



CITY OF FORT LAUDERDALE

DRAFT
MEETING MINUTES
CITY OF FORT LAUDERDALE
MARINE ADVISORY BOARD
100 NORTH ANDREWS AVENUE
COMMISSION CONFERENCE ROOM – 8TH FLOOR
FORT LAUDERDALE, FLORIDA
THURSDAY, MARCH 5, 2020 – 6:00 P.M.

		Cumulative Attendance	
		May 2019 – April 2020	
Grant Henderson, Chair	P	8	1
Ed Strobel, Vice Chair	P	8	1
Cliff Berry II	P	6	3
Robyn Chiarelli	P	3	1
Barry Flanigan (arr. 6:04)	P	2	0
Richard Graves	P	2	0
James Harrison	P	4	2
Rose Ann Lovell	P	9	1
Kitty McGowan (arr. 6:10)	P	6	3
Ted Morley	P	4	0
Norbert McLaughlin	P	10	0
Rossana Petreccia	P	7	2
Roy Sea (arr. 6:11)	P	7	2
Bill Walker	A	7	2

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 6:00 p.m. and roll was called.

II. Approval of Minutes – February 6, 2020

Motion made by Vice Chair Strobel, seconded by Mr. Morley, 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

Sergeant Todd Mills of the Fort Lauderdale Police Department's Marine Unit reported the following activity from February 2020:

- 9 citations
- 77 warnings
- 29 safety inspections
- 4 accidents
- 14 miscellaneous incidents
- 2 burglaries

Sgt. Mills added that there were two fuel spills for which the U.S. Coast Guard and Florida Department of Environmental Protection (DEP) were notified. He continued that the Marine Unit is working with Mr. Luscomb to address derelict vessels, including due process when a boat is declared derelict. Once this process has been clarified, the Marine Unit expects to take action against more vessels, including some located on Lake Sylvia.

Sgt. Mills concluded by reviewing upcoming events, including the Tortuga Festival from April 17-19, 2020, an air show scheduled for May 1-3, and Fleet Week on the weekend of May 8.

Mr. Flanigan arrived at 6:04 p.m.

V. Waiver of Limitations – Paul Handerhan & Susie Fernandes / 1180 N. Federal Highway #1409

Adam Licht, representing the Applicant, showed a PowerPoint on the Application. The Applicant owns the rights to Slip #2 at the subject property. The distance from the wet face of the seawall to the opposite shoreline is roughly 348 ft. The Applicant proposes a 16 lb. boat lift to be installed on four wooden piles which are 5 ft. beyond the 25 ft. limitation. The two piles for which a waiver is required will act as guide poles and will be permanently covered in reflective tape to ensure safe navigation.

Because Code limits mooring devices to one device per 100 ft. of linear shoreline, any additional structures require Development Review Committee (DRC) and Site Plan Level II approval. The shoreline in the subject area is 412 linear ft. and four existing boat lifts are already installed on-site. The Applicant has met with representatives of the

City's Zoning Department, which advised that there were two options: the entire condominium could request a waiver as a whole, or individual residents could make separate requests. The Applicant has elected to apply individually for a waiver.

Ms. McGowan arrived at 6:10 p.m.

The DRC meeting at which the Application will be presented is scheduled for Friday, March 13, 2020. The request is for 5 ft. beyond the 25 ft. limitation. Mr. Licht added that the Applicant has applied to the DRC and the Marine Advisory Board (MAB) concurrently. Appropriate permits have been applied for through both DEP and Broward County.

Vice Chair Strobel asked if the MAB has approved any other waiver requests for the subject condominium. Mr. Cuba replied that this is the fifth such application, and the others have been approved. Over 300 notices were sent out for the Application, and the Applicant has received approval of the request from his condominium board.

Mr. Sea arrived at 6:11 p.m.

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

Motion made by Vice Chair Strobel, seconded by Mr. Morley, to approve as is. In a voice vote, the **motion** passed unanimously.

VI. Summary – 2020 Broward County Municipal Marine Summit

Chair Henderson recalled that the 2020 Broward County Municipal Marine Summit was held two weeks ago, with a number of MAB members in attendance. Sgt. Mills of the Marine Unit and Dr. Nancy Gassman of the Fort Lauderdale Public Works Department each provided presentations. While some of the issues discussed were specific to individual municipalities, derelict vessels were a concern for all present.

VII. Old / New Business

Mr. Cuba advised that two of the Board's communications to the City Commission were presented at the Commission's Tuesday, February 25, 2020 meeting. The request addressing testing of sediment from outflow pipes is already underway as part of the City's ongoing cleanup process. Vice Chair Strobel noted that testing will begin near large outflow pipes on Tarpon River and at George English Park. The extent of testing has not yet been determined.

Mr. Cuba continued that the Board's second communication, which requested that a subcommittee be formed to address current and future regulation of gray and black

water management, was not approved by the City Commission; however, the Commission indicated that a Board member may work with other professionals to consider this topic. The City Manager's Office is willing to help put this member in touch with the proper City Staff to address this concern.

Mr. Cuba concluded that a dock waiver approved by the Board for 736 NE 20 Avenue will go before the City Commission for approval on April 7, 2020.

Chair Henderson advised that there have been recent incidents in which vessels nearly collided when entering Port Everglades due to very bright overhead lighting at the Port. Mr. Morley confirmed that he has heard this concern from large boat captains as well.

Mr. McLaughlin recalled that the Board had previously discussed the possibility of requiring the installation of pump-out stations at large waterfront residences. He noted that this is a requirement in Deerfield Beach for properties over 50 ft. in length. He offered to look into this issue to estimate the additional costs associated with this policy. Ms. Lovell expressed concern with how this regulation might be applied to properties whose owners do not own boats.

VIII. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 6:29 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 VIII

MEMORANDUM MF NO. 20-06

DATE: June 15, 2020

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: August 6, 2020 MAB Meeting - Dock Waiver of Distance Limitations – Richard and Liliane Bolz / 1180 N. Federal Highway Unit 609 Slip #4.

Attached for your review is an application from Richard and Liliane Bolz / 1180 N. Federal Highway Unit 609 Slip #4.

APPLICATION AND BACKGROUND INFORMATION

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

TABLE 1

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

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

PROPERTY LOCATION AND ZONING

The property is located is the Riva Condominium within the B-1 Boulevard Business District. It is situated on the western shore of the Middle River where the width between the applicant's most waterward structure of the proposed boat lift to the adjacent natural shoreline is +/- 308 feet, according to the Summary Description provided in **Exhibit 1**.

RECOMMENDATIONS

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

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers.
2. The applicant is required to install and affix reflector tape to the proposed boat lift piles in accord with Section 47.19.3.E of the Unified Land and Development Regulations (ULDR).

AC
Attachment

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

EXHIBIT I
APPLICATION FOR WATERWAY WAIVER

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

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

APPLICATION FORM
(Must be in Typewritten Form Only)

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

NAME: Richard and Liliane Bolz

TELEPHONE NO: (619) 677-6908
(Home)

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

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

4. SITE ADDRESS: 1180 N. FEDERAL HWY #609, FORT LAUDERDALE FLORIDA, 33304
ZONING: B-1
LEGAL DESCRIPTION: RIVA CONDOMINIUM UNIT 609 PER AMCDO CIN #113566952

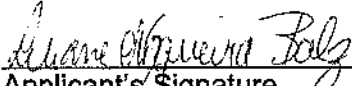
5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).
Warranty Deed, Project Plans, Site Location, Summary Description, Letter of Recommendation by HOA, Assignment of use rights to boat slip, Site Photographs, Sovereignty Submerged Land Lease



Applicant's Signature

6-9-20

Date



Applicant's Signature

6-9-20

Date

=====
The sum of \$ 1,500.00 was paid by the above-named applicant on the _____ of _____, 2020 Received by: _____

City of Fort Lauderdale

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

Marine Advisory Board Action

Formal Action taken on _____

Commission Action

Formal Action taken on _____

Recommendation _____

Action _____



EXHIBIT II
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**EXHIBIT III
WARRANTY DEED**

Prepared By and Return To:
Columbia Title of Florida, Inc. d/b/a EWM Title
Attn: Misty Slater
2000 Main Street
Weston, FL 33326-3691

Order No.: 2018-04808

Property Appraiser's Parcel I.D. (folio) Number:
494236-AL-0190

WARRANTY DEED

THIS WARRANTY DEED dated December 4, 2018, by Peter E. Katz, a married man, whose post office address is 9751 S. Miralago Way, Parkland, Florida 33076 (the "Grantor"), to Richard Gordon Bolz and Lillane Nogueira Bolz, as husband and wife, whose post office address is 1180 N Federal Highway #609, Fort Lauderdale, Florida, 33304 (the "Grantee").

(Wherever 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)

WITNESSETH: That the grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in County of Broward, State of Florida, viz:

Unit 609 of Riva Condominium, a Condominium according to the Declaration of Condominium thereof, recorded in Official Records Book 50792, Page(s) 797, of the Public Records of Broward County, Florida, and any amendments thereto, together with its undivided share in the common elements.

The property herein conveyed neither constitutes the homestead property of the GRANTOR nor is it contiguous to any homestead property of GRANTOR'S family. GRANTOR'S homestead address is: 9751 S. Miralago Way, Parkland, FL 33076.

Subject to easements, restrictions, reservations and limitations of recorded, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

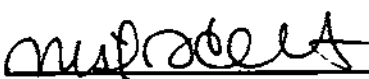
AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to: 2017.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.



Peter E. Katz

Grantor Address:
9751 S. Miralago Way
Parkland, FL 33076

Signed, sealed and delivered in presence of:


Witness Signature

MISTY J. SLATER
Printed Name of First Witness


Witness Signature

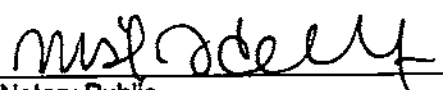
ANA GARCIA
Printed Name of Second Witness

STATE OF Florida

COUNTY OF Broward

THE FOREGOING instrument was acknowledged before me this 29th day of November, 2018, by Peter E. Katz who is personally known to me or who () produced Valid ID as identification.




Notary Public

MISTY J. SLATER

RIVA

RESIDENCES FORT LAUDERDALE

December 14, 2018

Re: **CERTIFICATE OF APPROVAL**

To Whom It May Concern;

THIS IS TO CERTIFY that Richard Bolz and Liliane Nogueira have been approved by Riva Fort Lauderdale Condominium Association, as the purchaser of the following described property in BROWARD COUNTY, FLORIDA.

Property address located at 1180 North Federal Highway #609, Fort Lauderdale, FL 33304.

Please contact the Management Office if you have any questions regarding this approval letter.

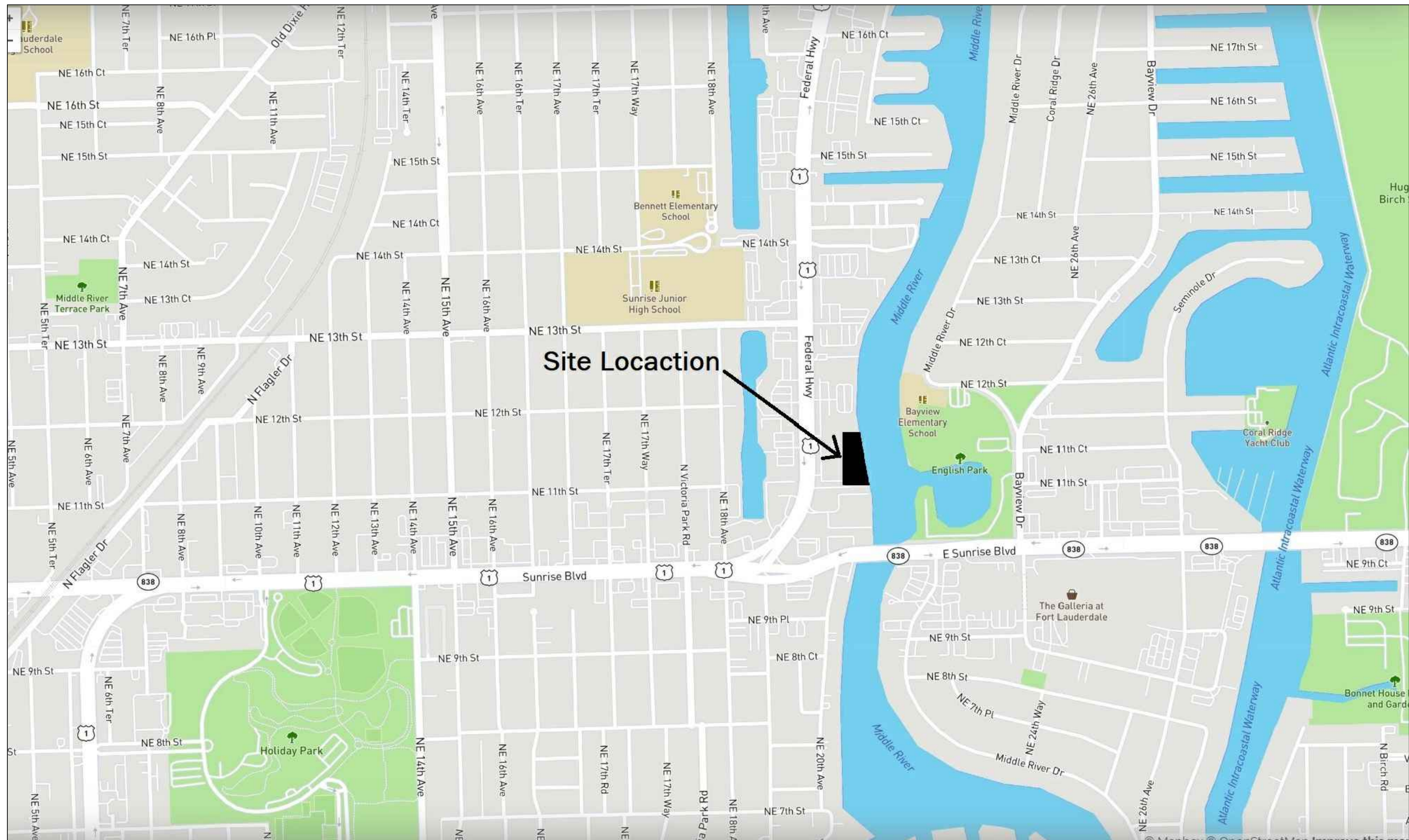
Regards,



On behalf of the Board of Directors
Riva Fort Lauderdale Condominium Association

**EXHIBIT IV
PROJECT PLANS**

Project Name: 1180 N. Fed - Richard and Liliane Bolz



Location Map

1180 North Federal Hwy #609
Ft. Lauderdale Florida, 33304

SLIP #4

Latitude: 26.138902
Longitude: -80.118872
Section: 36 Township: 49S Range: 42E
State Tax Property ID: 4942 36 AL 0190

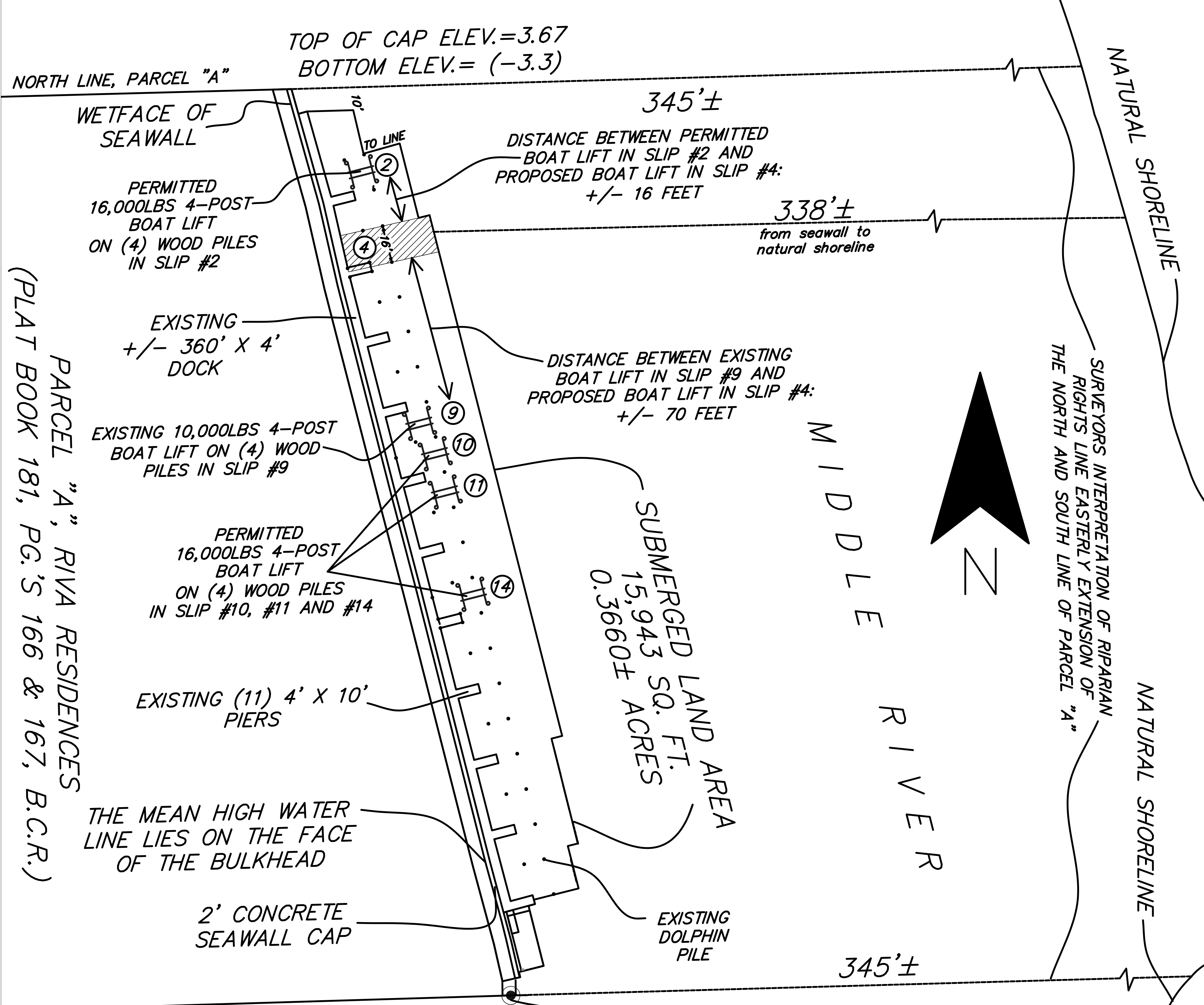
Plan Index	
Figure 1	Existing Site Conditions Slip #4
Figure 2	Proposed Site Plan Slip #4
Figure 3	Cross Section of Proposed Boat Lift



