



CITY OF FORT LAUDERDALE

DRAFT
MEETING MINUTES
CITY OF FORT LAUDERDALE
MARINE ADVISORY BOARD
VIRTUAL MEETING

THURSDAY, SEPTEMBER 3, 2020 – 6:00 P.M.

		Cumulative Attendance	
		May 2020 – April 2021	
Grant Henderson, Chair	P	3	0
Ed Strobel, Vice Chair	P	3	0
Cliff Berry II	P	2	1
Deirdre Boling-Lewis	P	3	0
Robyn Chiarelli	A	2	1
Barry Flanigan	P	3	0
Richard Graves (arr. 6:15)	P	3	0
James Harrison	P	3	0
Rose Ann Lovell	P	3	0
Kitty McGowan (arr. 6:25)	P	2	1
Norbert McLaughlin	P	2	1
Ted Morley	A	2	1
Bill Walker	P	2	1
Steve Witten	P	3	0

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

Staff

Andrew Cuba, Marine Facilities Manager
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 – September 3, 2020

Motion made by Vice Chair Strobel, seconded by Ms. Boling-Lewis, 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 during the month of September 2020:

- 7 citations
- 101 warnings
- 33 vessel inspections
- 8 incidents, including 2 burglaries
- Collaboration with U.S. Coast Guard to look for illegal chartered vessels
- 2 sunken vessels, including 1 barge
- 1 small vessel accident

Sgt. Mills noted that preparations for the Fort Lauderdale International Boat Show are currently underway in condensed format.

Mr. Witten asked if the Marine Unit still needs to limit its Officers' hours due to budget constraints. Sgt. Mills replied that while there had been budget concerns related to maintenance, this was due to a lack of communication, and funds are sufficient.

Chair Henderson asked if the public is becoming more aware of illegal charter activity. Sgt. Mills advised that the Coast Guard has taken this issue very seriously over the past year, and this activity may be lessening.

V. Waiver of Limitations – Mark Tkach / 1776 SE 10th Street

Mr. Graves arrived at 6:15 p.m.

Tyler Chappell, representing the Applicant, recalled that this Item also came before the Board at their September 3, 2020 meeting. The Applicant has decided to relocate his boat lift to the east side of the subject property rather than the south side. This will allow better access to and from the canal as well as providing the Applicant with greater privacy.

The requested waiver is for 6.2 ft., as the boat lift would be 31.2 ft. from the property line. The lift and marginal dock width remain the same as in the previous presentation. Extraordinary circumstances include the width of the waterway, which is 1395 ft. The lift will be used to safely moor the boat against wakes from the Intracoastal Waterway and alleviate any shading of benthic resources below the water. Two additional individuals provided letters of support since the previous presentation.

Mr. Harrison asked if the Application will require dredging. Mr. Chappell confirmed that dredging is proposed on the south and east sides of the property.

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

Motion made by Mr. Berry, seconded by Ms. Lovell, to approve. In a roll call vote, the **motion** passed 10-1 (Ms. Boling-Lewis dissenting).

VI. Waiver of Limitations for Beach Boating Restricted Area – Atlantic Beach Clubs Two, Inc. / Adjacent to 3049 Alhambra Street

Chair Henderson advised that the Applicant has been selected through the City's request for proposal (RFP) process for motorized beach rental concession. This Item addresses the business's ingress/egress within the beach boating restricted zone, which lies between a high water mark to the west and 100 yards east of the mean high water mark of the Atlantic Ocean.

Mr. Cuba noted that the Applicant's representative was not present at the meeting. The Board is asked to make a recommendation for or against the proposed waiver that would allow them to launch on the beach.

Mr. Harrison asked if there were any changes from a previously submitted plan. Mr. Cuba replied that the concessionaire has been the same party for the past five years. Sgt. Mills confirmed that there have been no reported issues at this location, and the vendor regularly uses buoy markers. Mr. Luscomb added that the concessionaire has met all requirements listed in the City's RFP.

