at the subject location.

Extraordinary circumstances include the width of the waterway, which means the structures would not impede navigation. The mooring piles already in place have been approved by the ACOE. Boat lifts are necessary for the safe mooring of vessels, as the waterway is not a No Wake Zone at this location. The proposed structures are consistent with those of adjacent neighbors. Ms. Bongarzone provided a letter of support from a neighbor to the property and copies of existing waivers in the vicinity.

Mr. McLaughlin requested clarification of the location of the boat lifts. Ms. Bongarzone advised that they are on the inside of the docks.

There being no further questions from the Board at this time, Vice Chair Strobel opened the public hearing. As there were no individuals wishing to speak on this Item, the Vice Chair closed the public hearing and brought the discussion back to the Board.

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

## **VIII. Reports**

Mr. Cuba introduced Enrique Sanchez, Deputy Director of Parks and Recreation. Mr. Sanchez advised that the City has entered into a new canal cleaning contract, as Staff has been unable to keep up with the size and scale of canal cleaning in the past. The contractor, Aquatic Control Group, offered the best resources for the job. They will begin transitioning into place the second week of October, with City Staff on board during the first few weeks while the contractor becomes familiar with the routes.

Mr. Sanchez continued that the contract is expected to increase the level of service. At present, Staff goes through six to nine cycles per year throughout the City, with six to eight weeks per cycle, depending upon weather. The contractor is obligated to complete a cycle every four weeks, which is expected to increase the number of cycles to 12 per

year. Costs remain roughly the same as the City's costs, while providing a higher level of service.

The contractor will go off-route to address any emergencies that may arise. They will operate two boats on a daily basis. Hazards on the canals are to be reported to the Police Department.

Vice Chair Strobel advised that significant cleanup of Styrofoam waste is needed in and outside the city of Plantation, where it eventually intrudes into the City's waterways. Mr. Sanchez advised that Broward County has cleaning vessels that can address this issue, although he was not certain of their jurisdiction. It was suggested that this concern be communicated to the Broward County Marine Advisory Committee.

Mr. Sanchez continued that the cleaning boats are equipped with water cannons and sonar to locate underwater debris. They are used in post-hurricane cleanup efforts.

Vice Chair Strobel asked if information is available on construction of a kayak dock at Coontie Hatchee Landings Park. Mr. Luscomb replied that the contract for this dock was just awarded, with a price of approximately \$530,000. He added that the City has applied for grant funds for concrete floating docks on the New River. The boat ramps at George English Park will be replaced with a ground-out design, which includes floating docks and will be compliant with the Americans with Disabilities Act (ADA).

## **IX. Old / New Business**

Ms. McGowan stated that the U.S. Super-Yacht Association will be at the American Pavilion of the Fort Lauderdale International Boat Show. Its lounge will be available to any members of the Marine Advisory Board (MAB) who attend the event.

Mr. Walker advised that the state of Florida has approved \$750,000 to review a study of the FEC Bridge. This review is currently underway and will include renderings from the Florida Department of Transportation (FDOT). A report will come before the MAB and ultimately to the City Commission. The study is expected to be complete by January 1, 2020. It will focus on mitigating the impact of train transport on the waterways.

Mr. Berry recalled that concern with sewage dumping on 20<sup>th</sup> Avenue was raised earlier during public comment. He asked what is being done in the City regarding live-aboard vessels and environmental testing. It was noted that sewage pump-out is not available at all locations where individuals may live aboard their boats. Mr. Cuba replied that he can seek an update from the appropriate City Department.

Sgt. Mills stated that while this is a Code Enforcement rather than a Police issue, the Marine Unit has authority to perform checks such as tablet drops if they suspect a boat of dumping sewage into a waterway. He added, however, that the Marine Unit requires

owner permission to conduct these checks, and that vessels dumping sewage are unlikely to do so in daylight.

The Board discussed initiatives taken by other coastal communities to prohibit dumping of sewage. It was noted that the Keys are a No Discharge Zone, as they are an environmentally sensitive area. Communities must apply to the Florida Department of Environmental Protection (FDEP) if they wish to have this status. The City provides pump-out facilities at marinas and at various locations along the New River.

The Board also discussed anchorage and mooring fields, with Mr. Luscomb clarifying that mooring fields cannot be implemented unless there is an upland property to support it. The state encourages municipalities to use mooring fields. There was additional discussion of State Statutes related to live-aboard vessels.

Ms. McGowan thanked all individuals and industries who participated in humanitarian efforts to aid the Bahamas following Hurricane Dorian. She emphasized that the majority of these islands remain open for business, with the exception of some northern areas.

#### **X. Adjournment**

There being no further business to come before the Board at this time, the meeting was adjourned at 7:26 p.m.

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

[Minutes prepared by K. McGuire, Prototype, Inc.]



CITY OF FORT LAUDERDALE

**DRAFT**  
**MEETING MINUTES**  
**100 NORTH ANDREWS AVENUE**  
**COMMISSION CONFERENCE ROOM – EIGHTH FLOOR**  
**FORT LAUDERDALE, FLORIDA**  
**THURSDAY, NOVEMBER 7, 2019 – 6:00 P.M.**

		<b>Cumulative Attendance</b>	
		<b>May 2019 – April 2020</b>	
Grant Henderson, Chair	P	5	1
Ed Strobel, Vice Chair	P	5	1
Cliff Berry II	A	4	2
Robyn Chiarelli	P	3	3
James Harrison	A	1	2
Rose Ann Lovell	P	6	1
Kitty McGowan	A	3	3
Ted Morley	P	1	0
Norbert McLaughlin	P	7	0
Curtis Parker	P	3	3
Rossana Petreccia	A	4	2
Roy Sea	P	6	0
Randy Sweers	A	1	4
Bill Walker	A	5	1

As of this date, there are 14 appointed members to the Board, which means 8 would constitute a quorum.

**Staff**

Andrew Cuba, Manager of Marine Facilities  
Jonathan Luscomb, Marine Facilities Supervisor  
Sergeant Todd Mills, Fort Lauderdale Police Department  
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

**I. Call to Order / Roll Call**

Chair Henderson called the meeting to order at 6:10 p.m.

**II. Approval of Minutes – October 3, 2019**

This Item was deferred.

**III. Statement of Quorum**

#### **IV. Waterway Crime & Boating Safety Report**

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

- 14 citations
- 71 warnings
- 28 safety inspections
- 2 boating accidents
- 15 incidents, including 9 electronic thefts

Sgt. Mills stated that the recent Fort Lauderdale International Boat Show was a success, with no major incidents or accidents. The next major event is the Winterfest Boat Parade, which is scheduled for December 14, 2019.

Suzee Bailey, president of the Nurmi Isles Homeowners' Association, reported that boats are running into a sand bar in that neighborhood, resulting in damage. Sgt. Mills replied that he had seen no reports on this issue but would look into it. He recommended that individuals reporting conditions such as this call the City's non-emergency Broward Sheriff's Office (BSO) dispatch number, as this would result in quicker action. He noted, however, there may be little the Marine Unit can do to address the situation.

#### **V. Presentation – Tri-Rail Coastal Link, New River Bridge Feasibility Study – Mike Ciscar**

Larry Merritt, representing the Florida Department of Transportation (FDOT), and Howard Newman, Leo Villalobos, and David Mairena, consultants, presented an initial feasibility study on freight and passenger rail crossing the New River. The study's directive was a specific appropriation passed in summer 2019. Its intent is to provide a solution that meets reasonable needs for marine navigation as well as freight and passenger train services. It will identify three alternatives that will be moved into the project development and environmental (PD&E) phase, which provides more details as well as a time frame for design.

Another part of the study's directive is the identification of potential funding sources and an implementation plan incorporating both timeline and funding elements. It will also include a comparative analysis that looks at environmental and engineering factors, as well as costs.