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

B I A G I
ENGINEERING

555 W Prospect Road
Oakland Park, FL 33309
Phone: (954)776-8004
Fax: (954)776-8015
info@biagiengineering.com



Notes:

- Above: Overview of the entire site the boundary of this proposed project is within slip #4.
- Right: Enlarged Detail of the existing slip, proposed for a four (4) post boat lift
- The width of Middle River from seawall to natural shoreline is +/- 338 feet
- No benthic resources present during seagrass season 2019 (June 1st to September 30th)

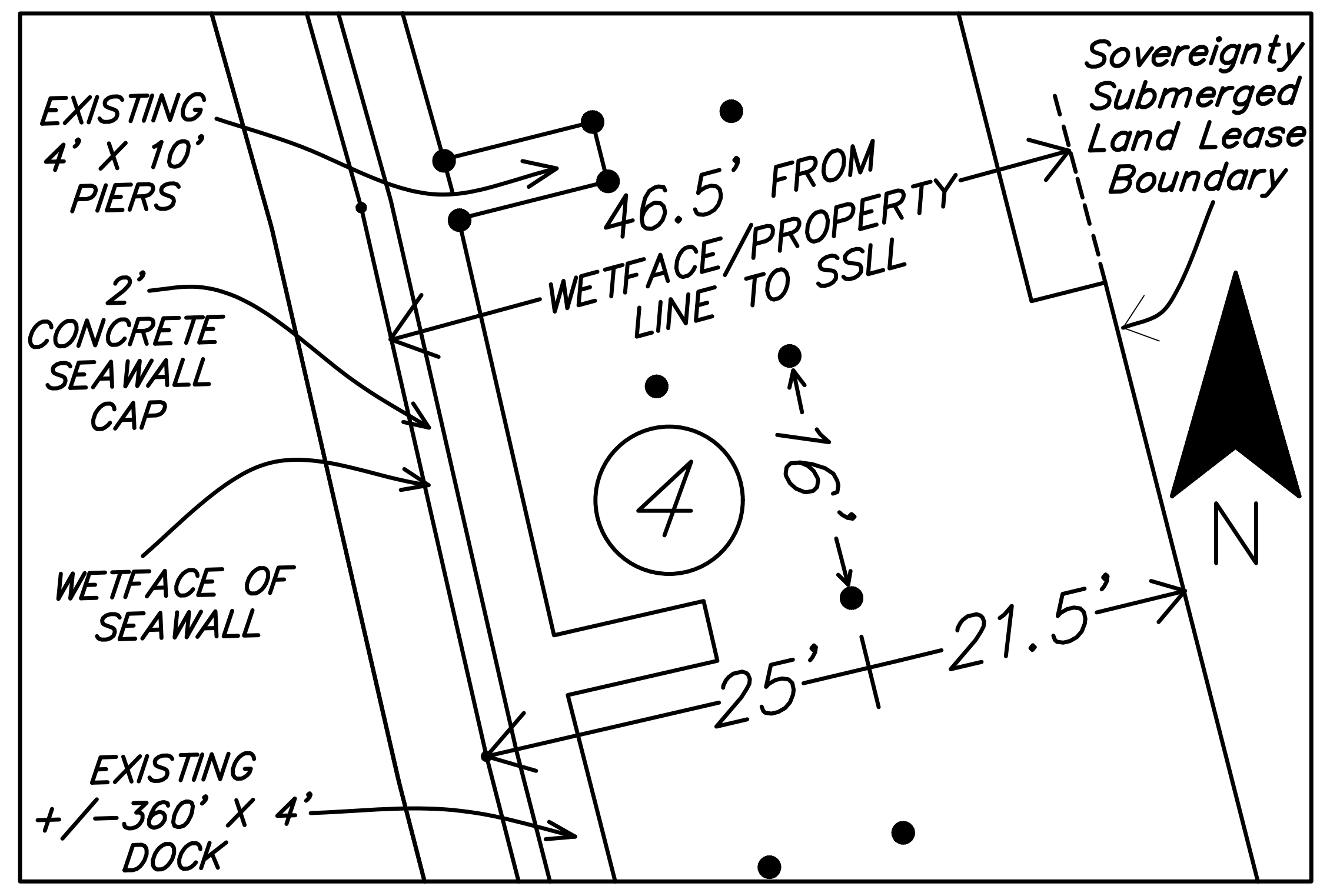


Figure 1

Existing Site Conditions Slip #4

1180 North Federal Hwy #609
Ft. Lauderdale Florida, 33304

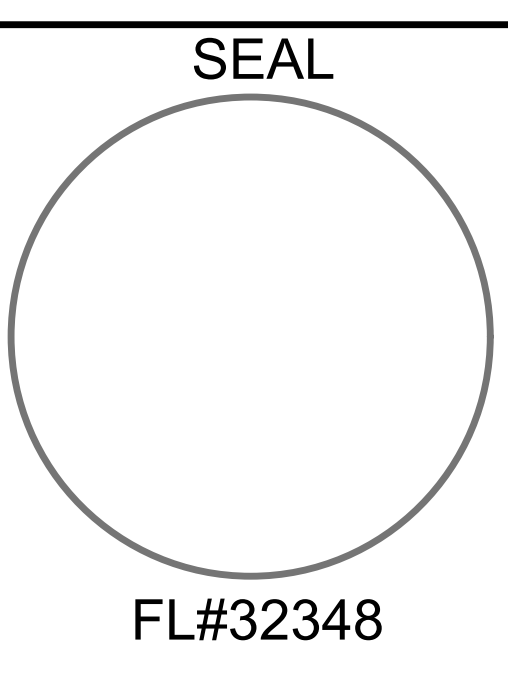


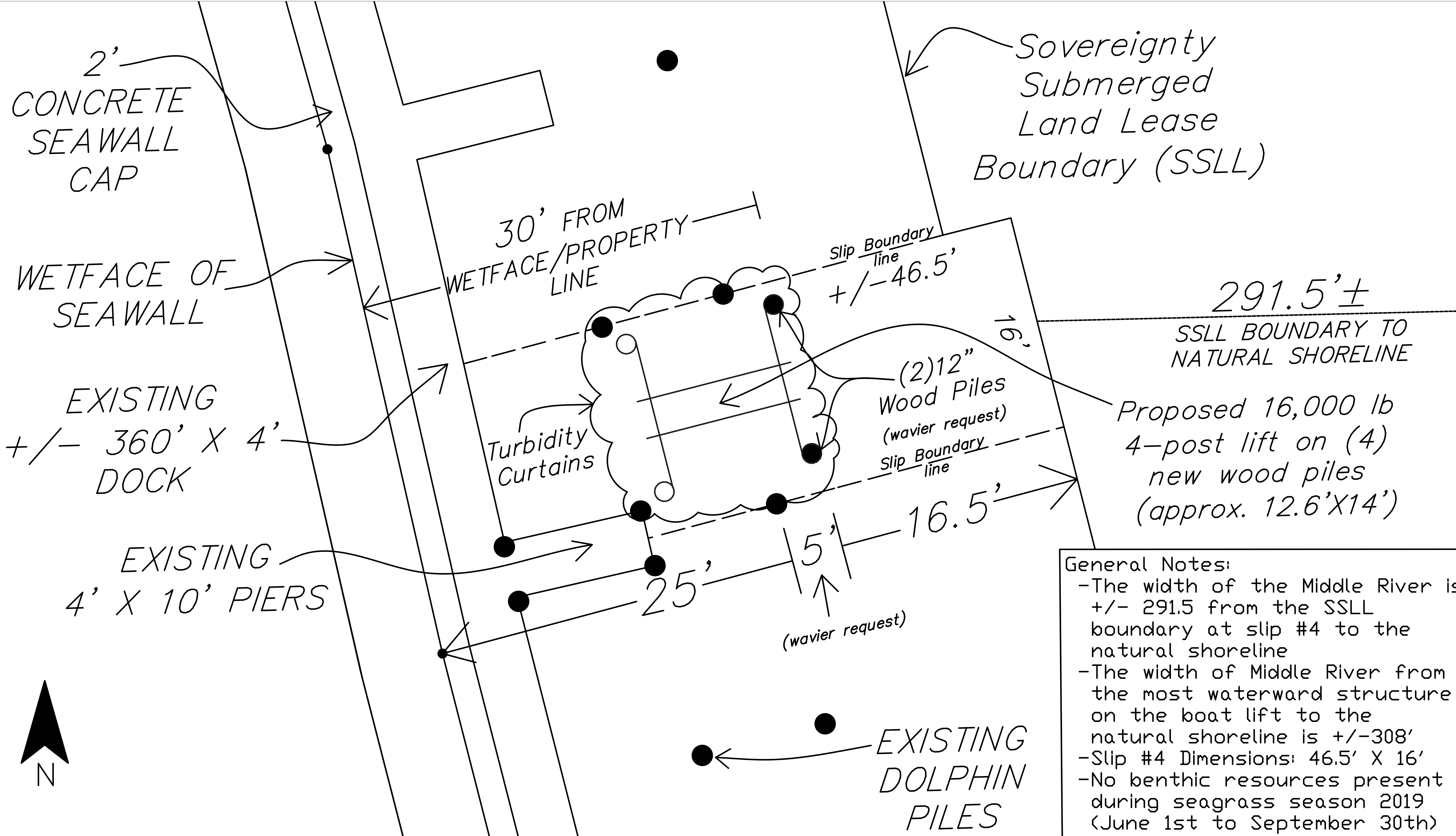
EnviroCare International Solutions, Inc.
832 NE 26th Street
Wilton Manors Florida, 33305
Phone: (954) 730-7707
Fax: (954) 730-7717

BIAGIE ENGINEERING

555 W Prospect Road
Oakland Park, FL 33309

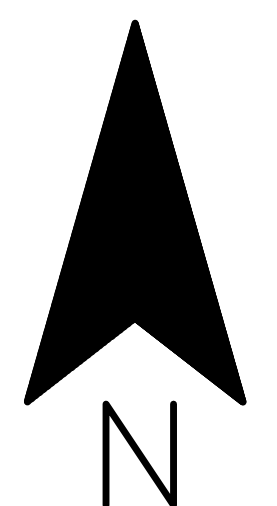
Phone: (954)776-8004
Fax: (954)776-8015
info@biagiengineering.com





General Notes:

- The width of the Middle River is +/- 291.5 from the SSSL boundary at slip #4 to the natural shoreline
- The width of Middle River from the most waterward structure on the boat lift to the natural shoreline is +/- 308'
- Slip #4 Dimensions: 46.5' X 16'
- No benthic resources present during seagrass season 2019 (June 1st to September 30th)



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

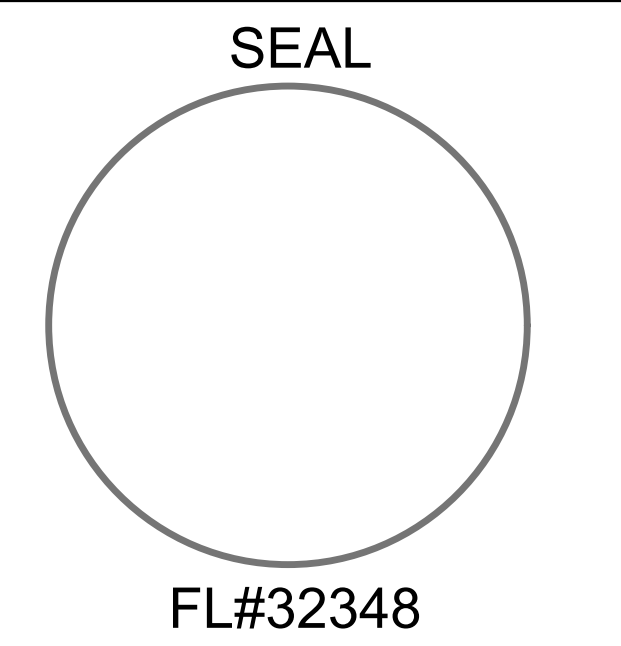
Figure 2
 Proposed Site Plan Slip #4

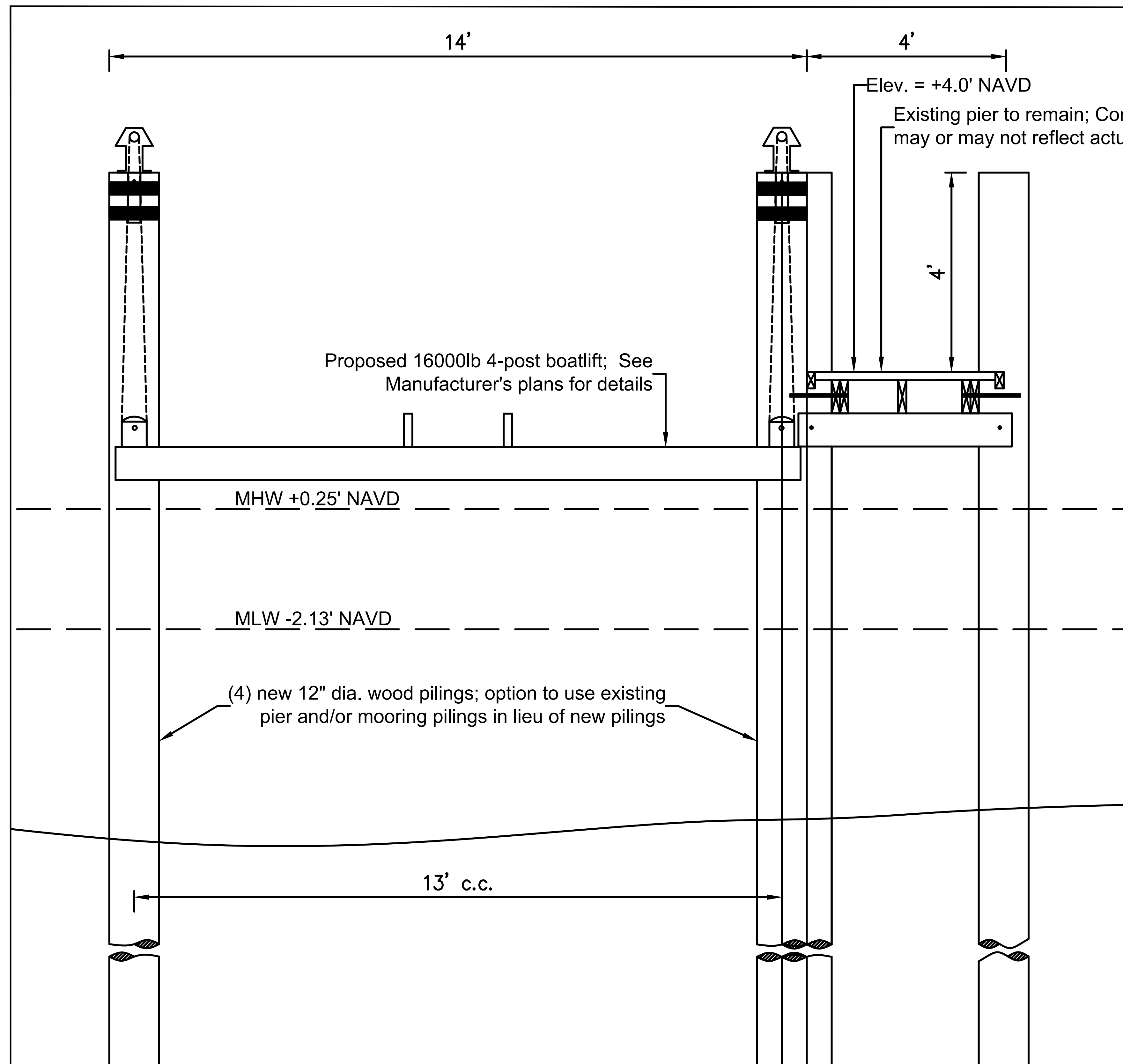
1180 North Federal Hwy #609
 Ft. Lauderdale Florida, 33304

BIAGIE
 ENGINEERING

555 W Prospect Road
 Oakland Park, FL 33309

Phone: (954)776-8004
 Fax: (954)776-8015
 info@biagiengineering.com





BOATLIFT DETAIL

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

General Notes:

1. New lift pilings to be 12" dia. CCA treated wood pilings.
2. 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' into rock.
3. All hardware to be galvanized or stainless steel.
4. Turbidity barriers are to surround all in water construction areas during piling installation activities.
5. Elevations shown are based on the North American Vertical Datum of 1988.
6. Design in accordance with 2017 6th Edition of the Florida Building Code.
7. 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.
8. 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.
9. 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.
10. Engineer's Limitations of Responsibility: The Engineer shall not be responsible for the quality or composition of materials, fabrications, construction inspection, supervision, or review, special inspection, or the quality and correctness of construction unless the appropriate submissions, reports, approvals, inspections, site visit, construction review, or special inspections are performed by the Engineer or his representative as required herein, and then only such responsibility as is associated with the specific work performed as is commonly assigned a structural engineer in relation to other engineering and construction disciplines associated with the project.
11. The Engineer shall not be responsible for site and construction safety and/or the safety of construction workers. Site and construction safety is the responsibility of the Contractor. The Contractor shall be responsible for the safety of his employees and the safety of the employee of all subcontractors to the project.
12. Engineer's Statement of Compliance: To the best of the Engineer's knowledge, the structural plans and specifications presented herein comply with the applicable minimum building codes, standards, and practices.