Vice Chair Strobel recommended that the Item be tabled until a representative of the Applicant was present to respond to questions about the concession's operations. Mr. McLaughlin explained that his questions were intended to determine what kind of licensing was necessary and the types and capacity of boats used for operation.

Ms. McGowan arrived at 6:35 p.m.

Ms. Boling-Lewis also recommended that the Item be tabled until the next meeting when the Applicant and/or representative may be present to respond to questions. Mr. Cuba stated that the Item in question is a Procurement Item, on which the Board is asked to make a recommendation regarding the launch corridor.

David Heemskerk, representing the concessionaire, advised that should the operation's chase vessel become disabled, that watercraft would be pulled from the rental fleet and replaced. Banana boats may accommodate a maximum of six individuals. No additional vessel is needed to pull the banana boat: a boat from the existing fleet is used for this purpose. A captain licensed for a 100 ton vessel is on staff and other members of staff are seeking "six-pack" licenses. If appropriate equipment is not available, banana boat

operations will not take place. The concession will operate between approximately 11 a.m. until 6 p.m.

Mr. Heemskerk continued that he is responsible for determining whether weather conditions permit rentals. Criteria include presence of whitecaps, a shore break of more than 2.5 ft., lightning, and red flags by lifeguards. He emphasized that safety is the concession's priority. The operation includes 10 wave runners, all of which are equipped with mirrors. The Coast Guard permits individuals to rent and operate vessels at age 16 or older with a boater's license and parental consent. Depending upon conditions, more than one person may or may not be permitted on a vessel, with the usual maximum set at two riders. In the event of proximity to a turtle nest, operations are moved so they observe sufficient distance.

Mr. Witten noted that the concessionaire may not have adequate insurance in case of a catastrophic loss. Mr. Luscomb stated that the Applicant has met the insurance requirements set forth in the City's RFP.

Mr. Cuba clarified that the beach boating restricted zone extends 100 yards from the shoreline into the Atlantic Ocean so swimmers on the Fort Lauderdale Beach can safely swim without intrusion of boats. The concessionaire is requesting the ability to launch through a corridor 50 ft. wide and 100 yds. long, where it may safely access ingress/egress in an area without swimmers.

Motion made by Ms. Boling-Lewis, seconded by Mr. Harrison, to support ingress/egress in the restricted area. In a roll call vote, the **motion** passed 12-0.

VII. Presentation – Tom Blackney / Point Man Pump Out

Tom Blackney, owner/operator of Point Man Pump Out, showed a PowerPoint presentation on his business, which is an on-water mobile offload service in Fort Lauderdale. Its flagship vessel is a 23 ft. center-console boat with a 420-gallon capacity. The operation can reach any vessel that is anchored, privately moored, or kept at a marina. They have over 40 years' experience in mobile black water hauling and feel the best way to achieve compliance with environmental regulations is to offer convenient, reliable, and sanitary service.

Services are charged at a rate of roughly \$1 per gallon. Mr. Blackney advised that while affordability is key in maintaining compliance, they do not wish to undercut any other offloading providers. They have not applied for any government subsidies, although there is consideration that their next boat could be operated under a Clean Vessel Act (CVA) grant, which offers 75% reimbursement.

Ms. McGowan asked if the business has considered working with gray as well as black water. Mr. Blackney replied that they are considering all options to grow the business.

VIII. Old / New Business

Mr. McLaughlin noted that when a variance is requested for a boat lift parallel to the shore, the request is for the farthest point of the lift itself. This is also the case when a variance is requested for a boat lift that is perpendicular to the shore, although in most cases, a perpendicular lift does not represent the farthest extension into the waterway. The boat on a perpendicular lift may extend even further from the property line or wet face of the seawall, which means the boat itself should be the subject of the request for additional distance. Chair Henderson stated that the Board would keep this in mind when evaluating future variance requests.