The study has identified four alternatives thus far in coordination with agencies and users of the corridor:

- A low-level bascule bridge with 21 ft. clearance from mean high water to the bottom of the structure
- A medium-level bascule bridge with 56 ft. clearance and the ability to open

- A high-level fixed bridge with 80 ft. clearance
- A tunnel with construction of actual approaches to the station

These and other alternatives have been coordinated with the U.S. Coast Guard. The study team has held meetings with the Coast Guard, Brightline, the FEC Railway, and the Marine Industries Association of South Florida (MIASF), and plans to meet with Fort Lauderdale's Downtown Development Authority (DDA) as well. The study will also allow for the possibility of future light rail train or premium transit service over the existing FEC tracks.

Mr. Newman provided a schematic overview of the four alternatives, noting that the low-level bascule bridge would include roughly 1.1 mile of track improvements. The bridge would be approximately 1020 ft. in distance and would include retaining walls from the end of the structure down to grade. This concept would result in the closing of portions of Himmarshee Street and 5<sup>th</sup> Street to accommodate the retaining walls. The bridge would also affect 2<sup>nd</sup> Avenue as it returns to grade and the existing tracks.

Pros and cons for the low-level alternative include:

- No impact on Broward Boulevard or the Brightline station
- Maximizing the use of the existing track configuration
- Closure of multiple streets
- Creation of temporary tracks and signalization during construction
- Access issues to nearby historic sites

The medium-level bascule bridge would provide 56 ft. of clearance and would open to accommodate taller vessels. The Brightline station would be raised approximately 55 ft. The structure would be roughly 7000 ft. in distance and would affect access across the corridor. Its implementation would result in closure of the 7<sup>th</sup> Street crossing. A transit envelope would provide for east-west crossing over the tracks along Broward Boulevard with a clearance of 47 ft. over the existing track.

Pros and cons include:

- Increased maritime navigations for high-mast boats
- Passenger rail crossings that extend from Andrews Avenue across SW 6<sup>th</sup> Street, while freight would remain at grade
- Closure of 7<sup>th</sup> Street
- Significantly elevated Brightline station
- Effects on the right-of-way, and additional historic site, visual, noise, and environmental considerations

The high-level bascule bridge would be approximately 1.5 mile in length, with a 68 ft. platform and an impact of roughly 2.5 miles to the tracks themselves. Mr. Newman compared this alternative to an existing bridge across the Miami River with 80 ft. clearance.

Pros and cons include:

- Elevating over cross streets from Andrews Avenue to 7<sup>th</sup> Street
- No bridge openings required due to 80 ft. clearance
- Consistency with existing fixed vertical elevation along the corridor
- Closure of 9<sup>th</sup> Street
- Elevated platform
- Environmental, noise, historic site, and right-of-way impact considerations

The tunnel alternative would be 63 ft. below the existing track due to the depth of the New River. A 40 ft. bore would be used to create the tunnel in order to accommodate double-tracking and pedestrian safety access. Portals would be roughly 1.34 mile apart, with touchbacks to existing tracks at 1.85 mile and tie-in at 2.5 miles. The station would be “cut and covered” at a width of roughly 75 ft. with a center platform. There would be no changes to freight service.

Mr. McLaughlin observed that there has been discussion of moving Tri-Rail service onto the same tracks as Brightline. Mr. Villalobos advised that this would need to be discussed between FDOT and the owners of the rail corridor, as Tri-Rail is public transit, while Brightline service is private.

Pros and cons include:

- Significant effects from construction of the cut and covered station, including a temporary bridge over the cut on Broward Boulevard
- A construction timeline of five to six years
- Disruption of Downtown traffic circulation and businesses
- Accommodation of life/fire safety issues inside the tunnel

The next phase of the study includes comparative evaluation, development of cost/benefit analysis, and identification of initial alternatives and future phases. The report must be finalized and submitted to the Florida Legislature by January 2, 2020. Stakeholder coordination will continue into the future. The project team will return to the Marine Advisory Board at their December 2019 meeting to further discuss recommendations. The PD&E phase will include a full public involvement effort once alternatives have been recommended.

## **VI. Reports**

None.

## **VII. Old / New Business**

Chair Henderson recalled there was discussion of how the City addresses sewage in waterways at the October 2019 meeting. Mr. Cuba advised that he hoped to have a

water quality report to present to the Board at a subsequent meeting. While sewage is never supposed to be released into the water, pump-outs can be an issue, although free pump-outs are available at all City marinas.

### **VIII. Adjournment**

There being no further business to come before the Board at this time, the meeting was adjourned at 7:03 p.m.

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

[Minutes prepared by K. McGuire, Prototype, Inc.]

## ITEM VII

### MEMORANDUM MF NO. 19-19

DATE: November 22, 2019

TO: Marine Advisory Board

FROM: Andrew Cuba, Manager of Marine Facilities

RE: December 5, 2019 MAB - Dock Waiver of Distance Limitations  
–Benjamin Koppenhoefer / 1749 SE 14<sup>th</sup> Street

Attached for your review is an application from Benjamin Koppenhoefer / 1749 SE 14 Street (see **Exhibit 1**).

### APPLICATION AND BACKGROUND INFORMATION

The applicants are requesting approval for the installation of a new seawall cap and batter piles and the construction of a new concrete marginal dock and boat lift extending a maximum of approximately 27' from the property line into the Charlotta River. The distances the proposed boatlift extends from the property line into the Charlotta River is shown in the survey in **Exhibit 1** and summarized in Table 1 below:

**TABLE 1**

<b>PROPOSED STRUCTURES</b>	<b>STRUCTURE DISTANCE FROM PROPERTY LINE</b>	<b>PERMITTED DISTANCE WITHOUT WAIVER</b>	<b>DISTANCE REQUIRING WAIVER</b>
<b>Proposed Boatlift</b>	<b>+/-27.0'</b>	<b>25'</b>	<b>+/-2'</b>

ULDR 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 boatlift is necessary to safely moor the resident's vessels, especially during severe weather and high wind events, as well as the extraordinary width of the waterway at this location.

### PROPERTY LOCATION AND ZONING

The property is located within the RS-8 Residential Single Family/Low Medium Density District Zoning District. It is situated on the Charlotta River where the approximate distance between adjacent properties (width of the river) from wetface to wetface is indicated as +/-150 feet, in the Summary Description provided within **Exhibit 1**

DOCK PLAN AND BOATING SAFETY

Marine Facilities records reflect that there have been at least 8 waivers of docking distance limitations approved by the City Commission since 1984. A comparison of these as shown in Table 2 including the maximum distances of all mooring structures extending into the New River follows:

**TABLE 2**

<b>DATE</b>	<b>ADDRESS</b>	<b>MAXIMUM DISTANCE</b>
1984	27 Isla Bahia Drive	30'
1988	2430 Laguna Drive	50'
1992	2412 Laguna Drive	49'
2002	2418 Laguna Drive	43'
2009	2400 Del Lago Drive	36.3
2009	1725 SE 12 Street	63'
2011	1801 SE 7 Street	42'
2013	1627 SE 7 <sup>th</sup> Street	47.2'

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 City's Supervisor of Marine Facilities 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 boat lift's guide poles as required for piles within 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

**1749 SE 14<sup>th</sup> STREET  
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: **Benjamin Koppenhoefer**

TELEPHONE NO:   9547987200     9547987200   EMAIL:   ben@elitemarineyachts.com    
(home) (business)

2. APPLICANT'S ADDRESS (if different than the site address): **1749 SE 14<sup>th</sup> Street Fort Lauderdale, FL 33316**

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:  
**The applicant requests a waiver for the proposed construction of a boat lift beyond 25 feet from the property line.**

4. SITE ADDRESS: **1749 SE 14<sup>th</sup> Street Fort Lauderdale, FL 33316** ZONING: **RS-8**

LEGAL DESCRIPTION AND FOLIO NUMBER:

**LAUDERDALE HARBORS SECTION A RESUB BLKS 20 TO 25 30-15 B LOT 27 BLK 9**

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 \_\_\_\_\_ Date   11/5/19  

=====  
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**  
**1749 SE 14<sup>th</sup> Street**  
**TCG Project No. 19-0062**

The project site is located along the Charlotta River at 1749 SE 14<sup>th</sup> Street, in Section 14, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida

The property is located along the Charlotta River, which is a tidal water. The nearest direct connection to the Atlantic Ocean is 0.9 miles to the south at the Port Everglades Inlet. As the project site is located along the Charlotta River, the incoming tidal waters (flood) at the site move to the north and the outgoing waters (ebb) move to the south.