B I G
E N G I N E E R I N G

555 W Prospect Road
Oakland Park, FL 33309
Phone: (954)776-8004
Fax: (954)776-8015
info@bigengineering.com

PREPARED FOR:
Envirocare, Inc.
832 N.E. 26th St.
Wilton Manors, FL 33305
954-730-7707

REVISIONS

4-POST BOAT LIFT FOR:
BOLZ (SLIP #4)
1180 N. FEDERAL HWY #609
FORT LAUDERDALE, FL

SEAL

FL#32348

drawn by:

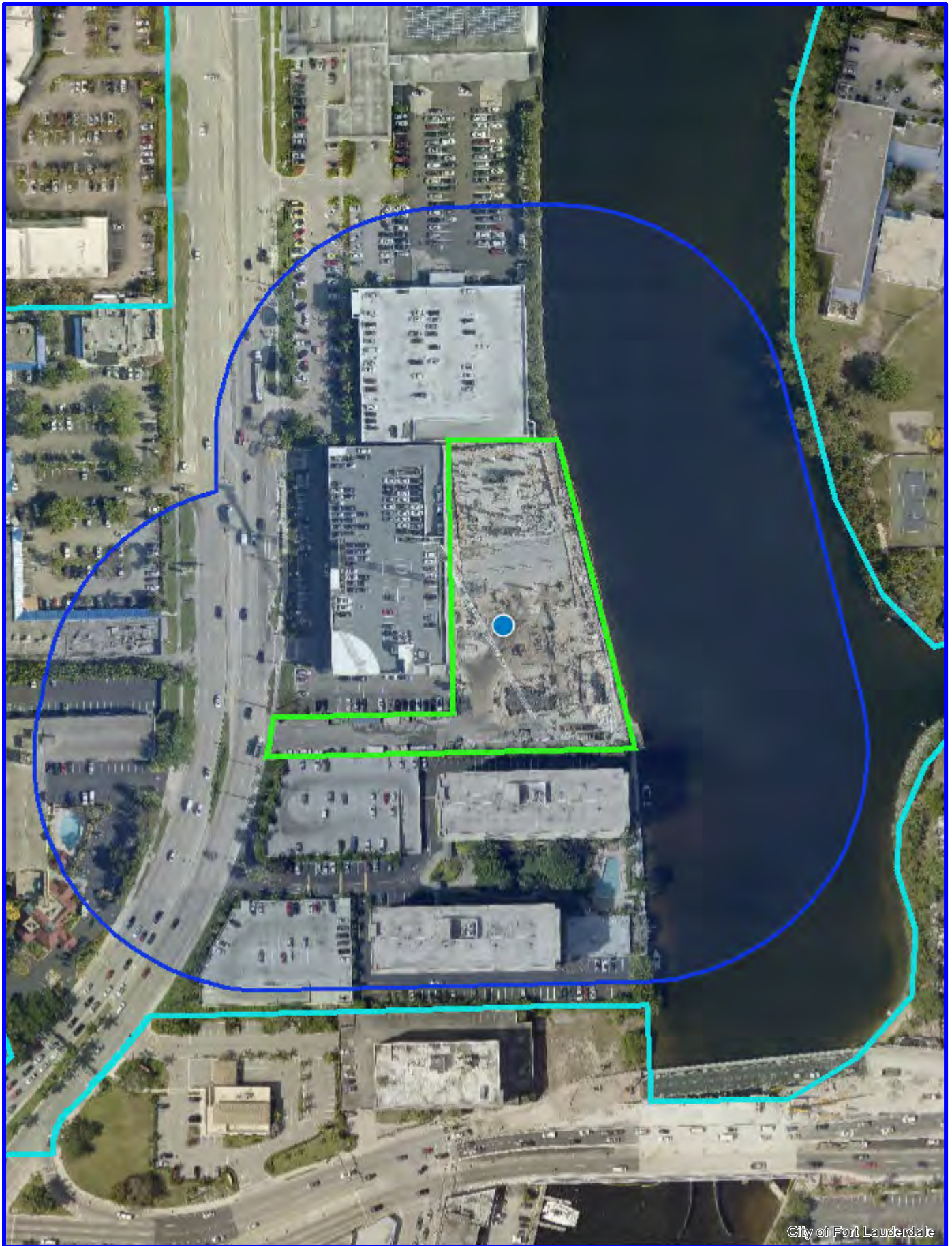
checked by:

date:

job no:

FIGURE 3
CROSS SECTION
OF PROPOSED
BOAT LIFT

**EXHIBIT V
SITE AERIAL**



City of Fort Lauderdale



CITY OF FORT LAUDERDALE

1180 N Federal Hwy



0 90 180 Feet

GIS
Fort Lauderdale

**EXHIBIT VI
SUMMARY DESCRIPTION**

Summary Description

1180 N. Federal Hwy.

#609

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

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

The project site consists of an existing \pm 1,880 sq. ft. marginal dock. The proposed project includes the installation of a 16,000lbs 4-post boat lift in slip #4 at the RIVA Condominium on the Middle River. As measured from the property line, (2) of the wooden piles that the proposed 16,000lbs 4-post boat lift will rest on encroaches more than 25' from the property line (encroaches 30') into the Middle River. However, the boat lift is setback 16.5 feet from the Sovereignty Submerged Land Lease Boundary. This distance is over the allowable 25' distance into the waterway from the property line, requiring a variance waiver for the proposed boat lift. The boat lift's (4) wooden piles will serve as guide poles and reflective tape will be placed on these piles to ensure safety and compliance with city code: 8-91(d).

The City of Fort Lauderdale Code Section 47-19.3(b)(1) states: Only one (1) mooring device per one hundred (100) feet of lot width or portion thereof, and one mooring device for each additional one hundred (100) feet of lot width are permitted.

At this site there is +/- 412 linear feet of shoreline and 5 existing boatlifts of which 4 have been approved by the MAB for encroaching beyond 25 feet. Therefore, the site requires a DRC site plan level II approval before additional boat lifts can be added to the property.

The applicant is requesting to add a boat lift to his boat slip. The site only allows four boat lift under the code without obtaining a DRC Site Plan Level II approval. Envirocare had a pre-DRC application meeting with Mohammed Malik, Zoning Administrator and Burt Ford, Zoning Chief to review and discuss options for adding an additional boat lift to the applicant's property. The applicant is required to submit a DRC Site Plan Level II application which can be filed concurrently with a MAB application.

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 308), the proposed project will not impede navigation within Middle River.
3. The 16,000lbs 4-post boat lift protects the vessel in and adjacent to a water-skiing area.

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

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

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

**EXHIBIT VII
HOA LETTER OF
RECOMMENDATION**

RIVA

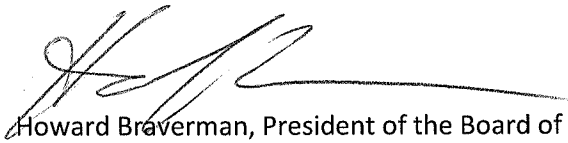
June 8, 2020

To Whom It May Concern,

Richard and Liliane Bolz own Boat Slip # 4 at Riva Condominium. They have the approval of the Board of Directors to install a boat lift in it.

If you have any questions, please do not hesitate to contact the Management Office at 954-507-1405.

Sincerely,

A handwritten signature in black ink, appearing to read 'Howard Braverman', with a long horizontal flourish extending to the right.

Howard Braverman, President of the Board of Directors
Riva Fort Lauderdale Condominium Association, Inc.

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

Prepared By and Return To:
Columbia Title of Florida, Inc. d/b/a EWM Title
Attn: Misty Slater
2000 Main Street
Weston, FL 33326-3691

**ASSIGNMENT OF USE RIGHTS TO PARKING SPACE,
STORAGE LOCKER AND BOAT SLIP**

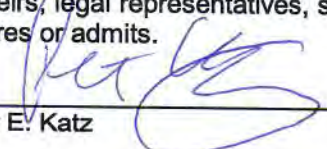
This Assignment of Parking Space Storage Locker and Boat Slip, made this 4th day of December, 2018, between Peter E. Katz ("Grantor"), and Richard Gordon Bolz and Liliane Nogueira Bolz ("Grantee"):

Witnesseth, that Grantor, in consideration of the sum of \$10.00 and other good and valuable consideration paid to Grantor by Grantee, receipt and sufficiency of which is hereby acknowledged, assigns parking space **No. 9 and 106, Storage Locker No. 7, Boat Slip No. 4** (the "Property") located at **1180 N Federal Highway #609, Fort Lauderdale, FL 33304**, more particularly described as follows:

Unit 609 of Riva Condominium, a Condominium according to the Declaration of Condominium thereof, recorded in Official Records Book 50792, Page(s) 797, of the Public Records of Broward County, Florida, and any amendments thereto, together with its undivided share in the common elements.

This assignment is subject to the Declaration of Condominium as described above.

"Grantor" and "Grantee" shall be used for singular or plural, natural or artificial, which terms shall include the heirs, legal representatives, successors and assigns of Grantor and Grantee whenever the context so requires or admits.




Peter E. Katz

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was sworn to and subscribed before me this 29th day of November, 2018, by Peter E. Katz, who is personally known or have produced valid FL/DL as identification.





Notary Public
Printed Name: MISTY J. SLATER
My Commission Expires:

**EXHIBIT XI
SITE PHOTOGRAPHS**

1. Standing North of Slip #4
looking Southeast



2. Standing West of slip #4
looking East.



3. Standing South of Slip #4
looking Northeast



**EXHIBIT X
SOVEREIGNTY
SUBMERGED
LAND LEASE**



McLAUGHLIN ENGINEERING COMPANY
LB#285

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

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

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

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

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

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

NOTES:

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

CERTIFICATION

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

McLAUGHLIN ENGINEERING COMPANY

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

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-0161

CHECKED BY: JST

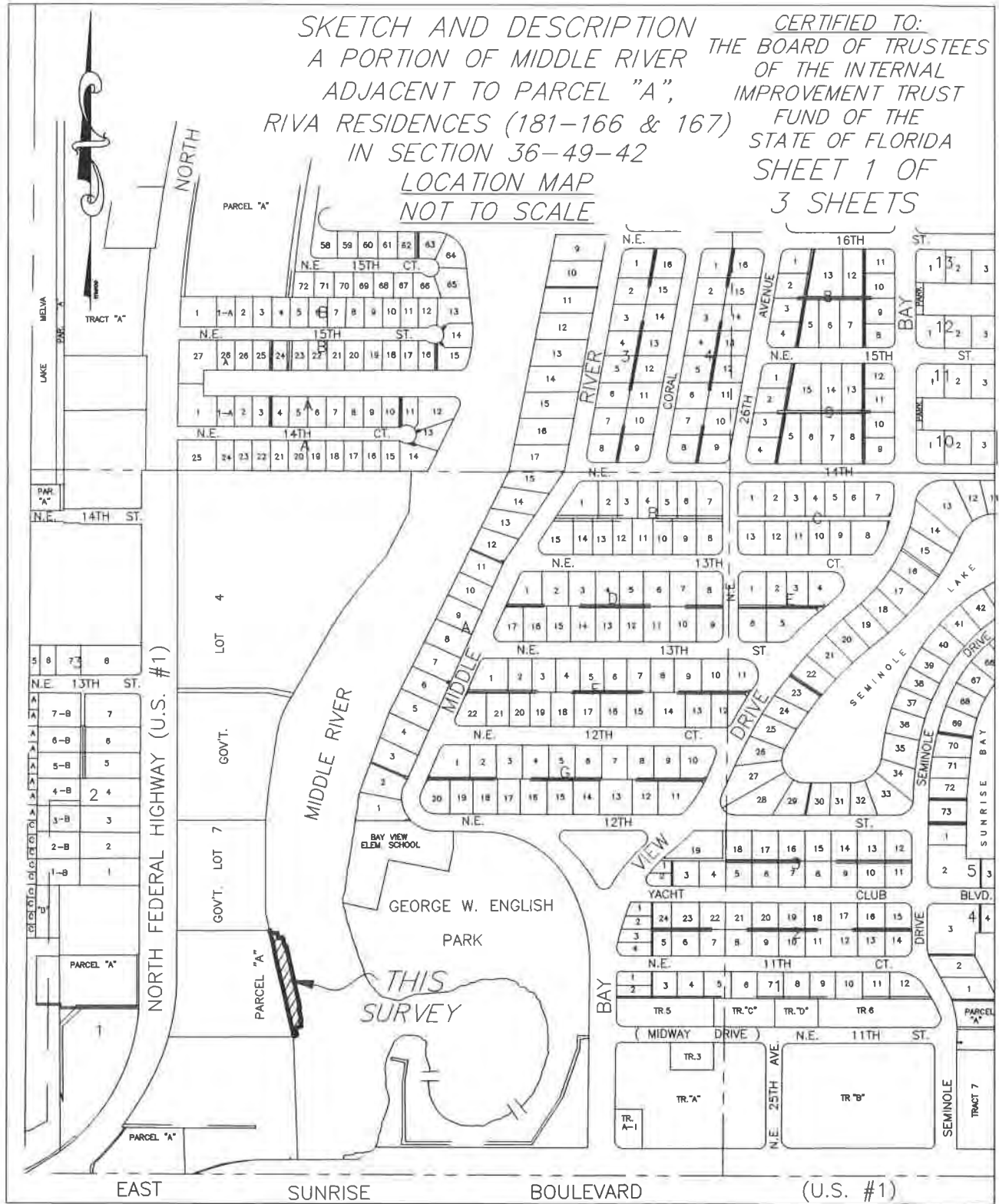


McLAUGHLIN ENGINEERING COMPANY
LB#285

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

SKETCH AND DESCRIPTION
A PORTION OF MIDDLE RIVER
ADJACENT TO PARCEL "A",
RIVA RESIDENCES (181-166 & 167)
IN SECTION 36-49-42
LOCATION MAP
NOT TO SCALE

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



FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-0161

CHECKED BY: _____



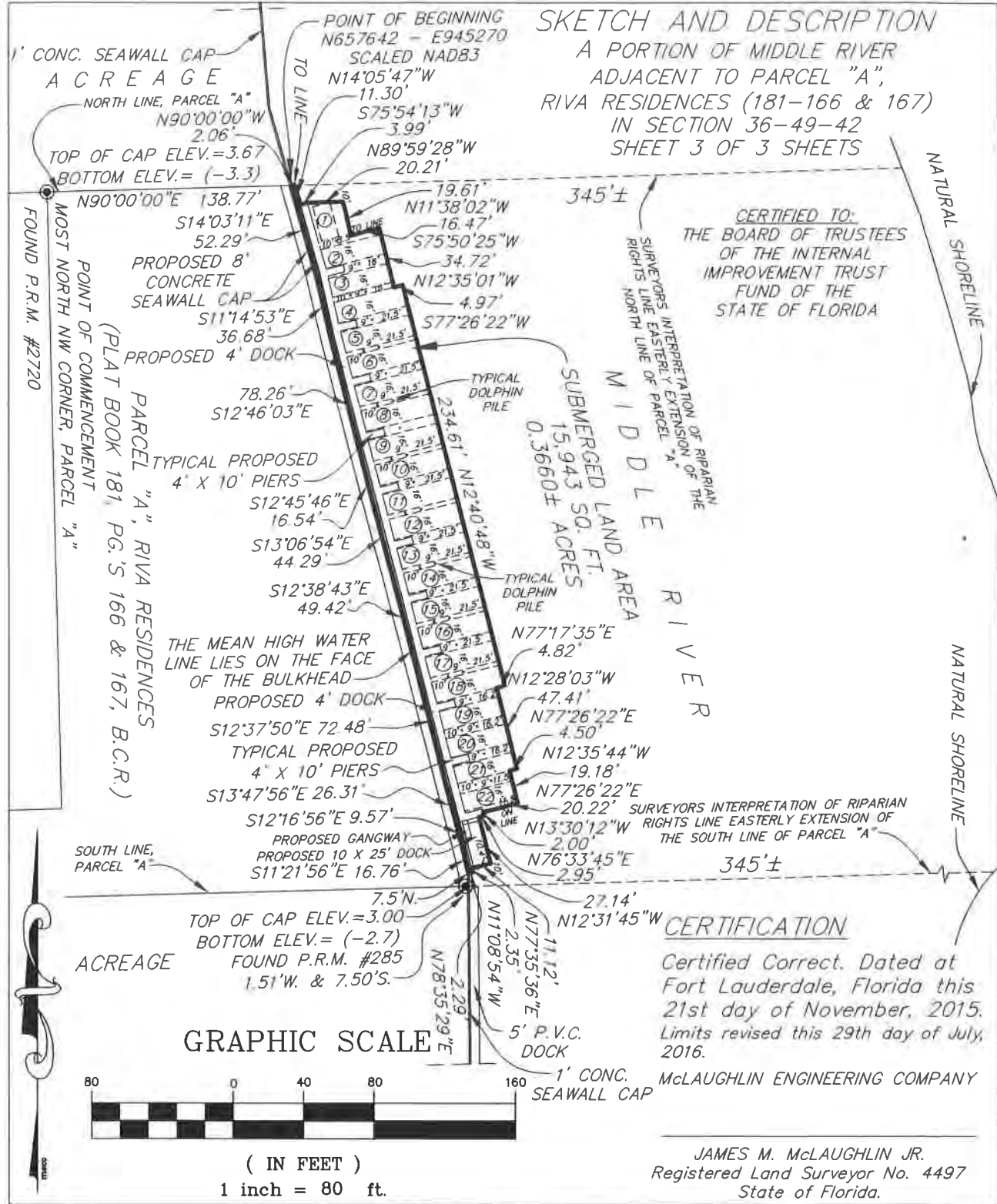
McLAUGHLIN ENGINEERING COMPANY
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ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
400 N.E. 3rd AVENUE FORT LAUDERDALE, FLORIDA 33301
PHONE (954) 763-7611 * FAX (954) 763-7615

SKETCH AND DESCRIPTION

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

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



FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-0161

CHECKED BY: _____

ITEM IX

MEMORANDUM MF NO. 20-07

DATE: June 15, 2020

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: August 6, 2020 MAB Meeting - Dock Waiver of Distance Limitations – Riva 1106 LLC / 1180 N. Federal Highway Unit 1106 Slip #19.

Attached for your review is an application from Riva 1106 LLC / 1180 N. Federal Highway Unit 1106 Slip #19.

APPLICATION AND BACKGROUND INFORMATIONa

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

TABLE 1

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

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

PROPERTY LOCATION AND ZONING

The property is located is the Riva Condominium within the B-1 Boulevard Business District. It is situated on the western shore of the Middle River where the width between the applicant's most waterward structure of the proposed boat lift to the adjacent natural shoreline is +/- 330 feet, according to the Summary Description provided in **Exhibit 1**.

RECOMMENDATIONS

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

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers.
2. The applicant is required to install and affix reflector tape to the proposed boat lift piles in accord with Section 47.19.3.E of the Unified Land and Development Regulations (ULDR).