Mr. Walker requested an update on a City-approved \$200 million parks bond, noting that some of these funds were intended for use toward upkeep of seawalls and marine space in City parks and facilities on the New River. He stated that these funds appear to be slated for use toward different types of improvements, which would affect the City's marine capabilities, including seawall repairs and flooding, if another source of funding has to be identified for them.

Mr. Luscomb advised that he did not have information on the use of these bond funds. Mr. Flanigan added that many of the City's seawalls are in significant disrepair due to erosion and lack of maintenance. He asserted that the Board has the right to request some follow-up on how these parks bond funds are being used.

Ms. McGowan stated that although the U.S. Super Yacht Association will not have a pavilion at this year's Boat Show, they will hold a meeting on Friday, October 30, 2020, at noon. It will be a hybrid virtual/in person meeting.

IX. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 7:15 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 VI

REVISED

MEMORANDUM MF NO. 20-15

DATE: October 14, 2020

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: November 4, 2020 MAB Meeting – Application for Dock Permit – Steven Paskoski & Judith Altman Paskoski / Steven & Judith A Paskoski Trust / 1028 SE 13 Terrace

Attached for your review is an application from Steven Paskoski & Judith Altman Paskoski / Steven & Judith A Paskoski Trust / 1028 SE 13 Terrace (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for the installation of a 40' long x 7.2' wide marginal dock, a 20' x 7.9' floating dock, and a 10' x 12' long 10,000-pound boat lift extending a maximum distance of 16'9" from the wetface of the seawall on public property abutting the waterway adjacent to 1028 SE 13 Terrace (see **Exhibit 1**). City Code Section 8-144 (see **Exhibit 2**) authorizes the construction and use of docks on public property, and allows for the permit to be issued provided the permit holder agrees to maintain the improvements and seawall.

PROPERTY LOCATION AND ZONING

The property is located within the Rio Vista Isles RS-8 Residential Low Density Zoning District. The dock area is directly adjacent to the Rio Vista canal with direct access to the Intracoastal Waterway.

ENGINEERING REVIEW REQUIREMENT

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

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

1. The permit to use the docks shall expire upon the: (i) abandonment of the use of the dock; or (ii) recordation of the deed of conveyance transferring title to the upland parcel; or (iii) termination, expiration or revocation of the dock permit by the City Commission, whichever (i),(ii), or (iii) shall first occur.
2. Upon expiration of the permit to use the dock, the permit holder shall be obligated to remove the dock and all appurtenances thereto no later than three (3) months after the termination, revocation or expiration of the permit to use the dock.
3. Signage such as "private dock" may be placed on the dock within the dock area, but not upon or within the public swale area.

4. Only vessels owned by the permit holder and registered with the City as part of the dock permit application may be moored at the permitted dock.
5. During the term of the dock permit, the permit holder shall be required to repair, replace, reconstruct or maintain the dock or adjacent seawall or both to meet the requirements of ULDR section 47-19.3(h). The public swale area shall be landscaped in accordance with the established landscape plan for the area in question adopted by the Department of Sustainable Development.
6. All improvements such as docks, seawalls and the like which are placed upon the public dock area or within the dock permit parcel or within the dock area and public swale area by a private person shall be constructed with appropriate permits from all applicable agencies. Maintenance and repairs shall be performed according to City Engineering standards and all applicable regulatory codes.
7. The public swale area shall be kept open at all times as means of reasonable ingress and egress to the public, but the permit holder shall have the right to exclude the public from the dock area.
8. Vessels berthed within the Dock Area must not encroach into the northerly or southerly extension of the 5' set-back required for the RS-8 zoning district for Applicant's (Permit Holder's) Property.
9. All installed docks must be either (i) floating docks that can adapt to sea level rise over their useful life span ; or (ii) fixed docks installed at a minimum height consistent with the requirements of section 47-19.3(f); or (iii) fixed docks the height of which are even with the City's seawall, whichever (ii) or (iii) is the greater.
10. Except as to a tender, there shall be no rafting of vessels from the moored vessel.
11. The permit shall guarantee from the permit holder to the city to indemnify and hold the city harmless for any damage or injury to any person using such facilities.
12. The violation of any provisions of Code Section 8-144 or violations of any of the terms or conditions relative to the granting or renewal of a dock permit shall be unlawful and may constitute cause for revocation of the permit.