The project site consists of an existing concrete panel seawall, king piles, and an existing wood dock. The proposed project includes the removal of the existing wood dock, the installation of a new cap and batter piles and the construction of a new concrete marginal dock and boat lift. As measured from the property line, the proposed boat lift encroaches more than 25' from the property line into the Charlotta River. As this distance is over the allowable 25' distance into the waterway from the property line, the proposed boat lift will require a variance waiver.

The proposed structures are being applied for concurrently with the Broward County Environmental Protection & Growth Management Department, Florida Department of Environmental Protection, and US Army Corps of Engineers.

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

1. All structures and piles will not exceed 30% of the width of the waterway.
2. Due to the extraordinary width of the waterway at this location to the closest structure ( $\pm 150'$ ), the proposed project will not impede navigation within the Charlotta River.
3. The boat lift is necessary for safely mooring resident's vessels, especially during high wind events and severe weather.

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

<b>STRUCTURE</b>	<b>PROPOSED STRUCTURE</b>	<b>STRUCTURE DISTANCE FROM PROPERTY LINE</b>	<b>PERMITTED DISTANCE WITHOUT WAIVER</b>	<b>DISTANCE REQUIRING A WAIVER</b>
<b>A</b>	<b>Boatlift</b>	<b>±27.0</b>	<b>25'</b>	<b>±2.0'</b>

**EXHIBIT III  
WARRANTY DEED**

Prepared by:

**Evette Arguinzoni**  
Paralegal  
**Joseph M. Balocco Jr., P.A.**  
4332 East Tradewinds Avenue  
Lauderdale By The Sea, FL 33308  
954-530-4731  
File Number: Adams 19-015

Return to:

**Angelo & Banta, P.A.**  
515 East Las Olas Boulevard  
Suite 850  
Fort Lauderdale, FL 33301

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this 26th day of March, 2019 between **Randolph R. Adams and Sara S. Adams, husband and wife** whose post office address is **333 Sunset Drive, Unit 708, Fort Lauderdale, FL 33301**, grantor, and **Benjamin J. Koppenhoefer, a single man** whose post office address is **1749 SE 14th Street, Fort Lauderdale, FL 33316**, grantee:

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

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

**Lot 27, Block 9, of Resubdivision of Blocks 20 to 25, Inclusive, Section "A" Lauderdale Harbors, according to the Plat thereof, as recorded in Plat Book 30, Page 15, of the Public Records of Broward County, Florida.**

**Parcel Identification Number: 504214-08-0270**

**SUBJECT TO** land use designation, zoning restrictions, prohibitions and other requirements imposed by governmental authority, none of which are hereby reimposed; restrictions, easements and matters appearing on the Plat or otherwise common to the subdivision, none of which are hereby reimposed; and taxes for the year of closing and subsequent years.

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

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

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2018**.

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:

[Signature]  
Witness Name: Jacob...  
[Signature]  
Witness Name: Evette Arguinzone

[Signature] (Seal)  
Randolph R. Adams

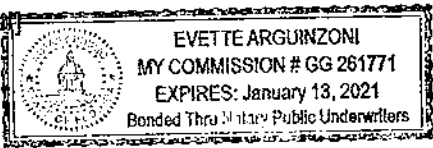
[Signature]  
Witness Name: Jacob...  
[Signature]  
Witness Name: Evette Arguinzone

[Signature] (Seal)  
Sara S. Adams

State of Florida  
County of Broward

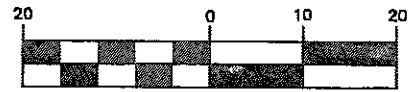
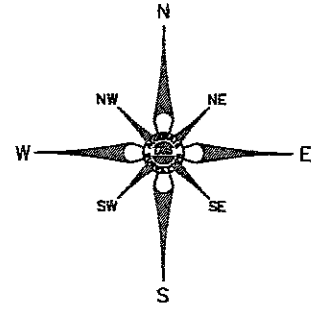
The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of March, 2019 by Randolph R. Adams and Sara S. Adams, who  are personally known or  have produced a driver's license as identification.

[Notary Seal]



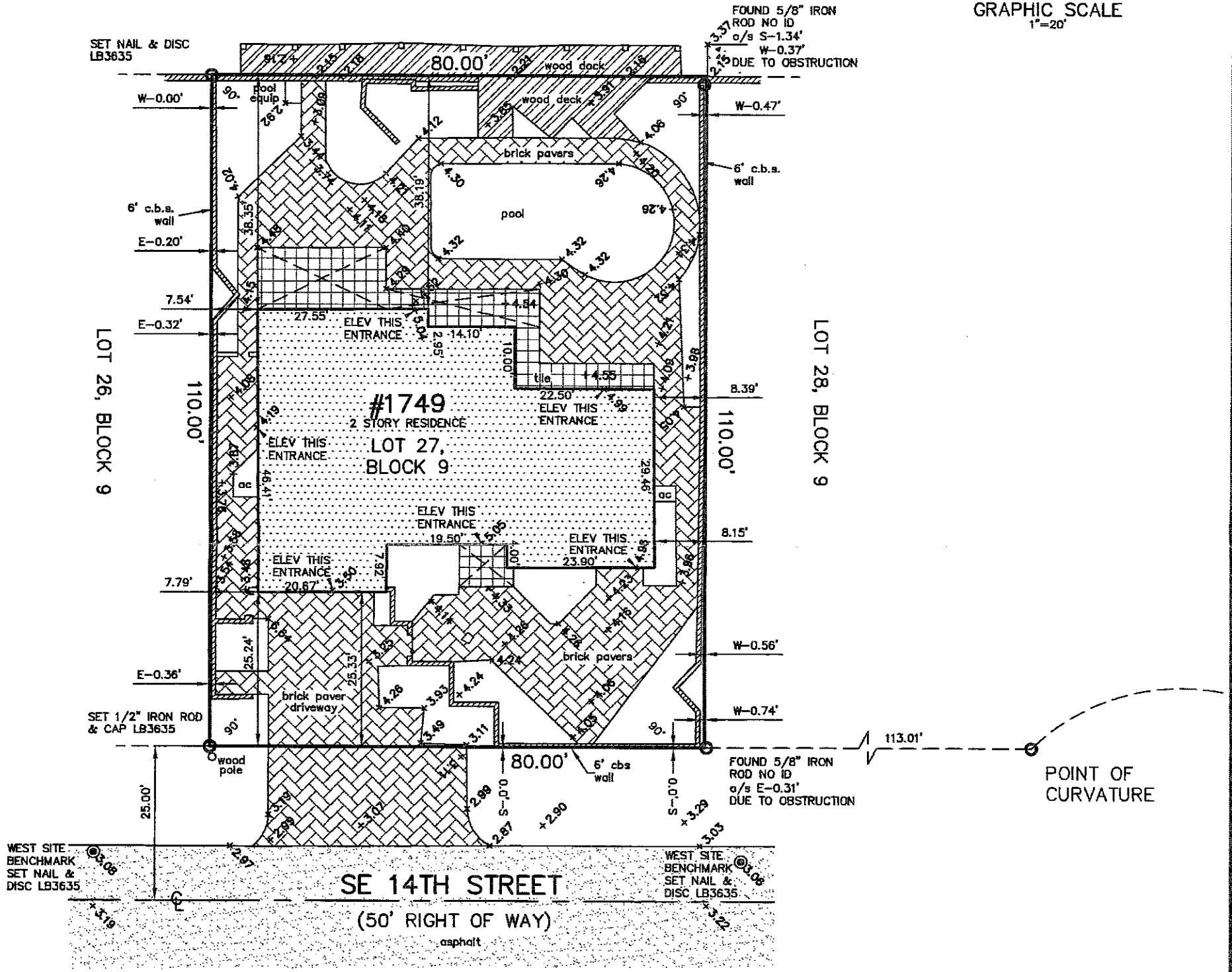
[Signature]  
Notary Public  
Printed Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**EXHIBIT IV  
ORIGINAL SURVEY**