AC
Attachment

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

EXHIBIT I
APPLICATION FOR WATERWAY WAIVER

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

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

APPLICATION FORM
(Must be in Typewritten Form Only)

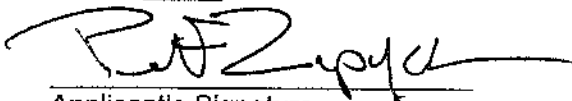
1. LEGAL NAME OF APPLICANT - (If corporation, name and titles of officers as well as exact name of corporation. If individuals doing business under a fictitious name, correct names of individuals, not fictitious names, must be used. If individuals owning the property as a private residence, the name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

NAME: RIVA 1106 LLC

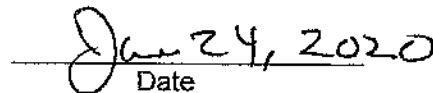
TITLE MANAGERS: Peter Zupcowska & Robert Wilson

TELEPHONE NO: (954) 540-1954
(mobile)

2. APPLICANT'S ADDRESS (if different than the site address): N/A
3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: The applicant requests a wavier for the proposed construction of a four (4) post boat lift that extends beyond 25ft from the property line in slip #19.
4. SITE ADDRESS: 1180 N. FEDERAL HWY #1106, FORT LAUDERDALE FLORIDA, 33304
ZONING: B-1
LEGAL DESCRIPTION: RIVA CONDOMINIUM UNIT 1106 PER AMCDO CIN #113566952
5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).
Warranty Deed, Project Plans, Site Location, Summary Description, Letter of Recommendation by HOA, Assignment of use rights to boat slip, Site Photographs, Sovereignty Submerged Land Lease



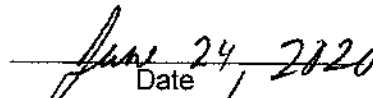
Applicant's Signature



Date



Applicant's Signature



Date

=====

The sum of \$ 1,500.00 was paid by the above-named applicant on the _____ of _____, 2020 Received by: _____

City of Fort Lauderdale

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

Marine Advisory Board Action

Formal Action taken on _____

Commission Action

Formal Action taken on _____

Recommendation _____

Action _____

EXHIBIT II
TABLE OF CONTENTS

TABLE OF CONTENTS

	PAGE
WARRANTY DEED	1
PROJECT PLANS	2
SITE AERIAL	3
SUMMARY DESCRIPTION	4
HOA LETTER OF RECOMMENDATION	5
ASSIGNMENT OF USE RIGHTS TO BOAT SLIP	6
SITE PHOTOGRAPHS	7
SOVEREIGNTY SUBMERGED LAND LEASE	8

**EXHIBIT III
WARRANTY DEED**

Prepared by and return to:
Terri Duran
Equity Land Title, LLC
525 Okeechobee Blvd, Suite 900
West Palm Beach, FL 33401
File Number: 183667WPB

(Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this 6th day of August, 2018, between Peter F. Zupcofska and Robert E. Wilson, a married couple under Florida Law whose post office address is 1180N Federal Highway, Unit 1106, Fort Lauderdale, FL 33304, grantor, and RIVA 1106, LLC, a Florida limited liability company whose post office address is 1180 N. Federal Highway, Unit 1106, Fort Lauderdale, FL 33304, grantee:

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

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

Condominium Unit 1106, RIVA, a Condominium according to the Declaration of Condominium thereof recorded in Official Records Book 50792, Page 797, as Amended and Restated Declaration of Condominium recorded in Official Instrument No. 113566952, of the Public Records of Broward County, Florida, and all amendments thereto, together with its undivided share in the common elements.

Parcel Identification Number: 49-42-36-AL-0660

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, 2017.

SUBJECT TO: Applicable zoning regulations and ordinances; All of the covenants, terms, provisions, conditions, reservations and restrictions set forth in any agreements and easements of record, if any, common to the subdivision which may now affect the aforesaid described Property, provided, however, the foregoing shall not serve to reimpose any such conditions, reservations or restrictions;

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: _____

[Signature]
Peter F. Zupcofska

[Signature]
Witness Name: MARK DOERR

[Signature]
Robert E. Wilson

State of Fl.
County of Broward

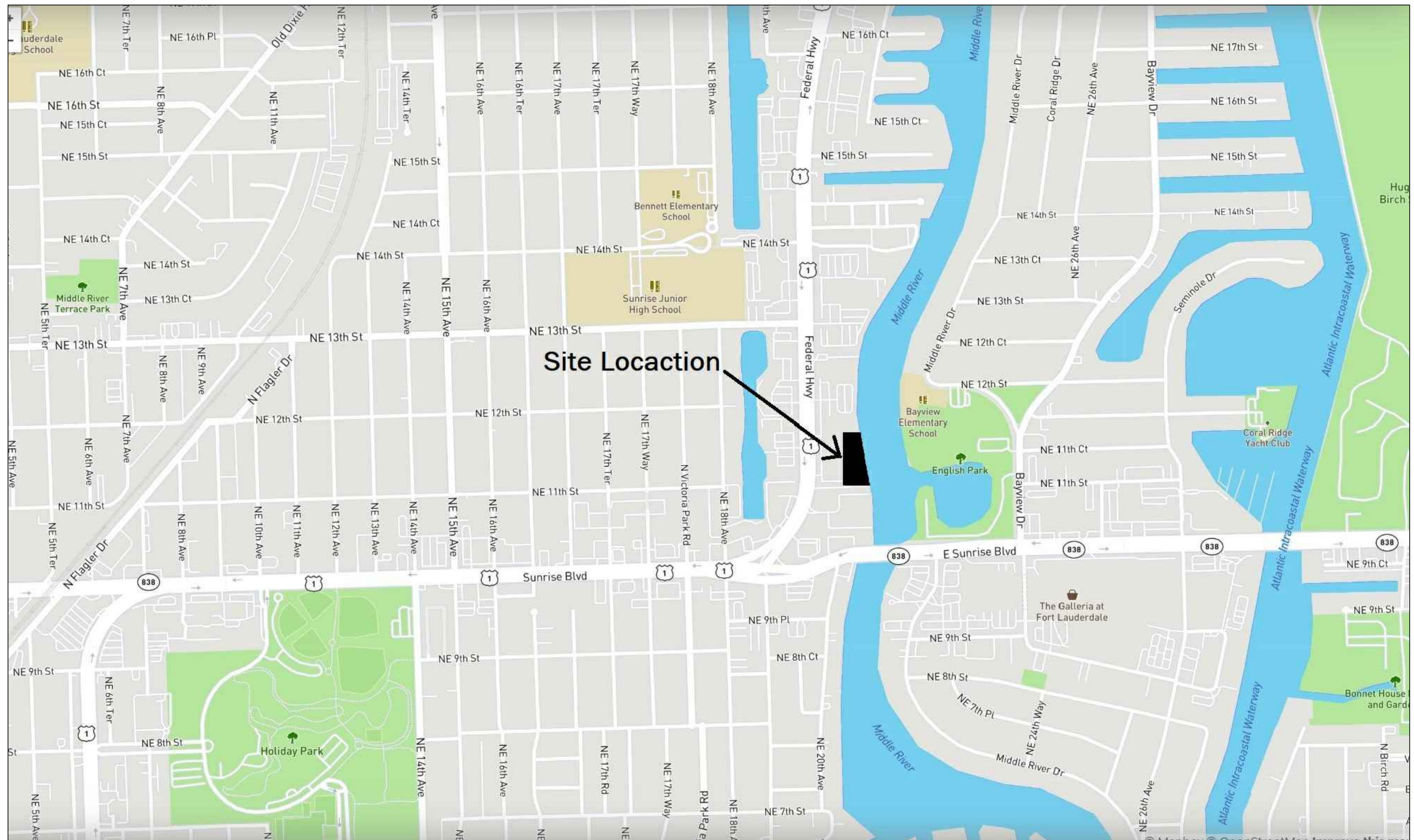
The foregoing instrument was acknowledged before me this 6 day of August, 2018, by Peter F. Zupcofska and Robert E. Wilson, they () are personally known to me or () have produced A License as identification.

[Signature]
Notary Public
Printed Name: _____
My Commission Expires: _____



**EXHIBIT IV
PROJECT PLANS**

Project Name: 1180 N. Fed - RIVA 1106 LLC



Location Map

Applicant: RIVA 1106 LLC
1180 North Federal Hwy #1106
Ft. Lauderdale Florida, 33304

SLIP #19

Latitude: 26.138902
Longitude: -80.118872
Section: 36 Township: 49S Range: 42E
State Tax Property ID: 4942 36 AL 0660

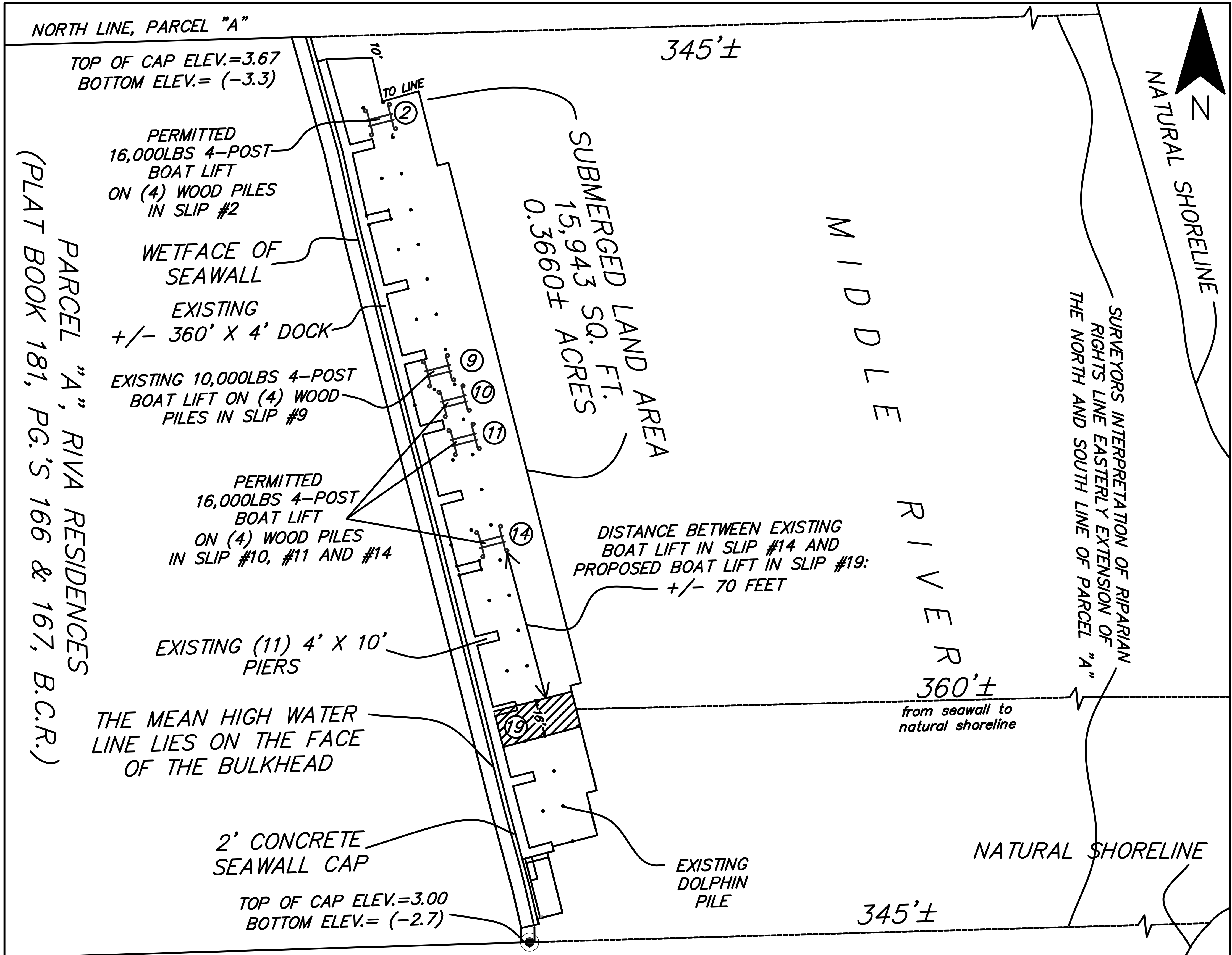
Plan Index	
Figure 1	Existing Site Conditions Slip #19
Figure 2	Proposed Site Plan Slip #19
Figure 3	Cross Section of Proposed Boat Lift



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



555 W Prospect Road
Oakland Park, FL 33309
Phone: (954)776-8004
Fax: (954)776-8015
info@biagiengineering.com



Notes:

- Above: Overview of the entire site, the boundary of this proposed project is within slip Slip #19.
- Right: Enlarged Detail of the existing slip, proposed for a four (4) post boat lift
- The width of Middle River from seawall in slip #19 to natural shoreline is +/- 360 feet.
- No benthic resources present during seagrass season 2019 (June 1st to September 30th)

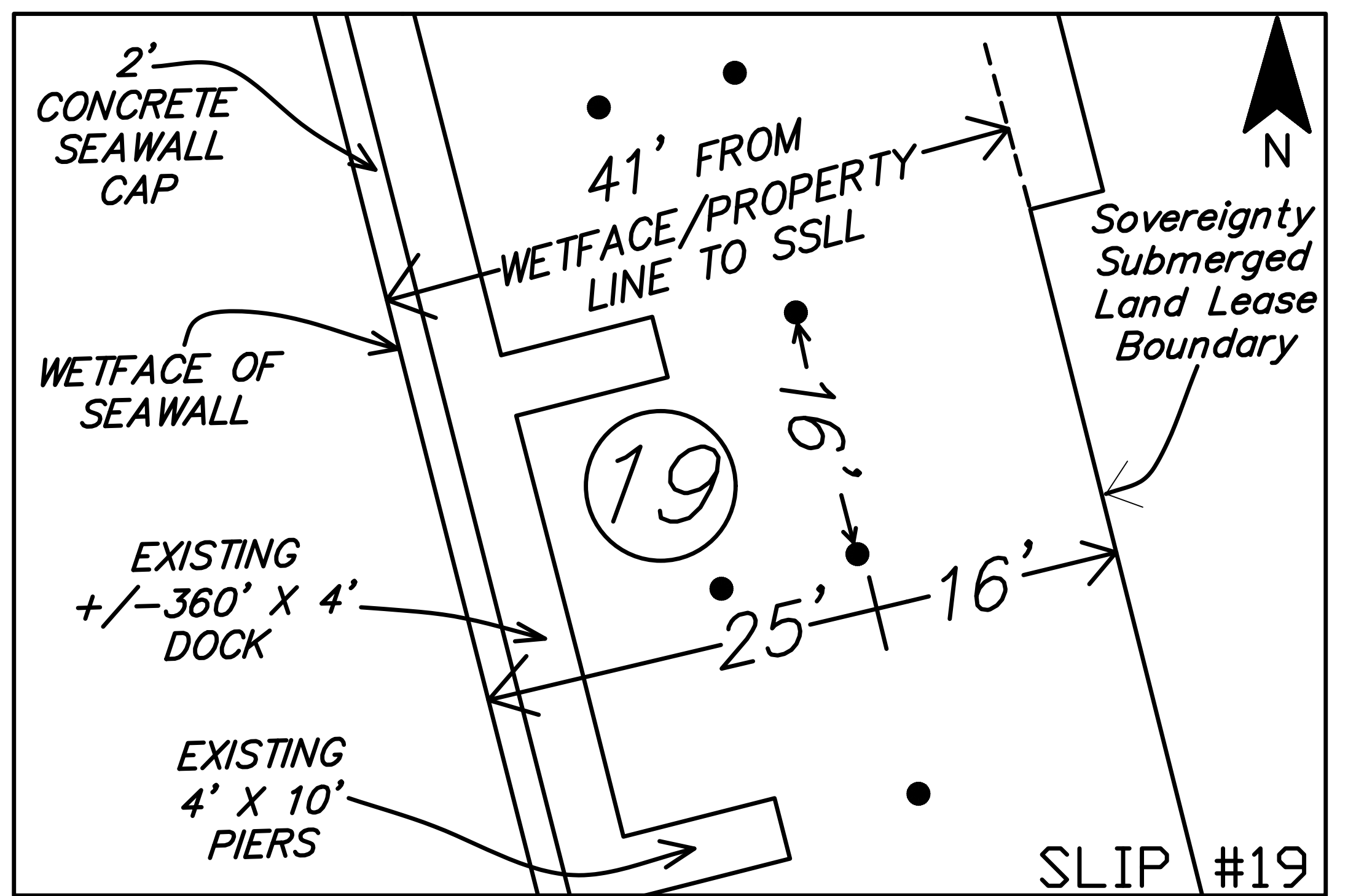


Figure 1

Existing Site Conditions Slip #19

1180 North Federal Hwy #1106
 Ft. Lauderdale Florida, 33304

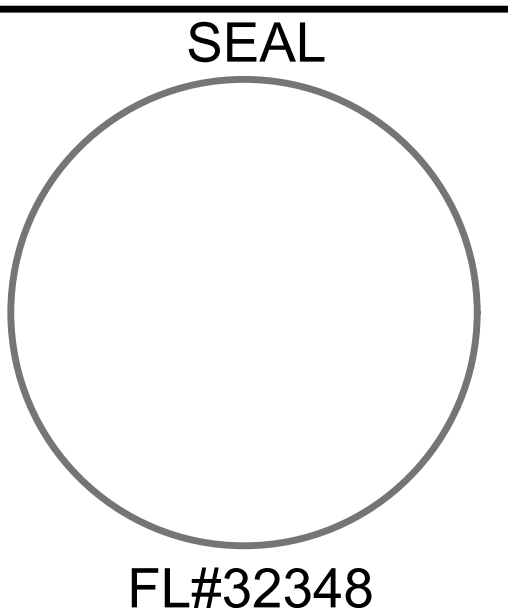


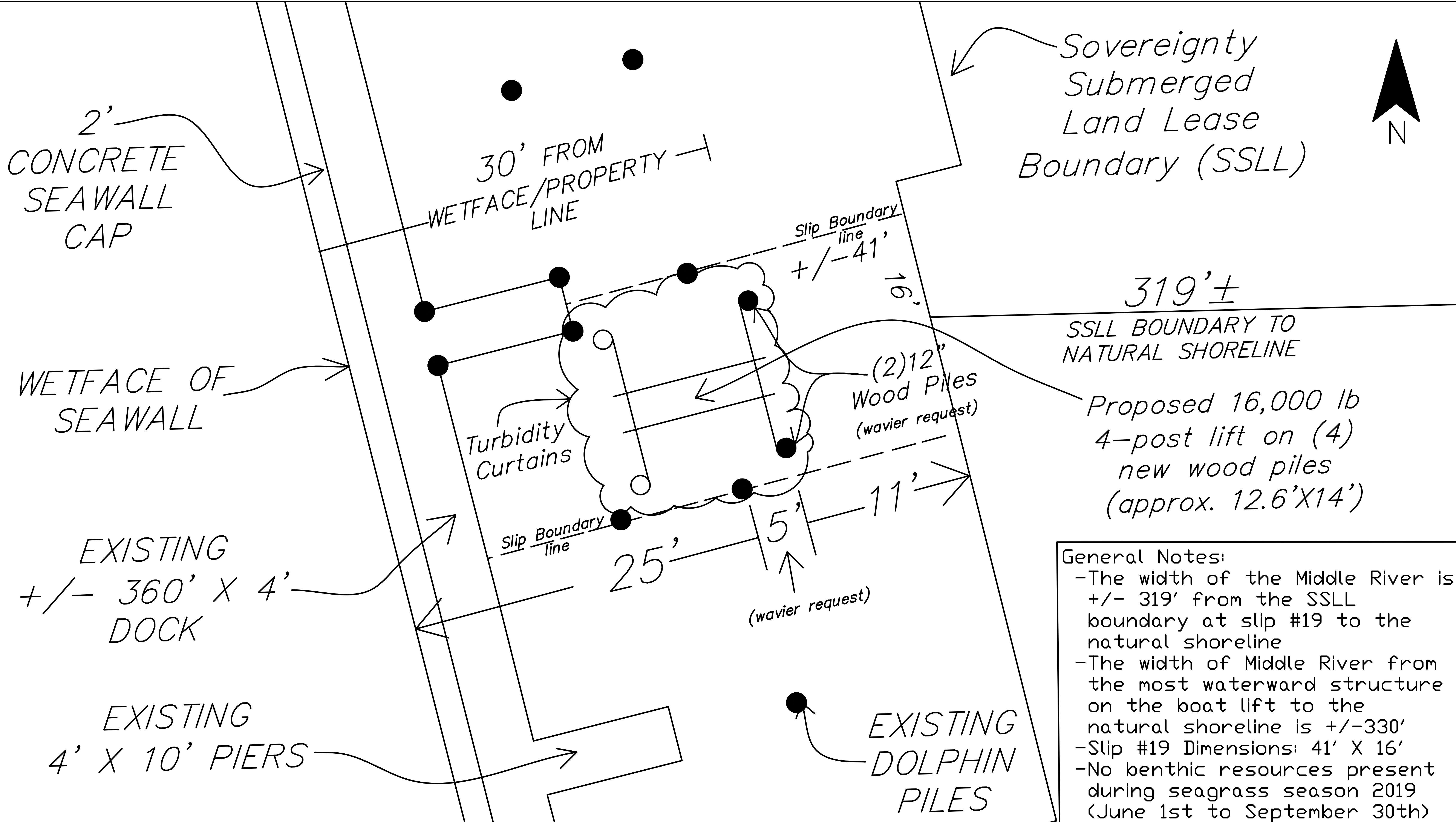
EnviroCare International
 Solutions, Inc.
 832 NE 26th Street
 Wilton Manors Florida,
 33305
 Phone: (954) 730-7707
 Fax: (954) 730-7717