AC

Attachment

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

Marine Advisory Board:

Dock Permit Application

Steven Paskoski

1028 SE 13th Terrace

Ft. Lauderdale, FL 33316

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**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: Steven Paskoski / Steven & Judith a Paskoski TR

TELEPHONE NO: 954-605-3720 954-522-1258 EMAIL: Steven@Paskoskiconstruction.com
(home/cellular) (business)

2. APPLICANT'S ADDRESS (if different than the site address):
1028 SE 13th Terrace Fort Lauderdale, FL 33316

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: Dock Permit
New Fixed Wood Dock & Floating Dock Infront Of New City Seawall

4. SITE ADDRESS: 1028 SE 13th Terrace ZONING:

LEGAL DESCRIPTION AND FOLIO NUMBER: 5042 11 18 1820

RIO VISTA ISLES UNIT 3 7-47 B LOT 3 N1/2,4,31,32 N1/2 BLK 22

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).
Property Survey, Plans for new dock, Vessel Information, Color Photos

Steven Paskoski
Applicant's Signature

10/14/20
Date

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

City of Fort Lauderdale

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

Marine Advisory Board Action

Formal Action taken on _____

Commission Action

Formal Action taken on _____

Recommendation _____
Action _____

October 10/22/2020

Marine Advisory Board

City of Fort Lauderdale

2 South New River Drive East

Fort Lauderdale, FL 33301

RE: Dock Permit Application

To Whom It May Concern:

The property at 1028 SE 13th Terrace will be installing a new 40' x 7.2' wood dock in front of the city sheet pile wall. Wood dock is to be set at 4.0 NAVD. This would place the wood dock 12" below the new city seawall. We are requesting the new dock to be set below the 5.0 NAVD for medical reasons. The north side of the property has a floating dock approximately 20' x 7.9' with an aluminum gangway for access. Also, there will be a 10k boatlift installed for the boat that we have included with this permit. The boatlift will measure 10' wide by 12' long. The maximum distance of outside edge of boatlift from seawall would be 16.9'.

2

This instrument prepared by:
KENNETH M. JONES
MOODY, JONES, INGINO & MOREHEAD, P.A.
1333 S. University Drive #201
Plantation, FL 33324

Return to:
Name: SAME AS ABOVE
Address: _____

Property Appraisers Parcel
Identification Number: 5042 11 18 1820

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

This Indenture, made this 7th day of August, 2013, Between

STEVEN PASKOSKI and JUDITH ALTMAN PASKOSKI, husband and wife, GRANTORS, and STEVEN PASKOSKI and JUDITH ALTMAN PASKOSKI, TRUSTEES, or their successors in Trust, under the STEVEN PASKOSKI TRUST dated August 7, 2013, an undivided one-half interest, and JUDITH ALTMAN PASKOSKI and STEVEN PASKOSKI, TRUSTEES, or their successors in trust, under the JUDITH ALTMAN PASKOSKI TRUST dated August 7, 2013, an undivided one-half interest, GRANTEES, whose post office address is 1028 SE 13th Terrace, Fort Lauderdale, FL 33316. GRANTORS and GRANTEES addresses are the same.

Witnesseth that said GRANTORS have granted, bargained and transferred to the said GRANTEES, and GRANTEES' heirs and assigns forever, the following described real property, situate, lying and being in BROWARD COUNTY, FLORIDA, TO-WIT:

The North ¼ (N ¼) of Lots 3 and 32, and all of Lots 4 and 31, Block 22, RIO VISTA ISLES, UNIT 3, according to the Plat thereof recorded in Plat Book 7, Page 47, of the Public Records of Broward County, Florida.

a/k/a 1028 SE 13th Terrace, Fort Lauderdale, FL 33316

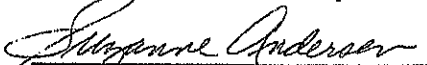
and said GRANTORS do hereby fully warrant the title to said real property and will defend the same against the lawful claims of all persons whomsoever. Where used herein, the terms GRANTOR, GRANTEE and TRUSTEE shall be construed as singular or plural as the context requires.