GRAPHIC SCALE  
1"=20'

CARLOTTA RIVER  
R/W WIDTH UNKNOWN



ELEVATIONS SHOWN THUS + 9.00 REFER TO NAVD

- NOTES:**
1. UNLESS OTHERWISE NOTED FIELD MEASUREMENTS ARE IN AGREEMENT WITH RECORD MEASUREMENTS.
  2. BEARINGS SHOWN HEREON ARE BASED ON A BEARING OF N/A.
  3. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS, OR OTHER MATTERS OF RECORDS BY ACCURATE LAND SURVEYORS, INC.
  4. OWNERSHIP OF FENCES AND WALLS IF ANY NOT DETERMINED.
  5. THIS DRAWING IS THE PROPERTY OF ACCURATE LAND SURVEYORS, INC. AND SHALL NOT BE USED FOR REPRODUCTION IN WHOLE OR IN PART WITHOUT WRITTEN AUTHORIZATION.
  6. THIS SURVEY CONSISTS OF A MAP AND TEXT REPORT. ONE IS NOT VALID WITHOUT THE OTHER.
  7. THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE CERTIFIED HEREON, TO BE VALID ONE YEAR FROM THE DATE OF SURVEY AS SHOWN.
  8. THE FLOOD ZONE INFORMATION SHOWN HEREON IS FOR THE DWELLABLE STRUCTURE ONLY UNLESS OTHERWISE INDICATED.
  9. THE LOCATION OF OVERHEAD UTILITY LINES ARE APPROXIMATE IN NATURE DUE TO THEIR PROXIMITY ABOVE GROUND. SIZE, TYPE AND QUANTITY MUST BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION.

**CERTIFICATION:**  
This is to certify that this above ground sketch of boundary survey was made under my responsible charge and is accurate and correct to the best of my knowledge and belief. I further certify that this sketch meets the Standards of Practice, established by the Board of Professional Surveyors and Mappers, Chapter 5J-17, Florida Administrative Codes, pursuant to current Section 472.027, Florida Statutes.

REVISIONS	DATE	BY

*Robert L. Thompson* 1-31-19  
ROBERT L. THOMPSON (PRESIDENT)  
PROFESSIONAL SURVEYOR AND MAPPER No. 3869 - STATE OF FLORIDA



DATE OF SURVEY 01-30-2019	DRAWN BY ER	CHECKED BY RLT	FIELD BOOK 19-0196	SCALE 1"=20'	SKETCH NUMBER SU-19-0196
------------------------------	----------------	-------------------	-----------------------	--------------	--------------------------

**EXHIBIT V  
ZONING AERIAL**



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

1749 SE 14 Street



0 90 180 Feet

**GIS**  
Fort Lauderdale

**EXHIBIT VI  
SITE PHOTOGRAPHS**

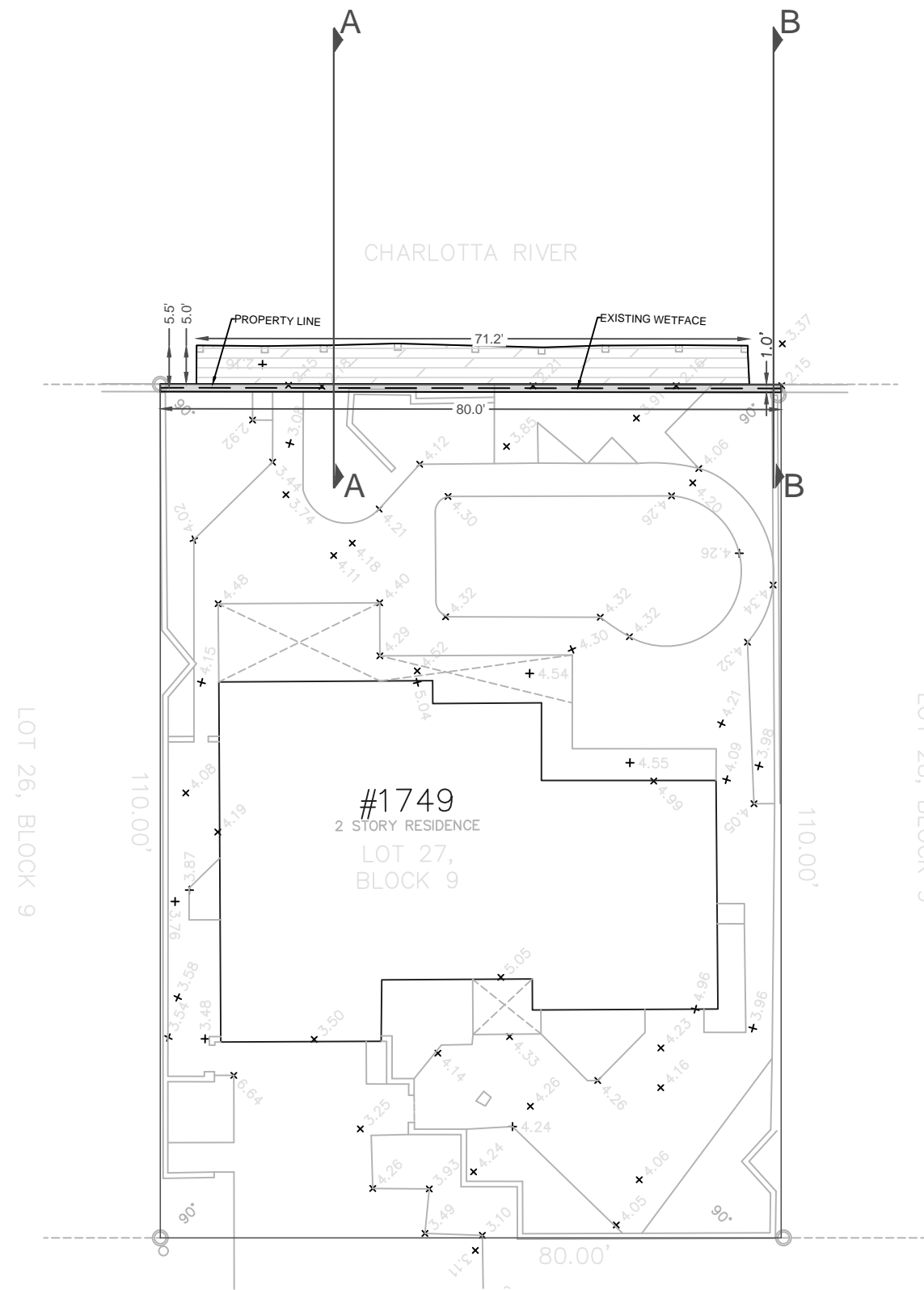


**1. West corner of the subject site, facing east.**



**2. East portion of the subject site, facing west.**

**EXHIBIT VII  
PROJECT PLANS**



**LEGEND**

- GI 6 > 97 H'G-H9 fl-\$"8\$ 57 L
- EXISTING CONCRETE SEAWALL TO F9A5-B fl-%\$'\$@B": H'L
- EXISTING WOOD DOCK TO BE REMOVED fl' ) \* 'GE": HL

M.H.W. = 0.27' NAVD M.L.W. = (-)2.12' NAVD  
 NOTE: SURVEY INFORMATION PROVIDED BY ACCURATE LAND SURVEYORS, INC. ELEVATIONS SHOWN AS NAVD88.