BIAGI ENGINEERING

555 W Prospect Road
 Oakland Park, FL 33309

Phone: (954)776-8004
 Fax: (954)776-8015
 info@biagiengineering.com





General Notes:

- The width of the Middle River is +/- 319' from the SSLL boundary at slip #19 to the natural shoreline
- The width of Middle River from the most waterward structure on the boat lift to the natural shoreline is +/- 330'
- Slip #19 Dimensions: 41' X 16'
- No benthic resources present during seagrass season 2019 (June 1st to September 30th)



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

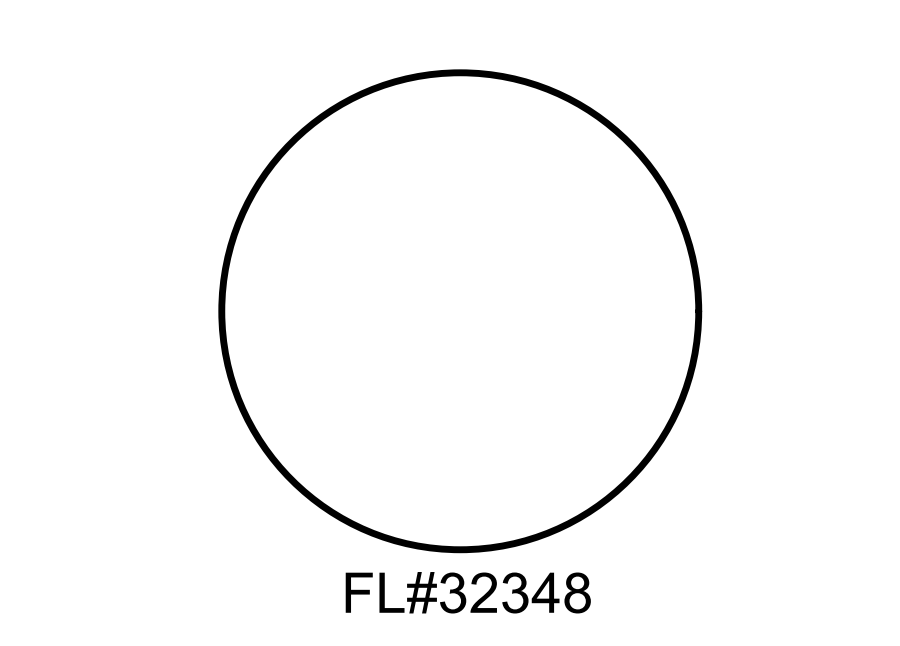
Figure 2
Proposed Site Plan Slip #19

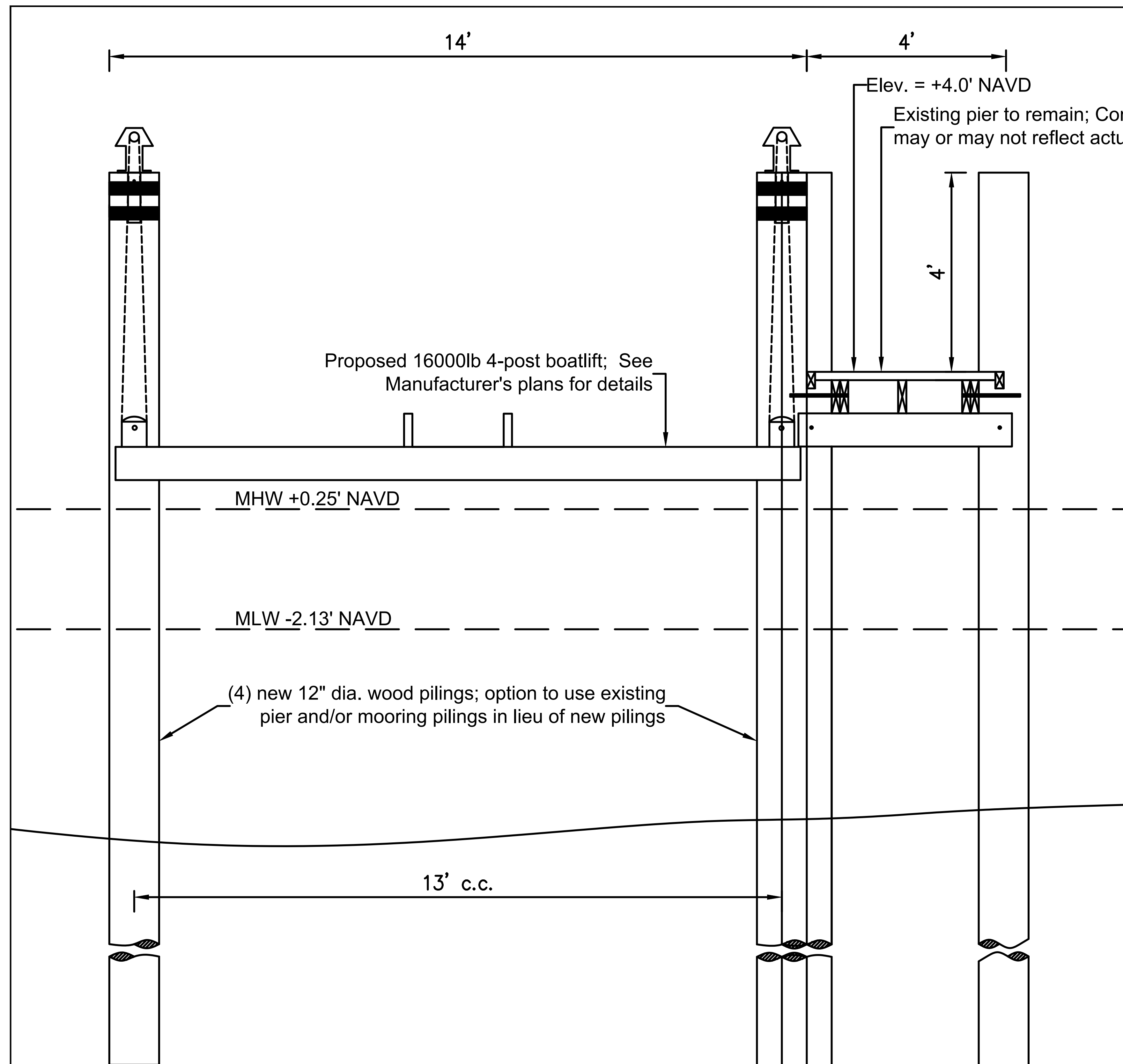
1180 North Federal Hwy #1106
 Ft. Lauderdale Florida, 33304

BIAGI ENGINEERING

555 W Prospect Road
 Oakland Park, FL 33309

Phone: (954)776-8004
 Fax: (954)776-8015
 info@biagiengineering.com





BOATLIFT DETAIL

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

General Notes:

1. New lift pilings to be 12" dia. CCA treated wood pilings.
2. 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' into rock.
3. All hardware to be galvanized or stainless steel.
4. Turbidity barriers are to surround all in water construction areas during piling installation activities.
5. Elevations shown are based on the North American Vertical Datum of 1988.
6. Design in accordance with 2017 6th Edition of the Florida Building Code.
7. 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.
8. 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.
9. 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.
10. Engineer's Limitations of Responsibility: The Engineer shall not be responsible for the quality or composition of materials, fabrications, construction inspection, supervision, or review, special inspection, or the quality and correctness of construction unless the appropriate submissions, reports, approvals, inspections, site visit, construction review, or special inspections are performed by the Engineer or his representative as required herein, and then only such responsibility as is associated with the specific work performed as is commonly assigned a structural engineer in relation to other engineering and construction disciplines associated with the project.
11. The Engineer shall not be responsible for site and construction safety and/or the safety of construction workers. Site and construction safety is the responsibility of the Contractor. The Contractor shall be responsible for the safety of his employees and the safety of the employee of all subcontractors to the project.
12. Engineer's Statement of Compliance: To the best of the Engineer's knowledge, the structural plans and specifications presented herein comply with the applicable minimum building codes, standards, and practices.



B I A G I
ENGINEERING

555 W Prospect Road
Oakland Park, FL 33309
Phone: (954)776-8004
Fax: (954)776-8015
info@biagengineering.com

PREPARED FOR:
Envirocare, Inc.
832 N.E. 26th St.
Wilton Manors, FL 33305
954-730-7707

REVISIONS

4-POST BOAT LIFT FOR:
RIVA 1106 LLC (SLIP #19)
1180 N. FEDERAL HWY
#1106 FORT LAUDERDALE,
FL

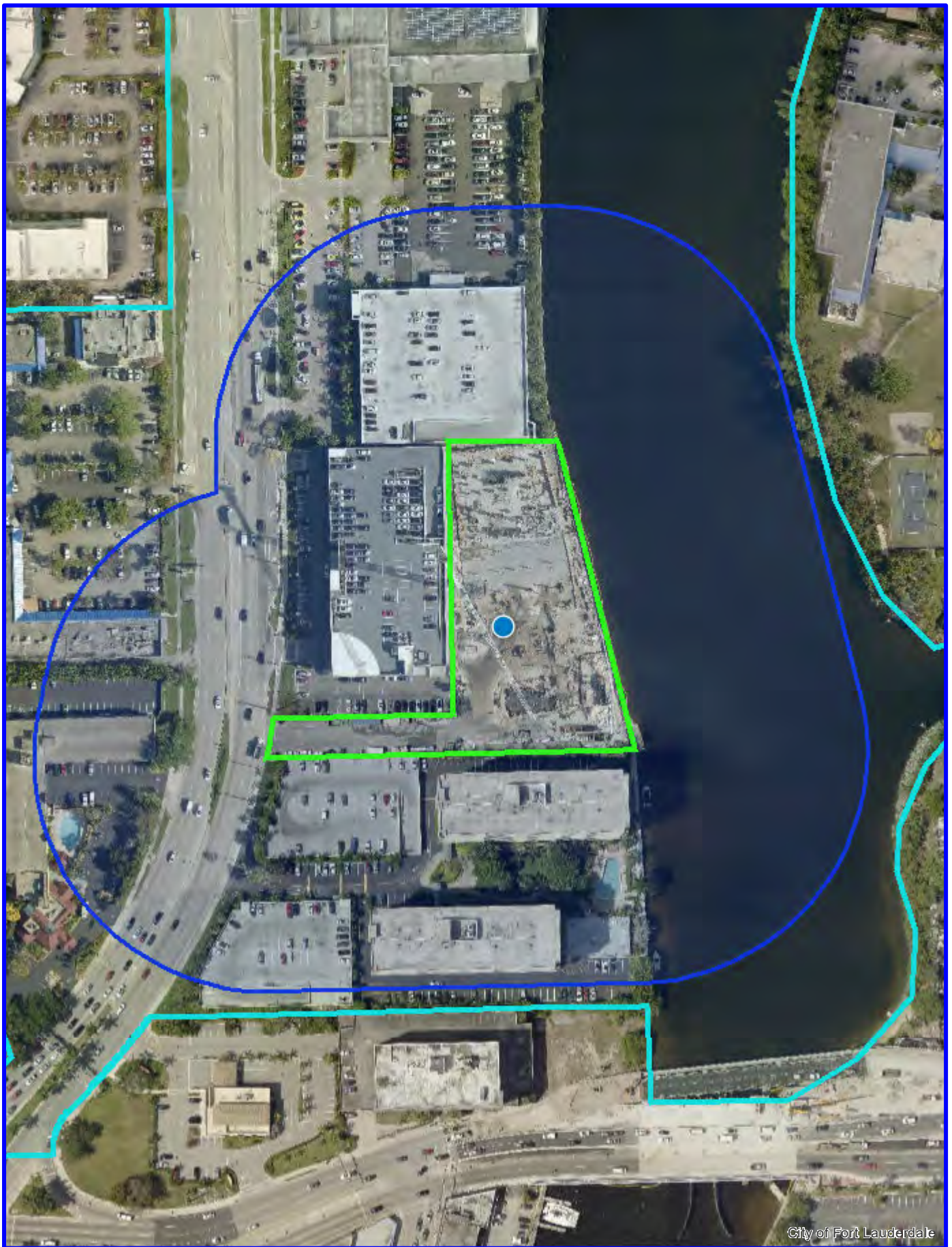
SEAL

FL#32348

drawn by:
checked by:
date:
job no:

FIGURE 3
CROSS SECTION
OF PROPOSED
BOAT LIFT

**EXHIBIT V
SITE AERIAL**



City of Fort Lauderdale



CITY OF FORT LAUDERDALE

1180 N Federal Hwy



0 90 180 Feet

GIS
Fort Lauderdale

**EXHIBIT VI
SUMMARY DESCRIPTION**

Summary Description

1180 N. Federal Hwy.

#1106

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

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

The project site consists of an existing \pm 1,880 sq. ft. marginal dock. The proposed project includes the installation of a 16,000lbs 4-post boat lift in slip #19 at the RIVA Condominium on the Middle River. As measured from the property line, (2) of the wooden piles that the proposed 16,000lbs 4-post boat lift will rest on encroaches more than 25' from the property line (encroaches 30') into the Middle River. However, the boat lift is setback 11 feet from the Sovereignty Submerged Land Lease Boundary. This distance is over the allowable 25' distance into the waterway from the property line, requiring a variance waiver for the proposed boat lift. The boat lift's (4) wooden piles will serve as guide poles and reflective tape will be placed on these piles to ensure safety and compliance with city code: 8-91(d).

The City of Fort Lauderdale Code Section 47-19.3(b)(1) states: Only one (1) mooring device per one hundred (100) feet of lot width or portion thereof, and one mooring device for each additional one hundred (100) feet of lot width are permitted.

At this site there is +/- 412 linear feet of shoreline and 5 existing boatlifts of which 4 have been approved by the MAB for encroaching beyond 25 feet. Therefore, the site requires a DRC site plan level II approval before additional boat lifts can be added to the property.

The applicant is requesting to add a boat lift to his boat slip. The site only allows four boat lifts under the code without obtaining a DRC Site Plan Level II approval. Envirocare had a pre-DRC application meeting with Mohammed Malik, Zoning Administrator and Burt Ford, Zoning Chief to review and discuss options for adding an additional boat lift to the applicant's property. The applicant is required to submit a DRC Site Plan Level II application which can be filed concurrently with a MAB application.

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 330), the proposed project will not impede navigation within Middle River.
3. The 16,000lbs 4-post boat lift protects the vessel in and adjacent to a water-skiing area.

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

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

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

**EXHIBIT VII
HOA LETTER OF
RECOMMENDATION**

RIVA

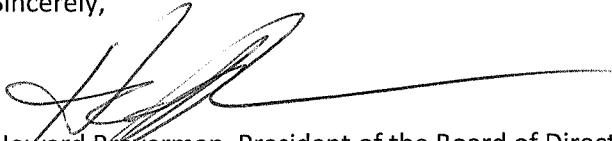
June 29, 2020

To Whom It May Concern,

Peter Zupcofska and Bob Wilson own Boat Slip # 19 at Riva Condominium. They have the approval of the Board of Directors to install a boat lift in it.

If you have any questions, please do not hesitate to contact the Management Office at 954-507-1405.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Braverman', with a long horizontal line extending to the right.

Howard Braverman, President of the Board of Directors
Riva Fort Lauderdale Condominium Association, Inc.

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

ASSIGNMENT OF USE RIGHTS TO BOAT SLIP

6/17/2020 9:46 PM EDT

THIS ASSIGNMENT OF USE RIGHTS TO BOAT SLIP ("Assignment") is made this day of June, 2020, by **PREMIER RIVA, LLC**, a Delaware limited liability company (hereinafter "Assignor"), whose address is 2601 E. Oakland Park Boulevard, Suite 200, Fort Lauderdale, Florida, 33306 to **RIVA 1106, LLC, a Florida limited liability company**, (hereinafter "Assignee"), whose address is 1180 N Federal Highway, Unit 1106, Fort Lauderdale, FL 33304.

RECITALS:

WHEREAS, Assignor is the Developer under the Declaration of Condominium of RIVA, a Condominium (the "Condominium") (the "Declaration") recorded in Official Records Book 50792, Page 797, as Amended and Restated Declaration of Condominium recorded in Official Records Instrument No. 113566952, as amended from time to time, of the Public Records of Broward County, Florida; and

WHEREAS, as part of the Condominium, there are boat slips (the "Boat Slips"). A diagram of the Boat Slips is included on page 5 of "Exhibit B" of the First Amendment to the Declaration recorded as Document No. 114873809 on February 6, 2018, and

WHEREAS, Assignee is the owner of Unit No. 1106, RIVA, A CONDOMINIUM; and

WHEREAS, Assignor has agreed to assign to Assignee use rights to a certain Boat Slip described below.