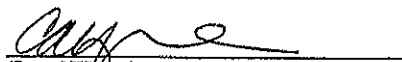
STEVEN PASKOSKI or JUDITH ALTMAN PASKOSKI, as TRUSTEES, either acting alone and without the signature of any other person, shall have the independent power and authority to protect, conserve, and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the real property conveyed by this deed. In the event STEVEN PASKOSKI or JUDITH ALTMAN PASKOSKI cannot continue to serve as TRUSTEE, the other shall serve as the sole TRUSTEE.

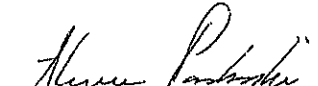
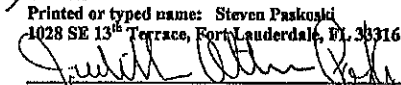
This conveyance is subject to restrictions, reservations, limitations, and easements of record, taxes for the current year and subsequent years.

IN WITNESS WHEREOF, GRANTORS have hereunto set GRANTORS' hands and seals the day and year first above written.

Signed, sealed, and delivered in our presence:


(First Witness)
Printed or typed name: Suzanne Andersen

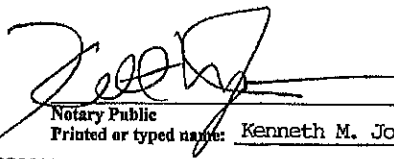

(Second Witness)
Printed or typed name: Cathryn L. Schlegel

 (Seal)
Grantor
Printed or typed name: Steven Paskoski
1028 SE 13th Terrace, Fort Lauderdale, FL 33316
 (Seal)
Grantor
Printed or typed name: Judith Altman Paskoski
1028 SE 13th Terrace, Fort Lauderdale, FL 33316

STATE OF FLORIDA
COUNTY OF BROWARD

THE FOREGOING INSTRUMENT was acknowledged before me this 7th day of August, 2013,
by STEVEN PASKOSKI and JUDITH ALTMAN PASKOSKI, who have produced
a Florida driver's license as identification and who did not take an oath.

My commission expires:


Notary Public
Printed or typed name: Kenneth M. Jones



* The preparer of this deed has not been asked to do a title search of the subject property
and makes no representations as to the condition of the property described in this deed.



MARTY KIARD
BROWARD
 COUNTY
 PROPERTY APPRAISER

Site Address	1028 SE 13 TERRACE, FORT LAUDERDALE FL 33316-1355	ID #	5042 11 18 1820
Property Owner	PASKOSKI, STEVEN & JUDITH ALTMAN STEVEN & JUDITH A PASKOSKI TR	Millage	0312
Mailing Address	1028 SE 13 TER FORT LAUDERDALE FL 33316-1355	Use	01
Abbr Legal Description	RIO VISTA ISLES UNIT 3 7-47 B LOT 3 N1/2,4,31,32 N1/2 BLK 22		

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

* 2021 values are considered "working values" and are subject to change.