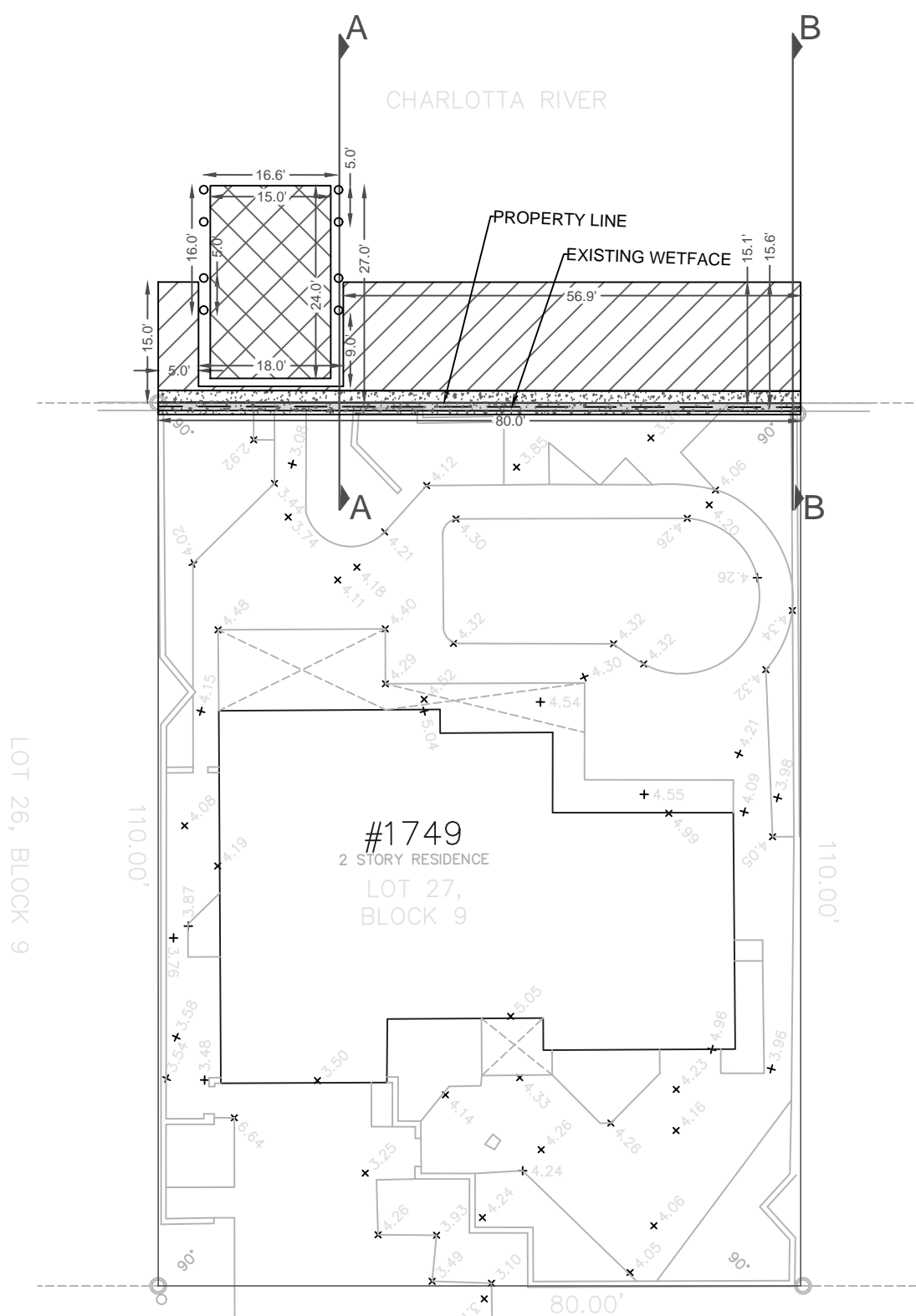
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

- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Phase I ESAs

**1749 SE 14TH STREET**  
 PREPARED FOR:  
**TOM KRIPS CONSTRUCTION, INC.**

EXISTING CONDITIONS		
Date: 10/16/2019	Sheet : <b>1</b>	of : <b>5</b>
Proj No.: 19-0062		



**LEGEND**

-  GI 6>97 H'G+H9 'fl-\$'8\$'57L
-  EXISTING CONCRETE SEAWALL TO F9A5-B'fl, '\$'\$'@B": H'L
-  DFCDG98 '- '\$f75 D'CJ9FDCI F'K# 65 HH9F'D=@G'fl, '\$'\$'@B": H'L
-  DFCDG98 '7CB7F9H9'8C7?'fl\*( '\$'GE" FT.)
-  DFCDG98 'BC'DFC: =@'6C5H@: H'fl' \*\$ SQ. FT.)

M.H.W. = 0.27' NAVD M.L.W. = (-)2.12' NAVD  
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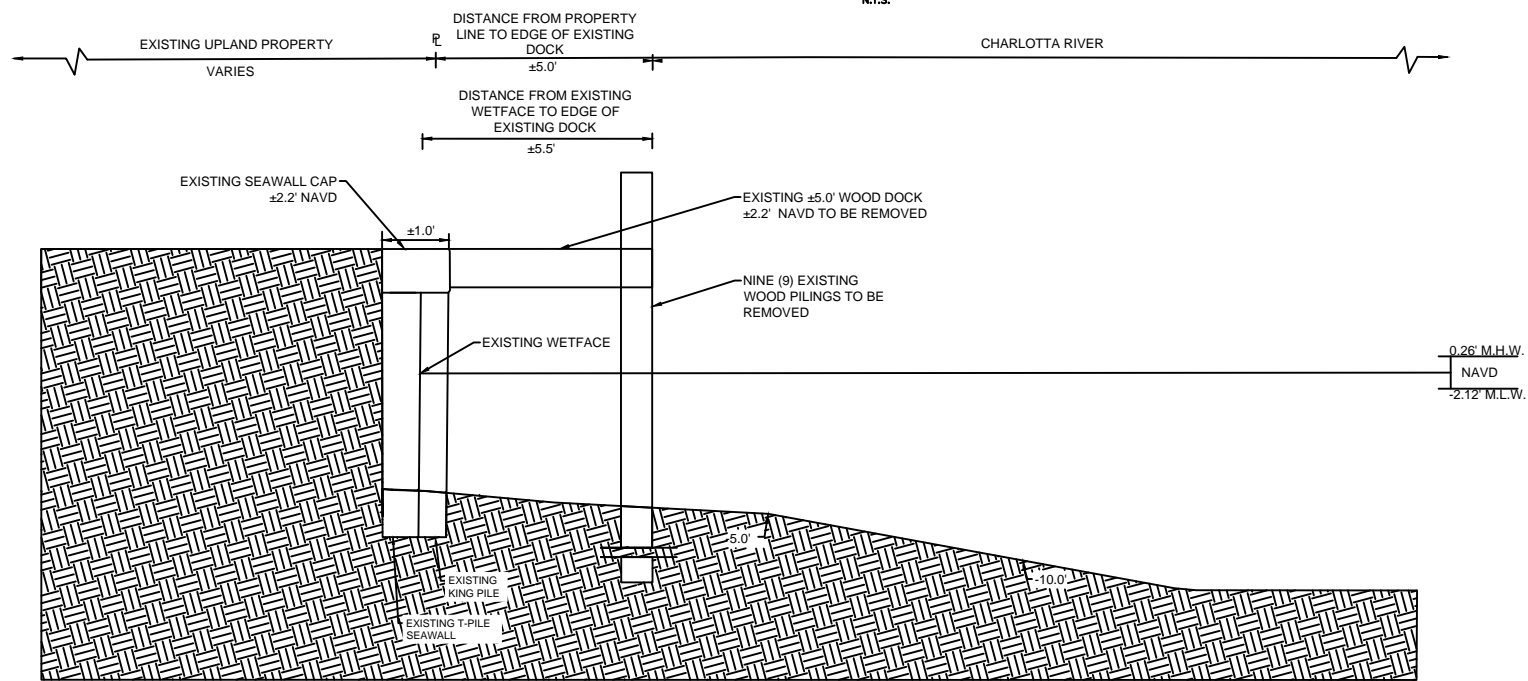
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**TOM KRIPS CONSTRUCTION, INC.**