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

1. Recitals. The above recitals are true and correct and form a material part of this Assignment.
2. Assignment of Use Rights to Boat Slip. Assignor hereby assigns to Assignee use rights to:

Boat Slip No. 19, as shown on Sheet labeled "Lobby Floor" of Exhibit "B" to the Declaration (the "Boat Slip"), governed by that certain Board of Trustees of the Internal Improvement Trust Fund of the State of Florida Sovereignty Submerged Lands Lease No. 060352716.

Assignor is assigning use rights to the above-described Boat Slip, which includes an exclusive right to use the Boat Slip.

3. Rules and Regulations of RIVA Fort Lauderdale Condominium Association, Inc. The use of the Boat Slip is subject to rules and regulations promulgated by RIVA FORT LAUDERDALE CONDOMINIUM ASSOCIATION, INC. (the "Association"), and all

terms and provisions set forth in the Declaration. Assignee agrees to comply with all rules and regulations governing the Boat Slips.

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

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

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

ASSIGNOR:

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

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

BY: Bradley Deckelbaum
Bradley Deckelbaum, as manager

ASSIGNEE:

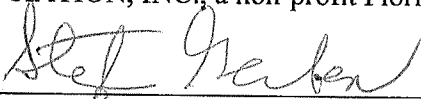
RIVA 1106, LLC

By: Peter F Zupcowska

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

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

RIVA FORT LAUDERDALE CONDOMINIUM
ASSOCIATION, INC., a non-profit Florida

By: 
Stephen Gerben, Secretary

Witness Signature: _____
Print Name

Witness Signature: _____
Print Name

**EXHIBIT XI
SITE PHOTOGRAPHS**

1. Standing North of Slip #19
looking Southeast



2. Standing West of slip #19
looking East.



3. Standing South of Slip #19
looking Northeast



**EXHIBIT X
SOVEREIGNTY
SUBMERGED
LAND LEASE**



McLAUGHLIN ENGINEERING COMPANY
LB#285

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

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

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

LEGAL DESCRIPTION:

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

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

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

NOTES:

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

CERTIFICATION

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

McLAUGHLIN ENGINEERING COMPANY

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

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-0161

CHECKED BY: JST

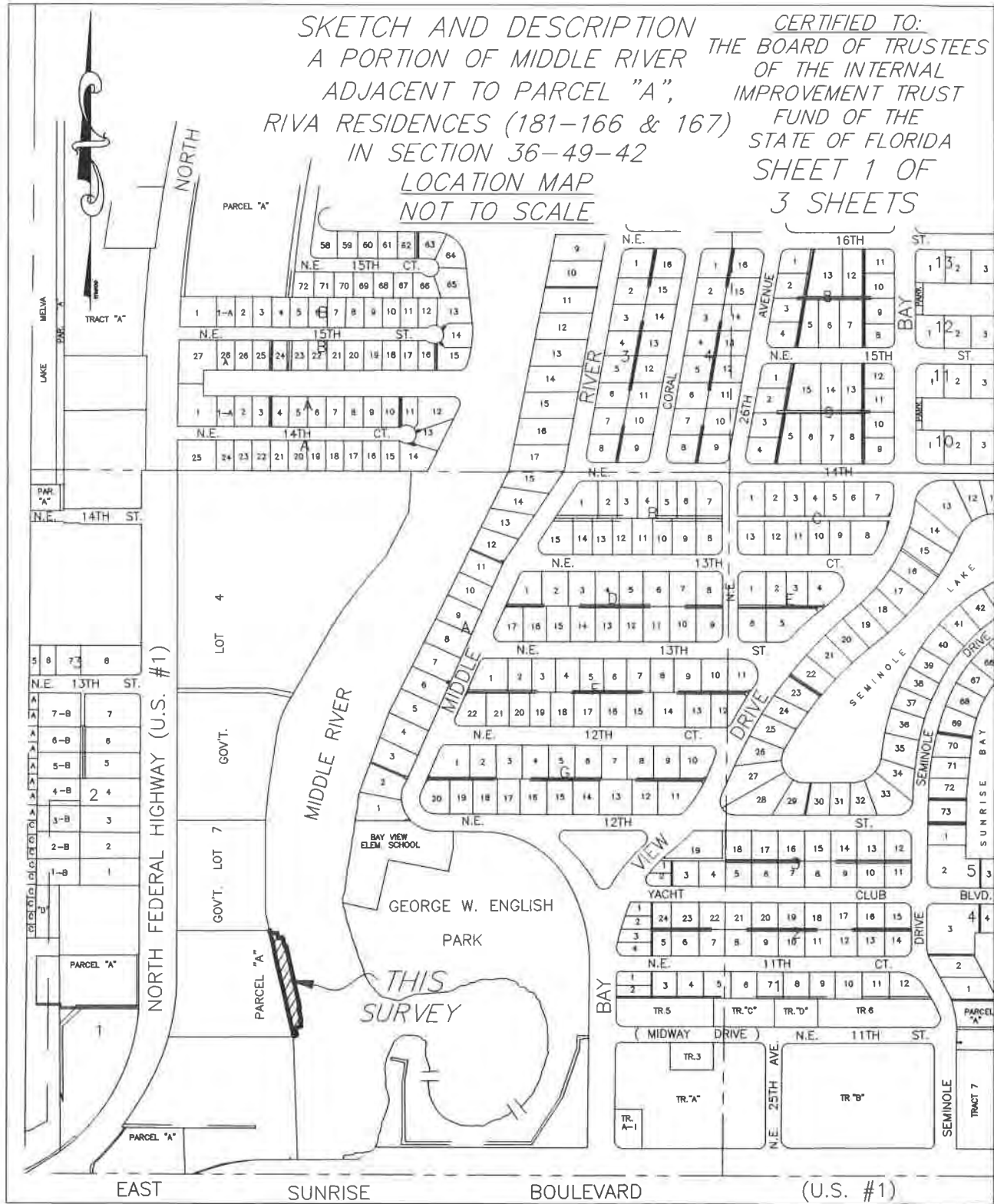


McLAUGHLIN ENGINEERING COMPANY
LB#285

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

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



FIELD BOOK NO. _____

DRAWN BY: JMMjr

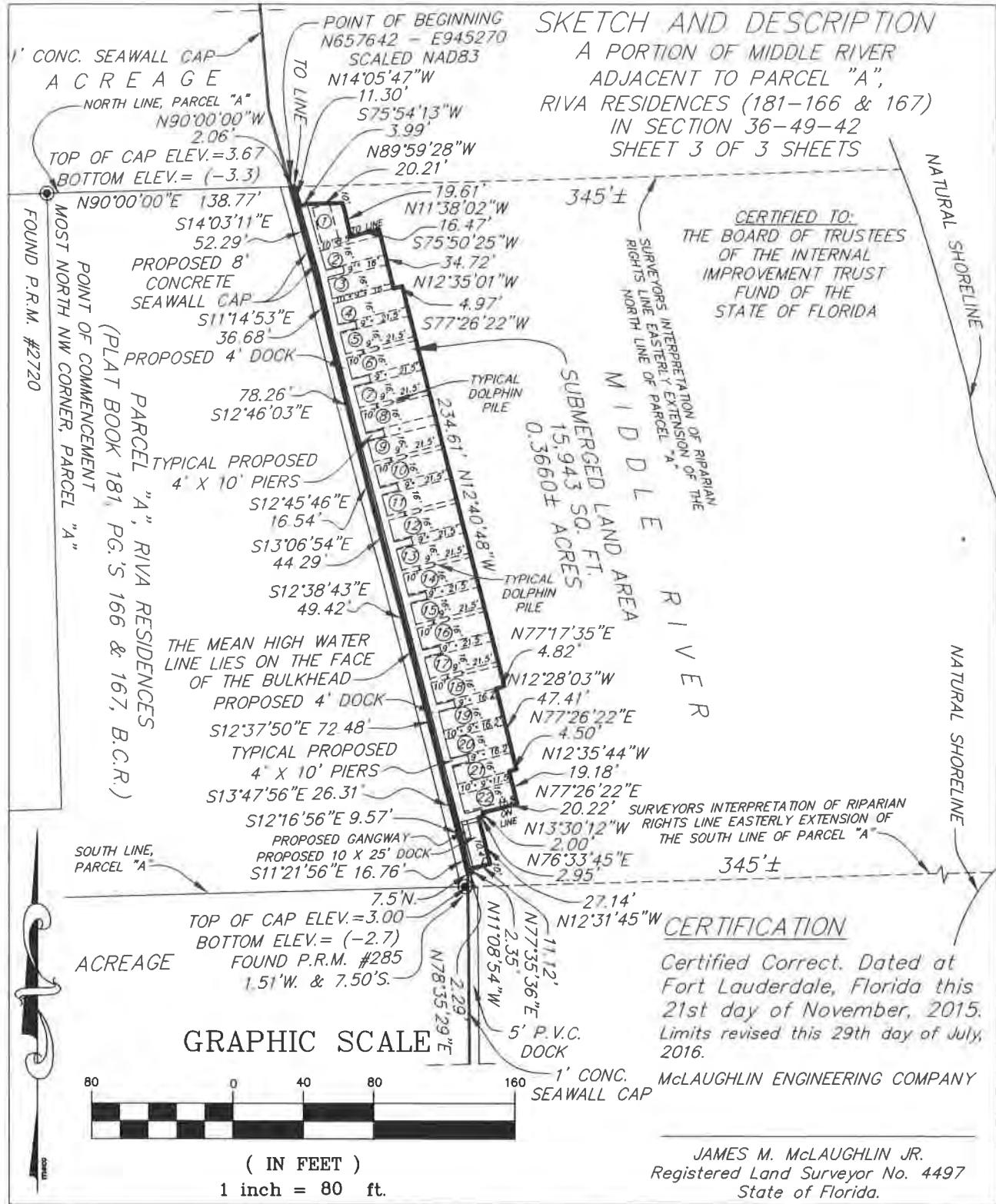
JOB ORDER NO. V-0161

CHECKED BY: _____



McLAUGHLIN ENGINEERING COMPANY
LB#285

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



FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-0161

CHECKED BY: _____

ITEM X

MEMORANDUM MF NO. 20-08

DATE: June 30, 2020

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: August 6, 2020 MAB Meeting - Dock Waiver of Distance Limitations – Scott Rappoport / 1180 N. Federal Highway Unit 408 Slip #17.

Attached for your review is an application from Scott Rappoport / 1180 N. Federal Highway Unit 408 Slip #17.

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for installation of a 4-post boat lift extending a maximum of +/-33' into the Middle River. The distances this structure will extend from the property line (wet face of the seawall) into waterway is shown in the survey and summarized in Table 1 below:

TABLE 1

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	AMOUNT OF DISTANCE REQUIRING WAIVER
Boat Lift	+/-33'	25'	+/-8'

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

PROPERTY LOCATION AND ZONING

The property is located is the Riva Condominium within the B-1 Boulevard Business District. It is situated on the western shore of the Middle River where the width between the applicant's most waterward structure of the proposed boat lift to the adjacent natural shoreline is +/- 327 feet, according to the Summary Description provided in **Exhibit 1**.

RECOMMENDATIONS

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

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers.
2. The applicant is required to install and affix reflector tape to the proposed boat lift piles in accord with Section 47.19.3.E of the Unified Land and Development Regulations (ULDR).

AC
Attachment

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

EXHIBIT I
APPLICATION FOR WATERWAY WAIVER

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

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

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

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

NAME: Scott Rappoport

- TELEPHONE NO: (908)963-8419
(mobile)

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

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: The applicant requests a wavier for the proposed construction of a four (4) post boat lift that extends beyond 25ft from the property line in slip #17.

4. SITE ADDRESS: 1180 N. FEDERAL HWY #408, FORT LAUDERDALE FLORIDA, 33304
ZONING: B-1
LEGAL DESCRIPTION: RIVA CONDOMINIUM UNIT 408 PER AMCDO CIN #113566952

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



Applicant's Signature

6/29/2020

Date

=====

The sum of \$ 1,500.00 was paid by the above-named applicant on the _____ of _____, 2020 Received by: _____

City of Fort Lauderdale

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

Marine Advisory Board Action

Formal Action taken on _____

Commission Action

Formal Action taken on _____

Recommendation _____

Action _____

EXHIBIT II
TABLE OF CONTENTS

TABLE OF CONTENTS

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WARRANTY DEED	1
PROJECT PLANS	2
SITE AERIAL	3
SUMMARY DESCRIPTION	4
HOA LETTER OF RECOMMENDATION	5
ASSIGNMENT OF USE RIGHTS TO BOAT SLIP	6
SITE PHOTOGRAPHS	7
SOVEREIGNTY SUBMERGED LAND LEASE	8

**EXHIBIT III
WARRANTY DEED**

Prepared by and return to:
Jonathan C Diernbach, Esq.
Attorney at Law
Trantalis & Associates
2301 Wilton Drive Suite C1-A
Wilton Manors, FL 33305
954-566-2226
File Number: 07-18-11

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 14 day of September, 2018 between Premier Riva, LLC, a Florida limited liability company whose post office address is 1180 N. Federal Highway, Fort Lauderdale, FL 33304, grantor, and SCOTT RAPPOPORT, a single man whose post office address is 1180 N Federal Highway, #408, Fort Lauderdale, FL 33304, grantee:

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

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

Unit 408 of Riva Condominium, a Condominium according to the Declaration of Condominium thereof, recorded in Official Records Book 50792, Page(s) 797, of the Public Records of Broward County, Florida, and any amendments thereto, together with its undivided share in the common elements.

Parcel Identification Number: 494236AL0040

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

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

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

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

Signed, sealed and delivered in our presence:

PREMIER RIVA, LLC, a Delaware limited liability company

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

[Signature]
Witness Name: Brian R. French

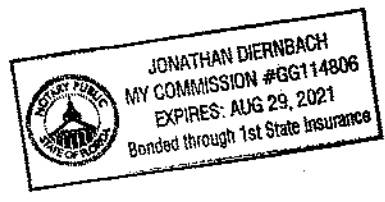
By: [Signature]
BRADLEY DECKELBAUM, Manager

[Signature]
Witness Name: Jonathan C. Diernbach, Esq.

State of Florida
County of Broward

The foregoing instrument was acknowledged before me this 13 day of September, 2018 by BRADLEY DECKELBAUM, Manager of PREMIER DEVELOPERS V, LLC, a Florida limited liability company, as Managing Member, on behalf of the limited liability company for PREMIER RIVA, LLC, a Delaware limited liability company. He is personally known to me or has produced a driver's license as identification.

[Notary Seal]



[Signature]
Notary Public

Printed Name: _____

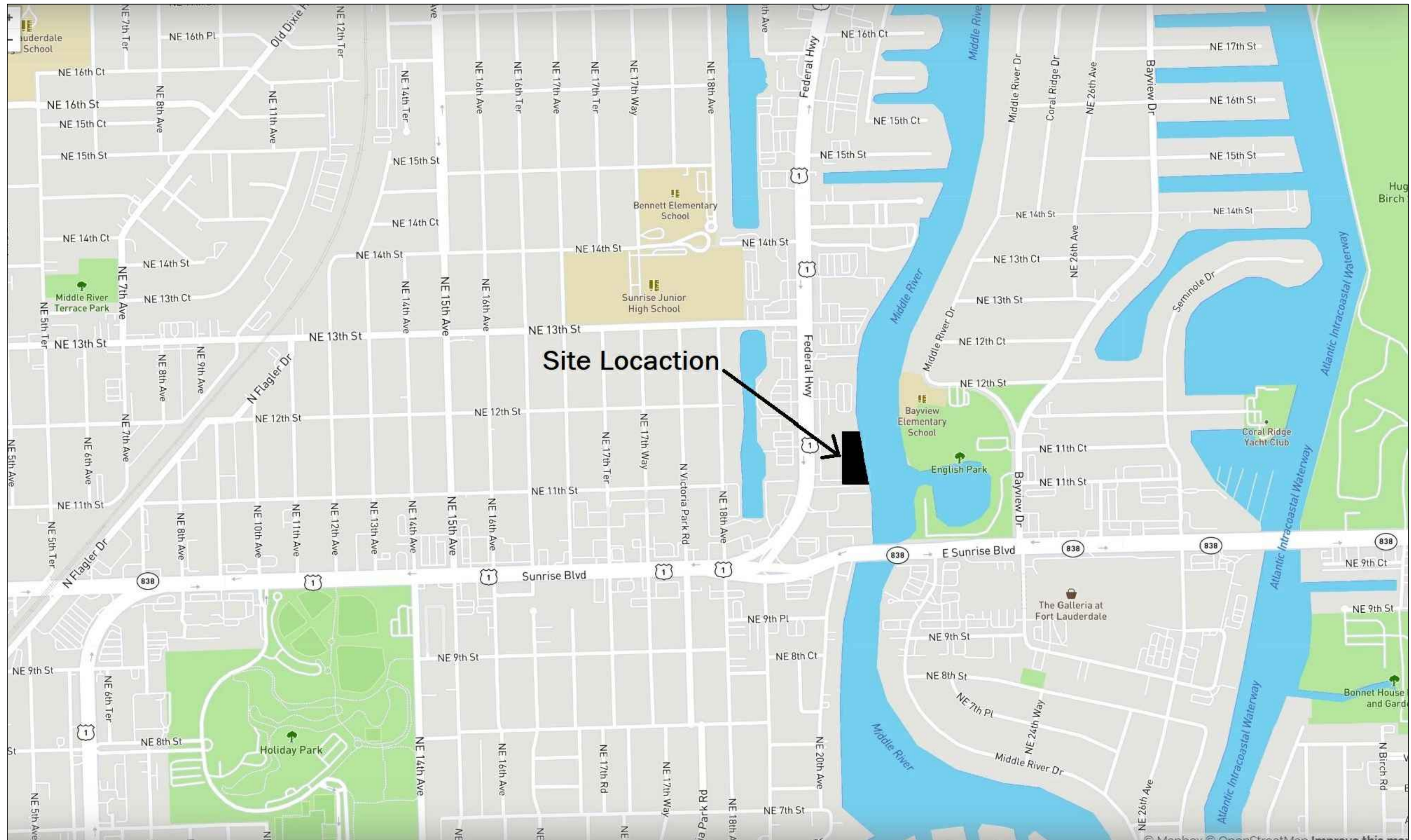
My Commission Expires: _____

Exhibit "A"