Property Assessment Values

Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2021	\$678,260	\$574,710	\$1,252,970	\$617,280	
2020	\$678,260	\$574,710	\$1,252,970	\$617,280	
2019	\$920,320	\$663,130	\$1,583,450	\$603,410	\$10,764.43

2021 Exemptions and Taxable Values by Taxing Authority

	County	School Board	Municipal	Independent
Just Value	\$1,252,970	\$1,252,970	\$1,252,970	\$1,252,970
Portability	0	0	0	0
Assessed/SOH 94	\$617,280	\$617,280	\$617,280	\$617,280
Homestead 100%	\$25,000	\$25,000	\$25,000	\$25,000
Add. Homestead	\$25,000	0	\$25,000	\$25,000
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$567,280	\$592,280	\$567,280	\$567,280

Sales History

Date	Type	Price	Book/Page or CIN
8/7/2013	WD-T	\$100	111761366
6/1/1991	WD	\$560,000	18490 / 676
10/1/1988	WD	\$260,000	
8/1/1964	WD	\$40,000	

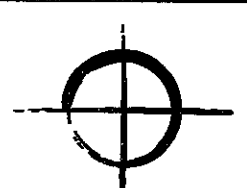
Land Calculations

Price	Factor	Type
\$40.00	9,310	SF
\$32.40	9,440	SF
Adj. Bldg. S.F. (Card, Sketch)		3219
Units/Beds/Baths		1/4/5
Eff./Act. Year Built: 1964/1939		

Special Assessments

Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03						F1		
R								
1						1		

5



SURVEY ADDRESS:
1028 S.E. 13TH TERRACE
FORT LAUDERDALE, FLORIDA 33316

FLOOD ZONE & ELEVATIONS:
FLOOD ZONE: AE / X / X(0.2%)
BASE FLOOD ELEVATION: 5'
CONTROL PANEL NO.: 125105-0557-H
DATE OF FIRM INDEX: 08/18/14
REFERENCE BENCHMARK : CITY OF
FORT LAUDERDALE B.M.
ELEVATION = 4.280' (NAVD 1988)

CERTIFY TO:
I, STEVEN PASKOSKI AND JUDITH ALTMAN

POTENTIAL ENCROACHMENTS:
1. 6 FOOT WOOD FENCE, 6 FOOT C.B.S. WALL AND COLUMNS CROSS OVER THE
SOUTHERLY PROPERTY LINE.
2. C.B.S. WALL, 5 FOOT ALUMINUM FENCE, CORAL AND BRICK PAVER CROSS
OVER THE NORTHERLY PROPERTY LINE.
3. 5 FOOT CONCRETE SIDEWALK CROSSES OVER THE WESTERLY PROPERTY
LINE.

LEGAL DESCRIPTION:
THE NORTH 1/2 OF LOTS 3 AND 32, AND ALL OF LOTS 4 AND 31, BLOCK 22, OF "RIO VISTA ISLES UNIT 3", ACCORDING TO THE PLAT
THEREOF, AS RECORDED IN PLAT BOOK 7, AT PAGE 47, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

LEGEND & ABBREVIATIONS:

- | | | |
|--------------------------------------|---|--------------------------------|
| A/C = AIR CONDITIONER | D.E. = DRAINAGE EASEMENT | P.C. = POINT OF CURVATURE |
| A.B. = ANCHOR EASEMENT | E.S. = ELECTRIC SERVICE | P.E. = POOL EQUIPMENT |
| B.M. = BENCHMARK | F.P. & L. = FLORIDA POWER & LIGHT | P.I. = POINT OF INTERSECTION |
| B.C.R. = BROWARD COUNTY RECORDS | L.B. = LICENSED BUSINESS | P.O.B. = POINT OF BEGINNING |
| C.B.S. = CONCRETE BLOCK STRUCTURE | L.F. = LIGHT POLE | P.O.C. = POINT OF COMMENCEMENT |
| CHAT. = CHATTAHOOCHEE | M.H. = MANHOLE | P.P. = POWER POLE |
| C.O. = CLEANOUT | (M) = MEASURED | R. = RADIUS |
| CONC. = CONCRETE | NAVD = NORTH AMERICAN VERTICAL DATUM | R/W. = RIGHT-OF-WAY |
| C.T.F. = CHAIN LINK FENCE | NGVD = NATIONAL GEODETIC VERTICAL DATUM | T. = TANGENT |
| C.T.P. = CONCRETE LIGHT POLE | NO. = NUMBER | (TYP.) = TYPICAL |
| (C) = CALCULATED | O.H. = OVERHANG | U.E. = UTILITY EASEMENT |
| C.B. = CHORD BEARING | O.R.B. = OFFICIAL RECORDS BOOK | W.F. = WOOD FENCE |
| C.R. = CABLE RISER | O/S = OFFSET | W.M. = WATER METER |
| (D) = DEED | (P) = PLAT | Δ = DELTA OR CENTRAL ANGLE |
| D.B. = DEED BOOK | P.B.C.R. = PALM BEACH COUNTY RECORDS | ε = CENTERLINE |
| M-D.C.R. = MIAMI-DADE COUNTY RECORDS | P.B. = PLAT BOOK | σ = ELEVATION |