PROPOSED CONDITIONS		
Date: 10/16/2019	Sheet: <b>2</b>	of: <b>5</b>
Proj No.: 19-0062		

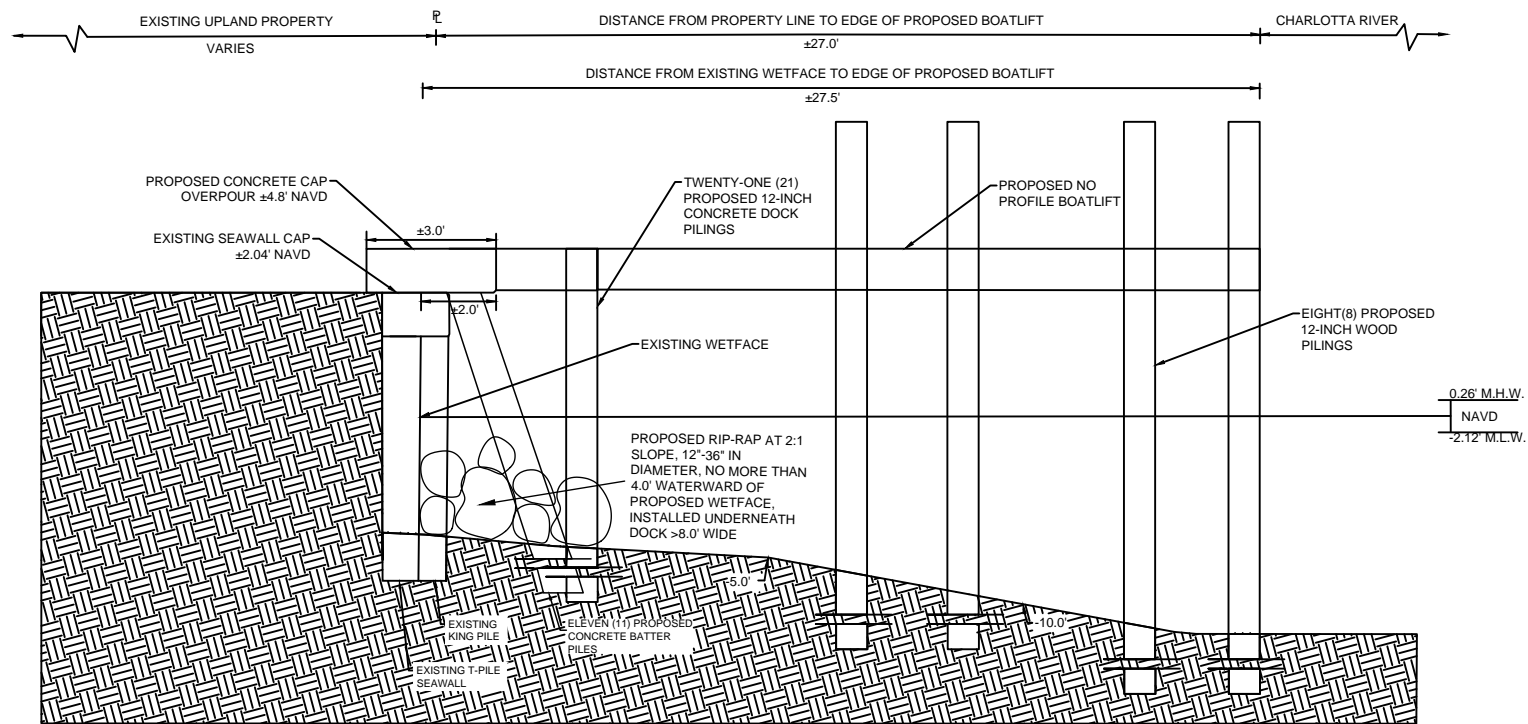
**EXISTING CONDITIONS A-A (TYP.)**

N.T.S.



**PROPOSED CONDITIONS A-A (TYP.)**

N.T.S.