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

**EXHIBIT IV
PROJECT PLANS**

Project Name: 1180 N. Fed - Scott Rappoport



Location Map

Applicant: Scott Rappoport
1180 North Federal Hwy #408
Ft. Lauderdale Florida, 33304

SLIP #17

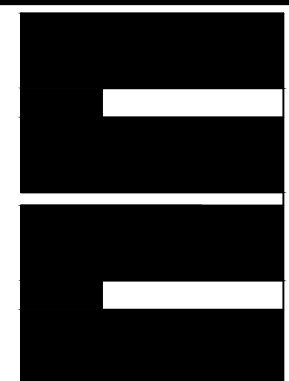
Latitude: 26.138902
Longitude: -80.118872
Section: 36 Township: 49S Range: 42E
State Tax Property ID: 4942 36 AL 0040

Plan Index	
Figure 1	Existing Site Conditions Slip #17
Figure 2	Proposed Site Plan Slip #17
Figure 3	Cross Section of Proposed Boat Lift



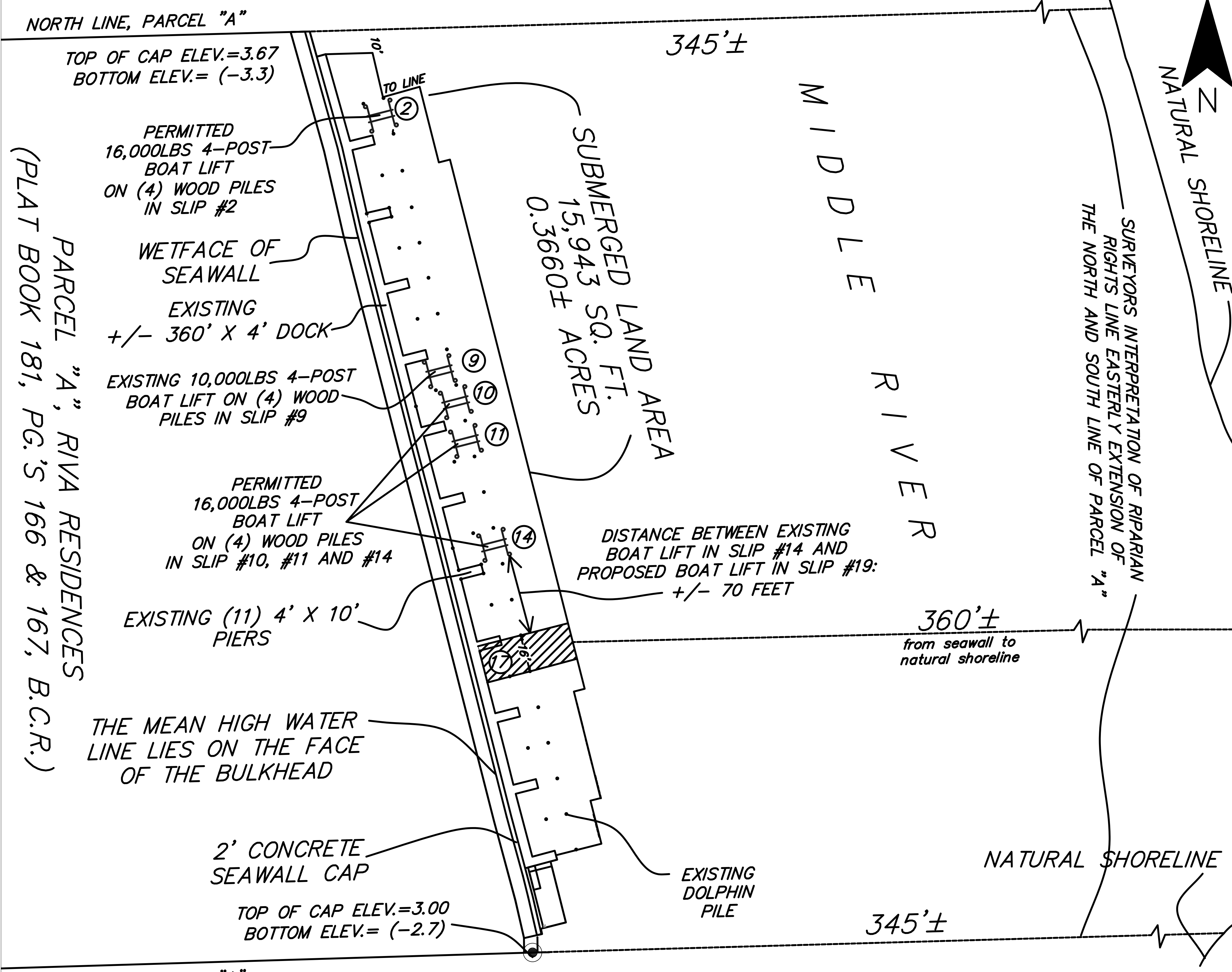
EnviroCare International Solutions, Inc.
832 NE 26th Street
Wilton Manors Florida, 33305
Phone: (954) 730-7707
Fax: (954) 730-7717
Email: services@envirocareinc.com

B I A G I
ENGINEERING



555 W Prospect Road
Oakland Park, FL 33309

Phone: (954) 776-8004
Fax: (954) 776-8015
info@biagiengineering.com



Notes:

- Above: Overview of the entire site, the boundary of this proposed project is within slip Slip #17.
- Right: Enlarged Detail of the existing slip, proposed for a four (4) post boat lift
- The width of Middle River from seawall in slip #17 to natural shoreline is +/- 360 feet.
- No benthic resources present during seagrass season 2019 (June 1st to September 30th)

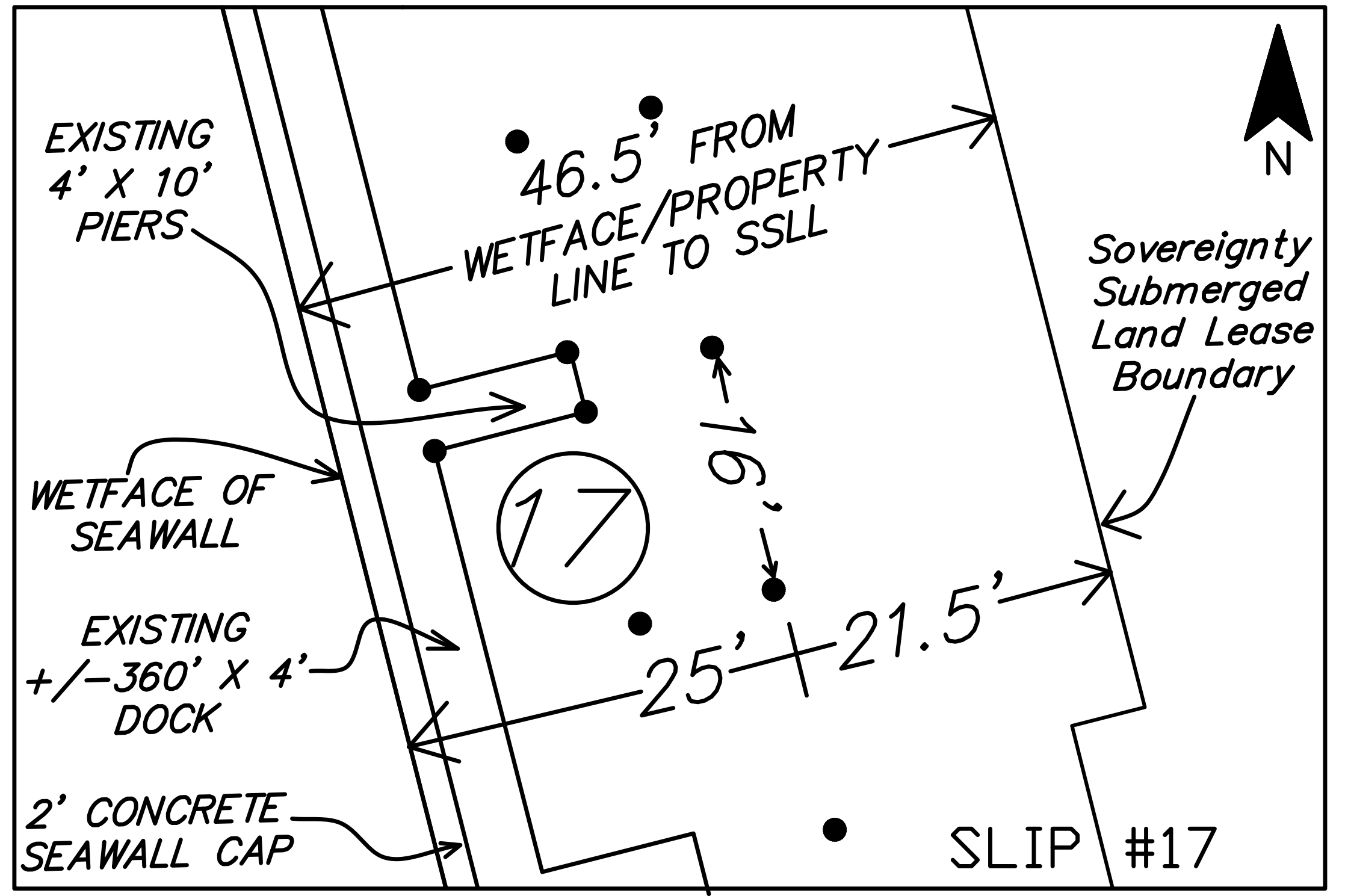


Figure 1
Existing Site Conditions Slip #17

1180 North Federal Hwy #408
 Ft. Lauderdale Florida, 33304

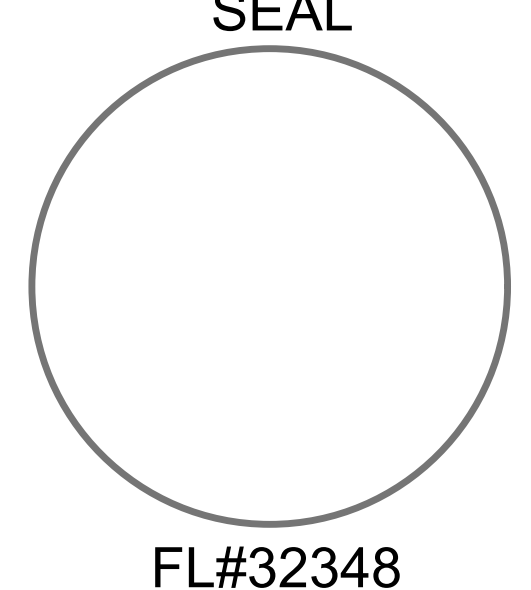


EnviroCare International Solutions, Inc.
 832 NE 26th Street
 Wilton Manors Florida, 33305
 Phone: (954) 730-7707
 Fax: (954) 730-7717

BIAGI
 ENGINEERING

555 W Prospect Road
 Oakland Park, FL 33309

Phone: (954)776-8004
 Fax: (954)776-8015
 info@biagiengineering.com



2' CONCRETE SEAWALL CAP

WETFACE OF SEAWALL

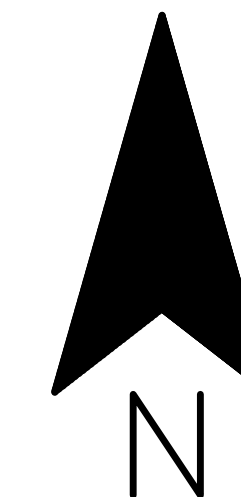
EXISTING +/- 360' X 4' DOCK

EXISTING 4' X 10' PIERS

33' FROM WETFACE/PROPERTY LINE

EXISTING DOLPHIN PILES

Sovereignty Submerged Land Lease Boundary (SSLL)



313.5'±

SSLL BOUNDARY TO NATURAL SHORELINE

Proposed 16,000 lb 4-post lift on (4) new wood piles (approx. 12.6' X 14')

Turbidity Curtains

(2) 12" Wood Piles (wavier request)

Slip Boundary line

Slip Boundary line +/- 46.5'

25'

8'

(wavier request)

13.5'

General Notes:

- The width of the Middle River is +/- 313.5' from the SSLL boundary at slip #17 to the natural shoreline
- The width of Middle River from the most waterward structure on the boat lift to the natural shoreline is +/- 327'
- Slip #17 Dimensions: 46.5' X 16'
- No benthic resources present during seagrass season 2019 (June 1st to September 30th)



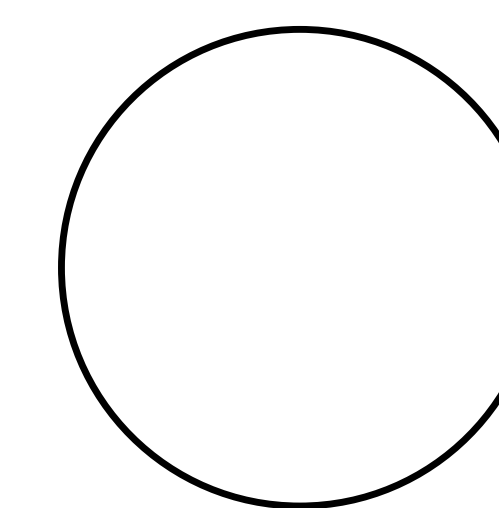
EnviroCare International Solutions, Inc.
832 NE 26th Street
Wilton Manors Florida, 33305
Phone: (954) 730-7707
Fax: (954) 730-7717

Figure 2
Proposed Site Plan Slip #17

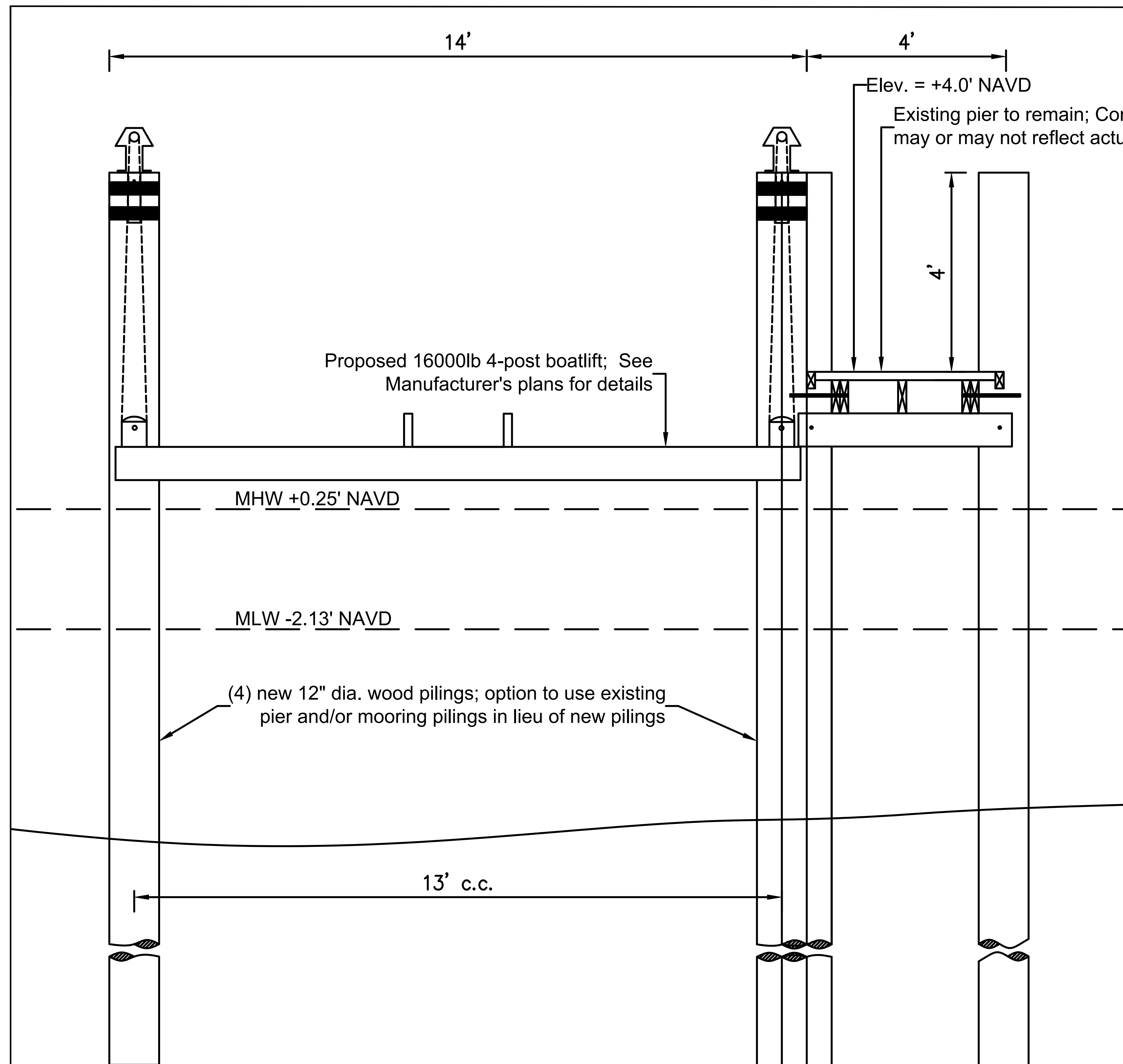
1180 North Federal Hwy #408
Ft. Lauderdale Florida, 33304



555 W Prospect Road
Oakland Park, FL 33309
Phone: (954)776-8004
Fax: (954)776-8015
info@biagiengineering.com



FL#32348



BOATLIFT DETAIL

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

General Notes:

1. New lift pilings to be 12" dia. CCA treated wood pilings.
2. 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' into rock.
3. All hardware to be galvanized or stainless steel.
4. Turbidity barriers are to surround all in water construction areas during piling installation activities.
5. Elevations shown are based on the North American Vertical Datum of 1988.
6. Design in accordance with 2017 6th Edition of the Florida Building Code.
7. 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.
8. 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.
9. 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.
10. Engineer's Limitations of Responsibility: The Engineer shall not be responsible for the quality or composition of materials, fabrications, construction inspection, supervision, or review, special inspection, or the quality and correctness of construction unless the appropriate submissions, reports, approvals, inspections, site visit, construction review, or special inspections are performed by the Engineer or his representative as required herein, and then only such responsibility as is associated with the specific work performed as is commonly assigned a structural engineer in relation to other engineering and construction disciplines associated with the project.
11. The Engineer shall not be responsible for site and construction safety and/or the safety of construction workers. Site and construction safety is the responsibility of the Contractor. The Contractor shall be responsible for the safety of his employees and the safety of the employee of all subcontractors to the project.
12. Engineer's Statement of Compliance: To the best of the Engineer's knowledge, the structural plans and specifications presented herein comply with the applicable minimum building codes, standards, and practices.