GENERAL NOTES:

1. TYPE OF SURVEY: BOUNDARY
2. IF THIS SURVEY HAS BEEN REVISED AS INDICATED IN THE REVISION BOX SHOWN HEREON, THEN ANY AND ALL PREVIOUS VERSIONS OF THIS SURVEY PREPARED BY PINNELL SURVEY, INC. ARE NULL & VOID.
3. THE PROPERTY SHOWN HEREON WAS NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD BY PINNELL SURVEY, INC. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT DEPICTED ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY, FOR WHICH THE SUBJECT PROPERTY IS LOCATED IN.
4. UNLESS OTHERWISE NOTED, FIELD MEASUREMENTS ARE IN AGREEMENT WITH RECORD MEASUREMENTS.
5. ELEVATIONS SHOWN HEREON (IF ANY) ARE RELATIVE TO NAVD 1988, UNLESS OTHERWISE NOTED.
6. UNDERGROUND IMPROVEMENTS AND UTILITIES ARE NOT LOCATED.
7. FENCE AND WALL OWNERSHIP IS NOT DETERMINED.
8. THIS DRAWING IS THE PROPERTY OF PINNELL SURVEY, INC. AND SHALL NOT BE USED OR REPRODUCED, WHOLE OR IN PART WITHOUT WRITTEN PERMISSION & AUTHORIZATION FROM PINNELL SURVEY, INC.
9. ALL EASEMENTS SHOWN ON THE ATTACHED DRAWING ARE PER THE RECORD PLAT (UNLESS OTHERWISE NOTED).

CERTIFICATION:

THIS IS TO CERTIFY THAT I HAVE RECENTLY SURVEYED THE PROPERTY DESCRIBED IN THE FOREGOING TITLE CAPTION AND HAVE SET OR FOUND MONUMENTS AS INDICATED ON THIS SKETCH AND THAT SAID ABOVE GROUND SURVEY AND SKETCH ARE ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE UNDER RULE 51-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA STATE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. UNLESS IT IS ELECTRONICALLY SIGNED AND SEALED.

JASON H. PINNELL
PROFESSIONAL SURVEYOR & MAPPER
LICENSE NO. 5734, STATE OF FLORIDA
7/31/20

REVISIONS		DATE	CHKD BY

SKETCH NO.: 20-1415
DATE OF SURVEY: 07/28/20
CHECKED BY: O.C.
FIELD BOOK/PAGE: 616/68
SIDE 1 OF 2









Esri, HERE, Garmin, (c) OpenStreetMap contributors, City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

Map Created by GIS Mailer

1028 SE 13 TERRACE



0 90 180 Feet

GIS
Fort Lauderdale

Printed on: 10/16/2020

42	1	RJB	4531
AUDIT # 127030475			



**STATE OF FLORIDA
APPLICATION FOR VEHICLE/VESSEL
CERTIFICATE OF TITLE**

L# 2173297
T# 939180518
B# 1245621
S# 52818408

TITLE NUMBER	VEHICLE/VESSEL IDENTIFICATION #	YR. MAKE	MAKE or MANUFACTURER	BODY TYPE	VEHICLE COLOR	WT/LENGTH	GWW/LOC		
125636266	DFFS0063K617	2017	DFF	VS		22'			
DATE OF ISSUE MO. DAY YEAR	TRANS CODE	VEHICLE USE	HULL MATERIAL	PROPULSION	FUEL	VESSEL TYPE	WATER	FL NUMBER	AUTH DESTRUCTION
12 14 16	ORT	VESSEL	FBGLSS	INBRD	ELECT	CABIN		FL1010SK	