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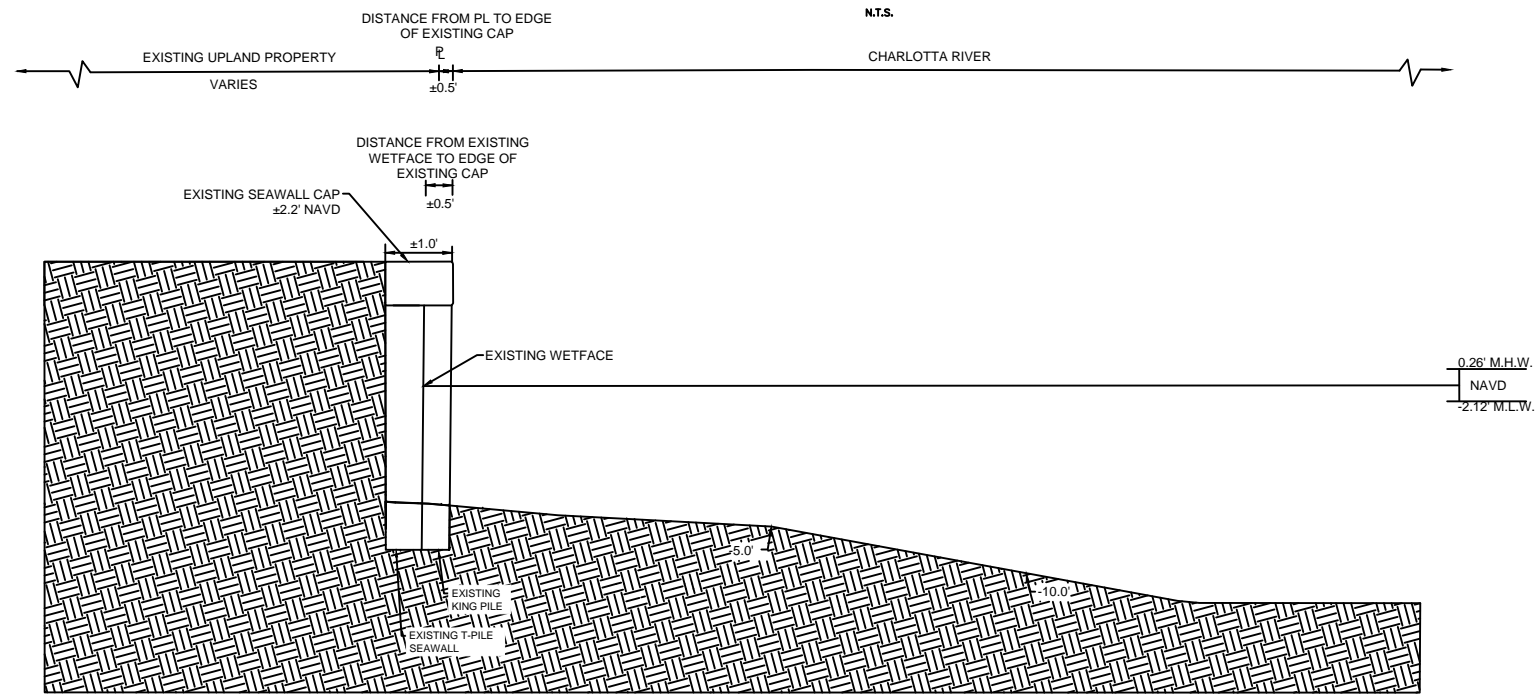
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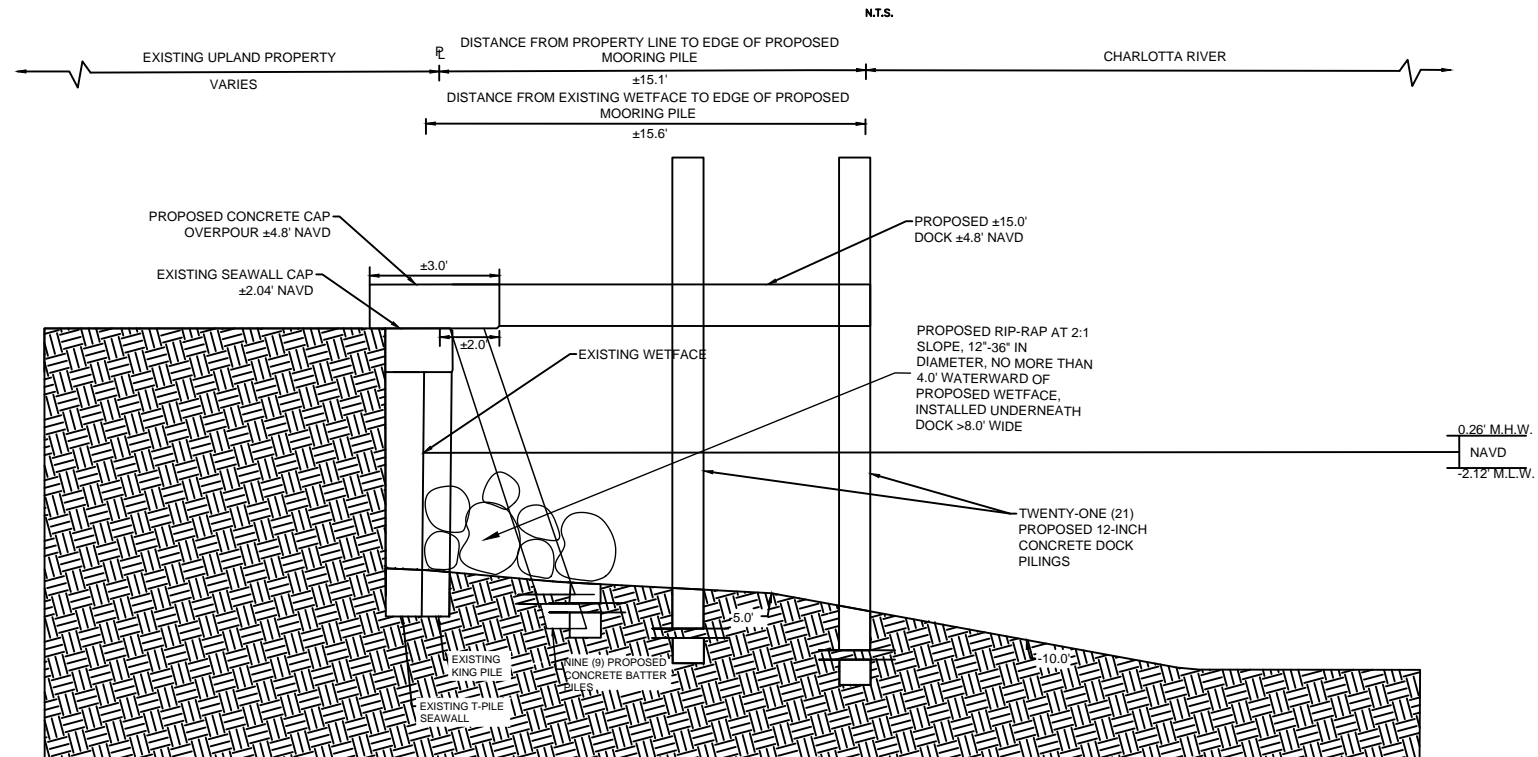
SECTIONS

Date: 10/16/2019	Sheet : <b>3</b>	of : <b>5</b>
Proj No.: 19-0062		

**EXISTING CONDITIONS B-B (TYP.)**



**PROPOSED CONDITIONS B-B (TYP.)**



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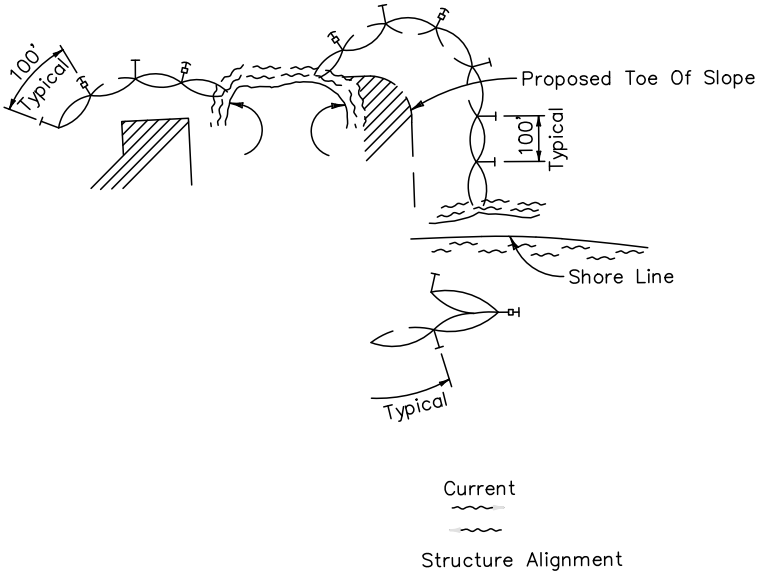
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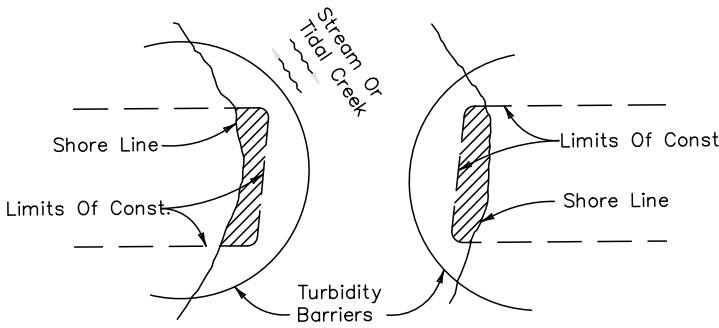
SECTIONS

Date: 10/16/2019	Sheet : <b>4</b>	of : <b>5</b>
Proj No.: 19-0062		

**CONSTRUCTION BARGE  
(TYP.)**



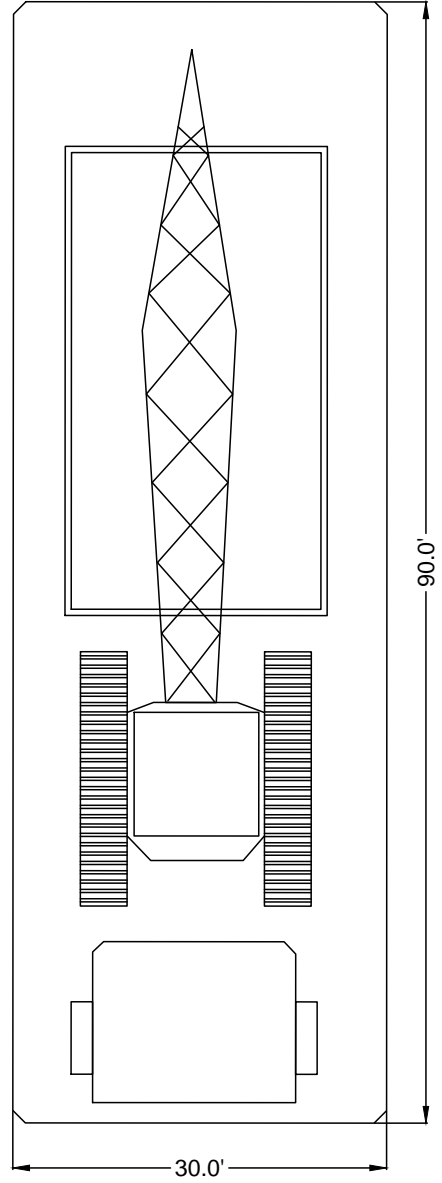
- LEGEND**
- Pile Locations
  - ▨ Dredge Or Fill Area
  - Mooring Buoy w/Anchor
  - Anchor
  - Barrier Movement Due To Current Action