B | A | G | I
ENGINEERING

555 W Prospect Road
Oakland Park, FL 33309
Phone: (954)776-8004
Fax: (954)776-8015
info@biagiengineering.com

PREPARED FOR:
Envirocare, Inc.
832 N.E. 26th St.
Wilton Manors, FL 33305
954-730-7707

REVISIONS

4-POST BOAT LIFT FOR:
SCOTT RAPPOPORT (SLIP
#17)
1180 N. FEDERAL HWY #408
FORT LAUDERDALE, FL

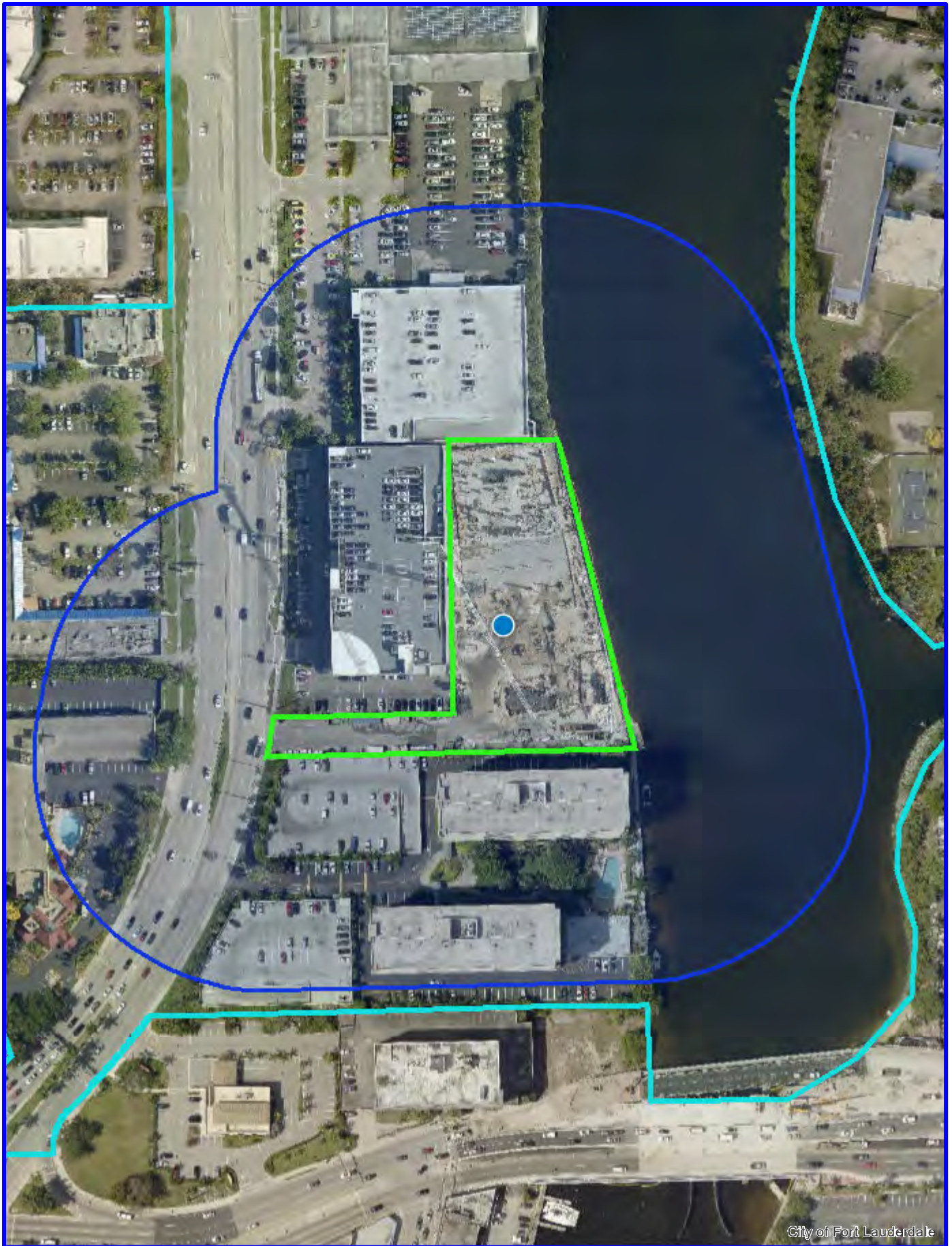
SEAL

FL#32348

drawn by:
checked by:
date:
job no:

FIGURE 3
CROSS SECTION
OF PROPOSED
BOAT LIFT

**EXHIBIT V
SITE AERIAL**



City of Fort Lauderdale



CITY OF FORT LAUDERDALE

1180 N Federal Hwy



0 90 180 Feet

GIS
Fort Lauderdale

**EXHIBIT VI
SUMMARY DESCRIPTION**

Summary Description

1180 N. Federal Hwy.

#408

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

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

The project site consists of an existing \pm 1,880 sq. ft. marginal dock. The proposed project includes the installation of a 16,000lbs 4-post boat lift in slip #17 at the RIVA Condominium on the Middle River. As measured from the property line, (2) of the wooden piles that the proposed 16,000lbs 4-post boat lift will rest on encroaches more than 25' from the property line (encroaches 33') into the Middle River. However, the boat lift is setback 13.5 feet from the Sovereignty Submerged Land Lease Boundary. This distance is over the allowable 25' distance into the waterway from the property line, requiring a variance waiver for the proposed boat lift. The boat lift's (4) wooden piles will serve as guide poles and reflective tape will be placed on these piles to ensure safety and compliance with city code: 8-91(d).

The City of Fort Lauderdale Code Section 47-19.3(b)(1) states: Only one (1) mooring device per one hundred (100) feet of lot width or portion thereof, and one mooring device for each additional one hundred (100) feet of lot width are permitted.

At this site there is +/- 412 linear feet of shoreline and 5 existing boatlifts of which 4 have been approved by the MAB for encroaching beyond 25 feet. Therefore, the site requires a DRC site plan level II approval before additional boat lifts can be added to the property.

The applicant is requesting to add a boat lift to his boat slip. The site only allows four boat lifts under the code without obtaining a DRC Site Plan Level II approval. Envirocare had a pre-DRC application meeting with Mohammed Malik, Zoning Administrator and Burt Ford, Zoning Chief to review and discuss options for adding an additional boat lift to the applicant's property. The applicant is required to submit a DRC Site Plan Level II application which can be filed concurrently with a MAB application.

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 327), the proposed project will not impede navigation within Middle River.
3. The 16,000lbs 4-post boat lift protects the vessel in and adjacent to a water-skiing area.

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

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

PROPOSED STRUCTURE	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
16,000lbs 4-post boat lift: (2) eastern piles beyond 25' require wavier	±33.0'	25.0'	±8.0'

**EXHIBIT VII
HOA LETTER OF
RECOMMENDATION**

RIVA


June 29, 2020

To Whom It May Concern,

Scott Rappoport owns Boat Slip # 17 at Riva Condominium. They have the approval of the Board of Directors to install a boat lift in it.

If you have any questions, please do not hesitate to contact the Management Office at 954-507-1405.

Sincerely,



Howard Braverman, President of the Board of Directors
Riva Fort Lauderdale Condominium Association, Inc.

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

ASSIGNMENT OF USE RIGHTS TO BOAT SLIP

THIS ASSIGNMENT OF USE RIGHTS TO BOAT SLIP ("Assignment") is made this day of September, 2018, by PREMIER RIVA, LLC, a Delaware limited liability company (hereinafter "Assignor"), whose address is 2601 E. Oakland Park Boulevard, Suite 200, Fort Lauderdale, Florida, 33306 to SCOTT RAPPOPORT (hereinafter "Assignee"), whose address is 1180 N Federal Highway, Unit 408, Fort Lauderdale, FL 33304.

RECITALS:

WHEREAS, Assignor is the Developer under the Declaration of Condominium of RIVA, a Condominium (the "Condominium") (the "Declaration") recorded in Official Records Book 50792, Page 797, as Amended and Restated Declaration of Condominium recorded in Official Records Instrument No. 113566952, as amended from time to time, of the Public Records of Broward County, Florida; and

WHEREAS, as part of the Condominium, there are boat slips (the "Boat Slips"). A diagram of the Boat Slips is included on page 5 of "Exhibit B" of the First Amendment to the Declaration recorded as Document No. 114873809 on February 6, 2018, and

WHEREAS, Assignee is the owner of Unit No. 408, RIVA, A CONDOMINIUM; and

WHEREAS, Assignor has agreed to assign to Assignee use rights to a certain Boat Slip described below.

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

1. Recitals. The above recitals are true and correct and form a material part of this Assignment.
2. Assignment of Use Rights to Boat Slip. Assignor hereby assigns to Assignee use rights to:

Boat Slip No. 17, as shown on Sheet labeled "Lobby Floor" of Exhibit "B" to the Declaration (the "Boat Slip"), governed by that certain Board of Trustees of the Internal Improvement Trust Fund of the State of Florida Sovereignty Submerged Lands Lease No. 060352716.

Assignor is assigning use rights to the above-described Boat Slip, which includes an exclusive right to use the Boat Slip.

3. Rules and Regulations of RIVA Fort Lauderdale Condominium Association, Inc. The use of the Boat Slip is subject to rules and regulations promulgated by RIVA FORT LAUDERDALE CONDOMINIUM ASSOCIATION, INC. (the "Association"), and all

terms and provisions set forth in the Declaration. Assignee agrees to comply with all rules and regulations governing the Boat Slips.

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

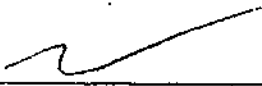
- f. Counterparts. This Assignment may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original, but each counterpart shall together constitute one and the same instrument.
- g. Attorneys' Fees. If it becomes necessary for either party herein, their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

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

ASSIGNOR:

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

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

BY: 
Bradley Deckelbaum, as manager

ASSIGNEE:

RIVAFORT, CORP, a Florida corporation

BY: 
SCOTT RAPPOPORT

**EXHIBIT XI
SITE PHOTOGRAPHS**

1. Standing North of Slip #17
looking Southeast



2. Standing West of slip #17
looking East.



3. Standing South of Slip #17
looking Northeast



**EXHIBIT X
SOVEREIGNTY
SUBMERGED
LAND LEASE**



McLAUGHLIN ENGINEERING COMPANY
LB#285

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

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

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

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

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

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

NOTES:

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

CERTIFICATION

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

McLAUGHLIN ENGINEERING COMPANY

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

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-0161

CHECKED BY: JST

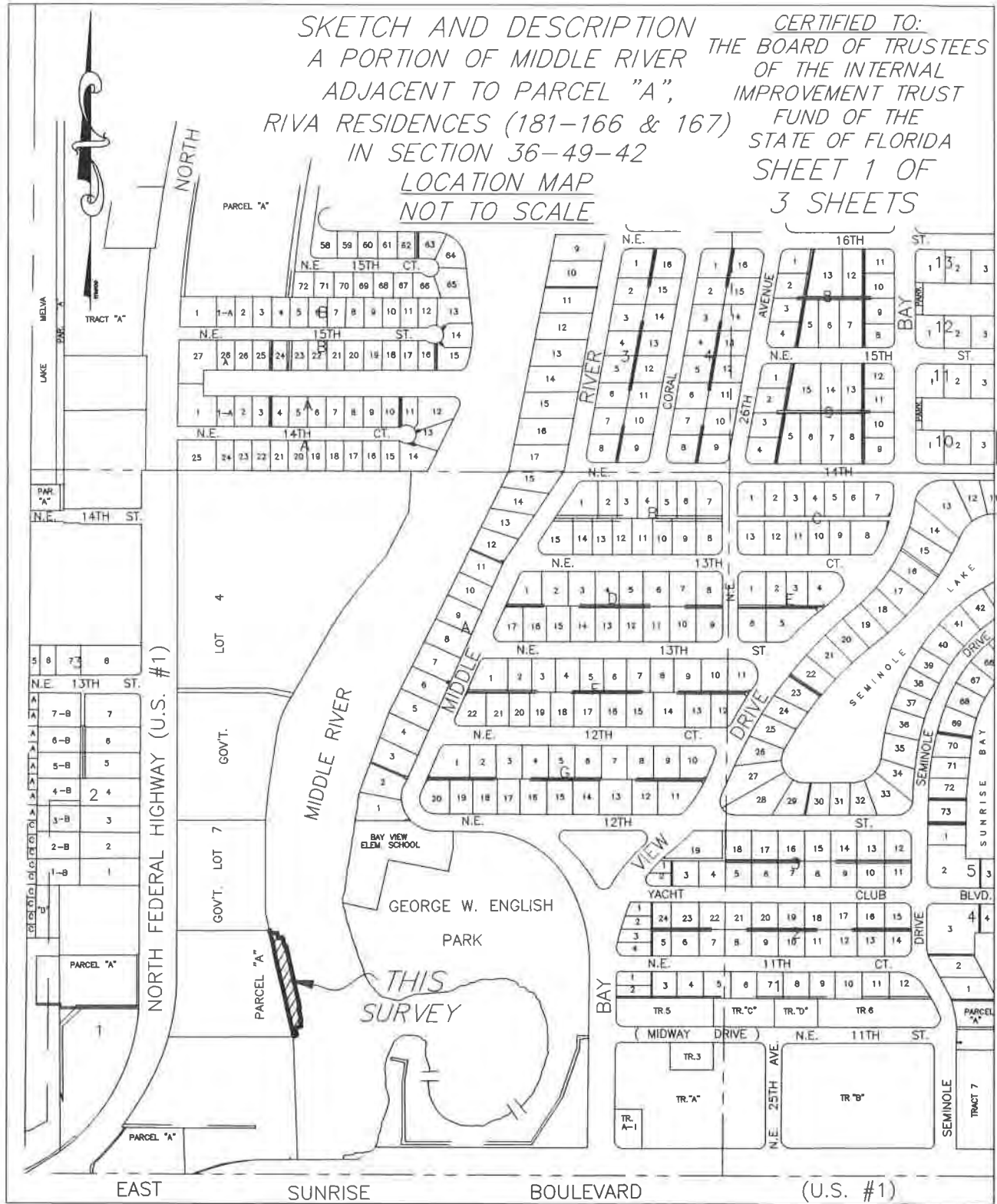


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SKETCH AND DESCRIPTION
A PORTION OF MIDDLE RIVER
ADJACENT TO PARCEL "A",
RIVA RESIDENCES (181-166 & 167)
IN SECTION 36-49-42
LOCATION MAP
NOT TO SCALE

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



FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-0161

CHECKED BY: _____



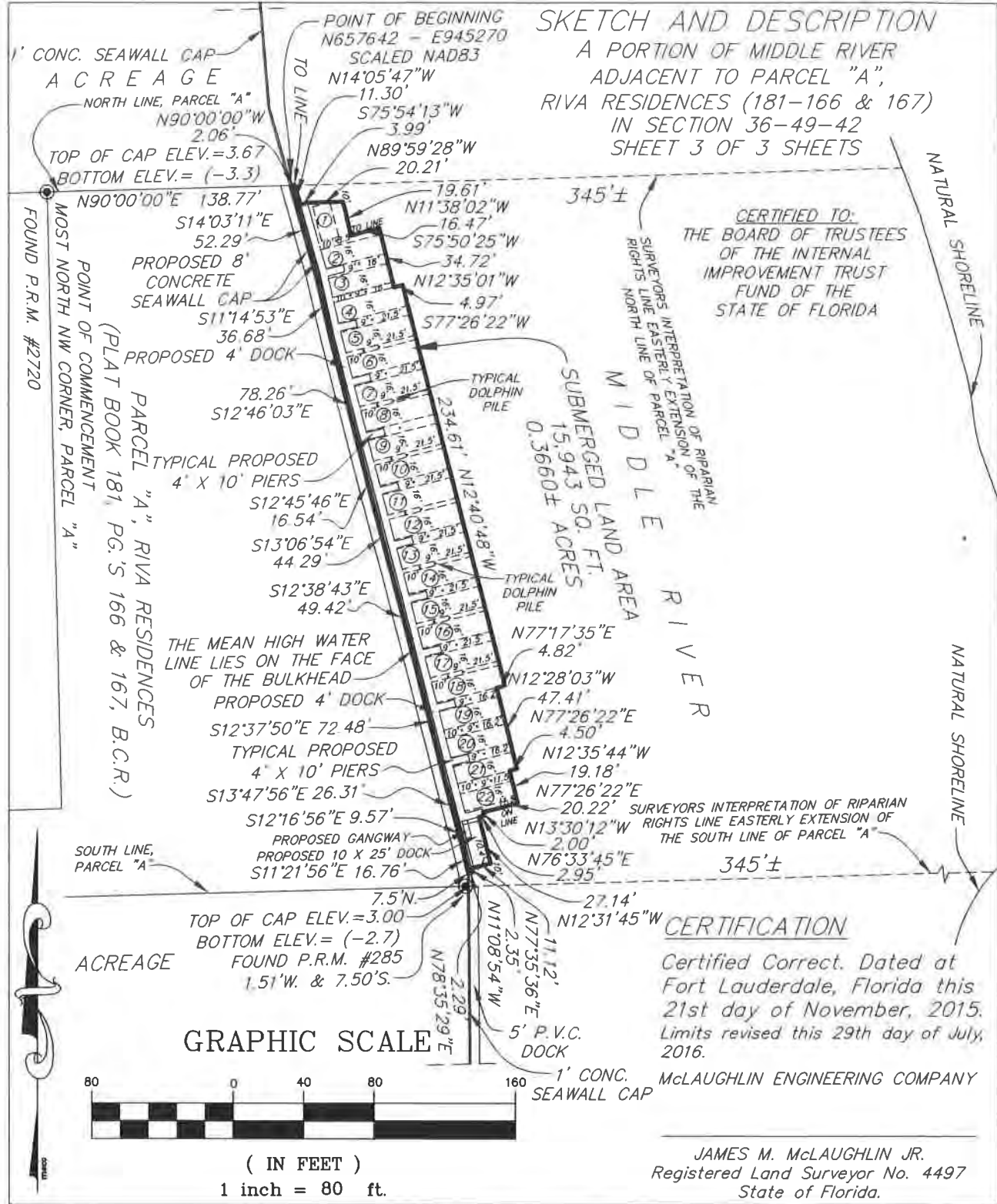
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SHEET 3 OF 3 SHEETS

CERTIFIED TO:
THE BOARD OF TRUSTEES
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FUND OF THE
STATE OF FLORIDA



FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-0161

CHECKED BY: _____