**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.

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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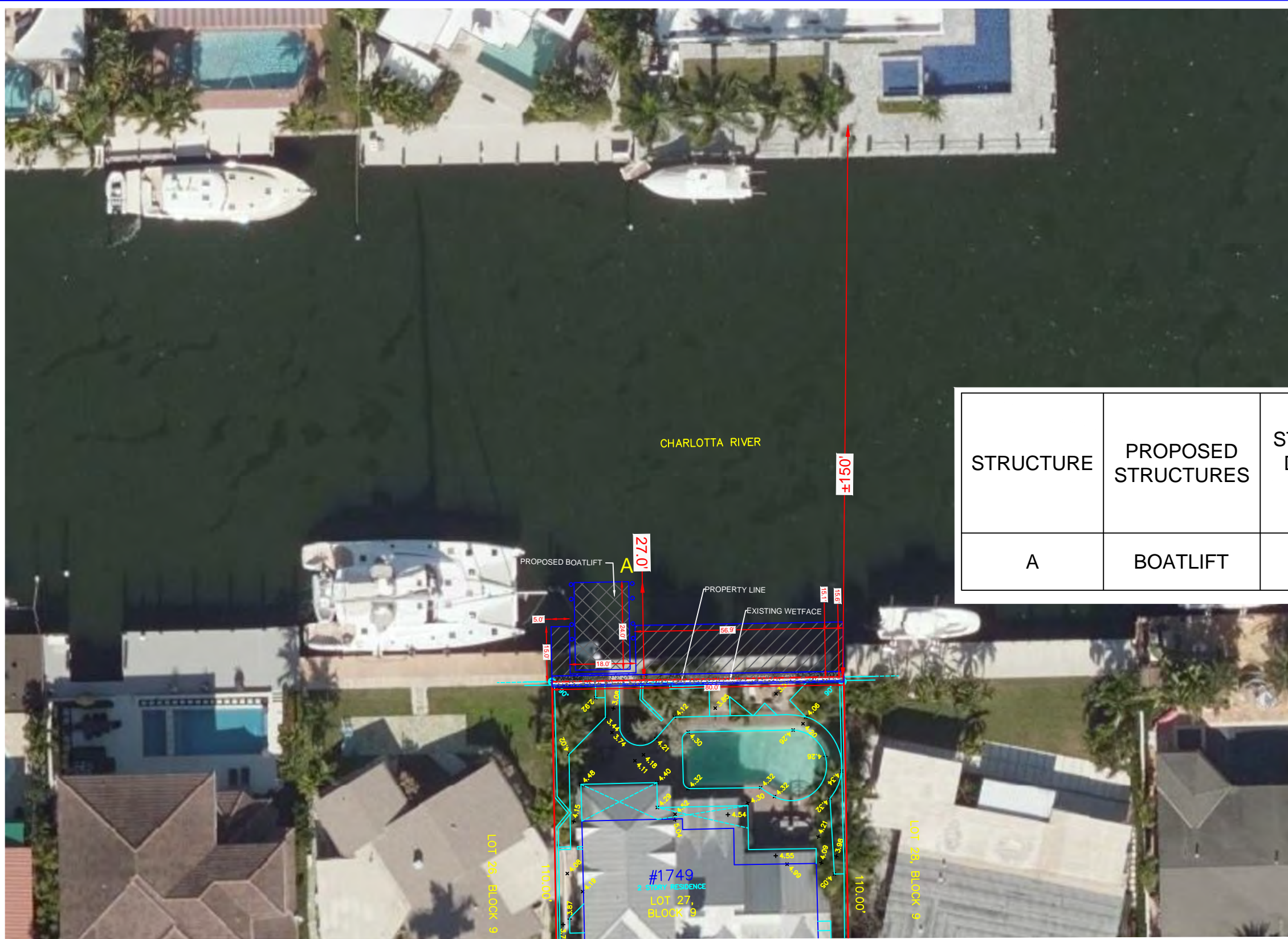
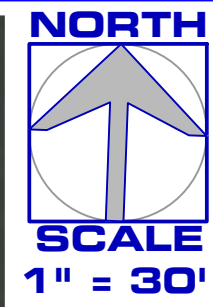
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**1749 SE 14TH STREET**  
PREPARED FOR:  
**TOM KRIPS CONSTRUCTION, INC.**

DETAILS		
Date: 10/16/2019	Sheet : <b>5</b>	of : <b>5</b>
Proj No.: 19-0062		

**EXHIBIT VIII  
DISTANCE EXHIBIT**



STRUCTURE	PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PL	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
A	BOATLIFT	27'	25'	2'

**LEGEND**

- GI 6>97 H'G+H9 'fl-\$'8\$'57L
- EXISTING CONCRETE SEAWALL TO F9A5-B'fl, '\$'\$'@'": H'L
- DFCDCG98 '- '\$f75 D'CJ9FDCI F'K # 65 HH9F 'D=@G'fl, '\$'\$'@'": H'L
- DFCDCG98 '7 CB7 F9H9 '8 C7? 'fl-\* ('\$'GE" FT.)
- DFCDCG98 'BC'DFC: =@'6 C5 H@: H'fl' \* \$ SQ. FT.)

M.H.W. = 0.27' NAVD M.L.W. = (-)2.12' NAVD  
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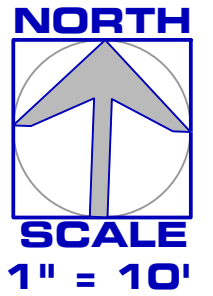
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**1749 SE 14TH STREET**  
 PREPARED FOR:  
**TOM KRIPS CONSTRUCTION, INC.**

DISTANCE EXHIBIT		
Date: 11/22/2019	Sheet: <b>1</b>	of: <b>2</b>
Proj No.: 19-0062		

# CHARLOTTA RIVER



STRUCTURE	PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PL	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
A	BOATLIFT	27'	25'	2'

### LEGEND

- GI 6>97 H'G+H9 'fl-\$'8\$'57 L
- EXISTING CONCRETE SEAWALL TO F9A5-B'fl, '\$'\$'@B": H'L
- DFCDCG98 '- ' '\$f7 5 D'CJ9 FDCI F'K# 65 HH9F'D-@G'fl, '\$'\$'@B": H'L
- DFCDCG98 '7CB7F9H9'8C7?'fl-\*( '\$'GE " FT.)
- DFCDCG98 'BC'DFC: =@'6C5H@: H'fl-' \*\$ SQ. FT.)

M.H.W. = 0.27' NAVD M.L.W. = (-)2.12' NAVD  
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**1749 SE 14TH STREET**  
 PREPARED FOR:  
**TOM KRIPS CONSTRUCTION, INC.**

DISTANCE EXHIBIT		
Date: 11/22/2019	Sheet: <b>2</b>	of: <b>2</b>
Proj No.: 19-0062		

**EXHIBIT IX  
EXISTING WAIVERS IN THE VICINTY**

## EXISTING WAIVERS IN THE VICINITY



ADDRESS	MAXIMUM DISTANCE
27 Isla Bahia Drive	30'
2430 Laguna Drive	50'
2412 Laguna Drive	49'
2418 Laguna Drive	43'
2400 Del Lago Drive	36.3'
1725 SE 12 <sup>th</sup> Street	63'
1801 SE 7 <sup>th</sup> Street	42'
1627 SE 7 <sup>th</sup> Street	47.2'
3 Harborage Isle Drive	43'
540 Lido Drive	45.5'
Subject Site	<b>2'</b>