Applicant/Owner's Name & Address

STEVEN PASKOSKI AND JUDITH ALTMAN PASKOSKI
1028 SE 13 TERRACE
FT LAUDERDALE, FL 33316-1355

BIRTHDATE SEX MO. DAY YEAR	RESIDENT Y N ALIEN	CNTY RES.#
M 03 21 51	X	10

1st OWNER FL/DL# OR F.E.I.D.#

2nd OWNER FL/DL# OR UNIT #

P220780511010

P220421467230

VOLUNTARY CONTRIBUTIONS

--

AGENCY FEE

TITLE FEE

SALES TAX

GRAND TOTAL

6.75

4.00

0.00

10.75

Action Requested: ORIG NEW TITLE

Brands:

PREV. STATE	DATE ACQUIRED	NEW	USED	ODOMETER / VESSEL MANUFACTURER	ODOMETER DECLARATION CERTIFICATION
	11/30/2016	XX		DUFFY ELECTRIC BOAT CO	☐

LIEN INFORMATION DATE OF LIEN RECEIVED DATE FEID # OR FL / DL AND SEX AND DATE OF BIRTH DMV ACCOUNT #

NAME OF FIRST LIENHOLDER:

ADDRESS

SALVAGE TYPE

SELLER INFORMATION

NAME OF SELLER, FLORIDA DEALER, OR OTHER PREVIOUS OWNER

ADDRESS

DEALER LICENSE NO.

CONSUMER OR SALES TAX EXEMPTION #

SALES TAX AND USE REPORT

TRANSFER OF TITLE ☐ PURCHASER HOLDS VALID
IS EXEMPT FROM EXEMPTION CERTIFICATE
FLORIDA SALES OR ☐ VEHICLE / VESSEL WILL BE
USE TAX FOR THE USED EXCLUSIVELY FOR RENTAL
REASON(S) CHECKED ☐ OTHER

INDICATE TOTAL PURCHASE PRICE, INCLUDING ANY UNPAID BALANCE DUE SELLER, BANK OR OTHERS \$ 42,999.00

INDICATE SALES OR USE TAX DUE AS PROVIDED BY CHAPTER 212, FLORIDA STATUTES \$ 0.00

☒ SELLING PRICE VERIFIED**APPLICANT CERTIFICATION**

I/WE HEREBY CERTIFY THAT THE VEHICLE/VESSEL TO BE TITLED WILL NOT BE OPERATED UPON THE PUBLIC HIGHWAYS/WATERWAYS OF THIS STATE.

I CERTIFY THAT THE CERTIFICATE OF TITLE IS LOST OR DESTROYED.

I CERTIFY THAT THIS MOTOR VEHICLE/VESSEL WAS REPOSSESSED UPON DEFAULT OF THE LIEN INSTRUMENT AND IS NOW IN MY POSSESSION.

I/WE HEREBY CERTIFY THAT I/WE LAWFULLY OWN THE ABOVE DESCRIBED VEHICLE/VESSEL, AND MAKE APPLICATION FOR TITLE. IF LIEN IS BEING RECORDED NOTICE IS HEREBY GIVEN THAT THERE IS AN EXISTING WRITTEN LIEN INSTRUMENT INVOLVING THE VEHICLE/VESSEL DESCRIBED ABOVE AND HELD BY LIENHOLDER SHOWN ABOVE, I/WE FURTHER AGREE TO DEFEND THE TITLE AGAINST ALL CLAIMS.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE.

Signature of Applicant/Owner

Signature of Applicant/Co-Owner

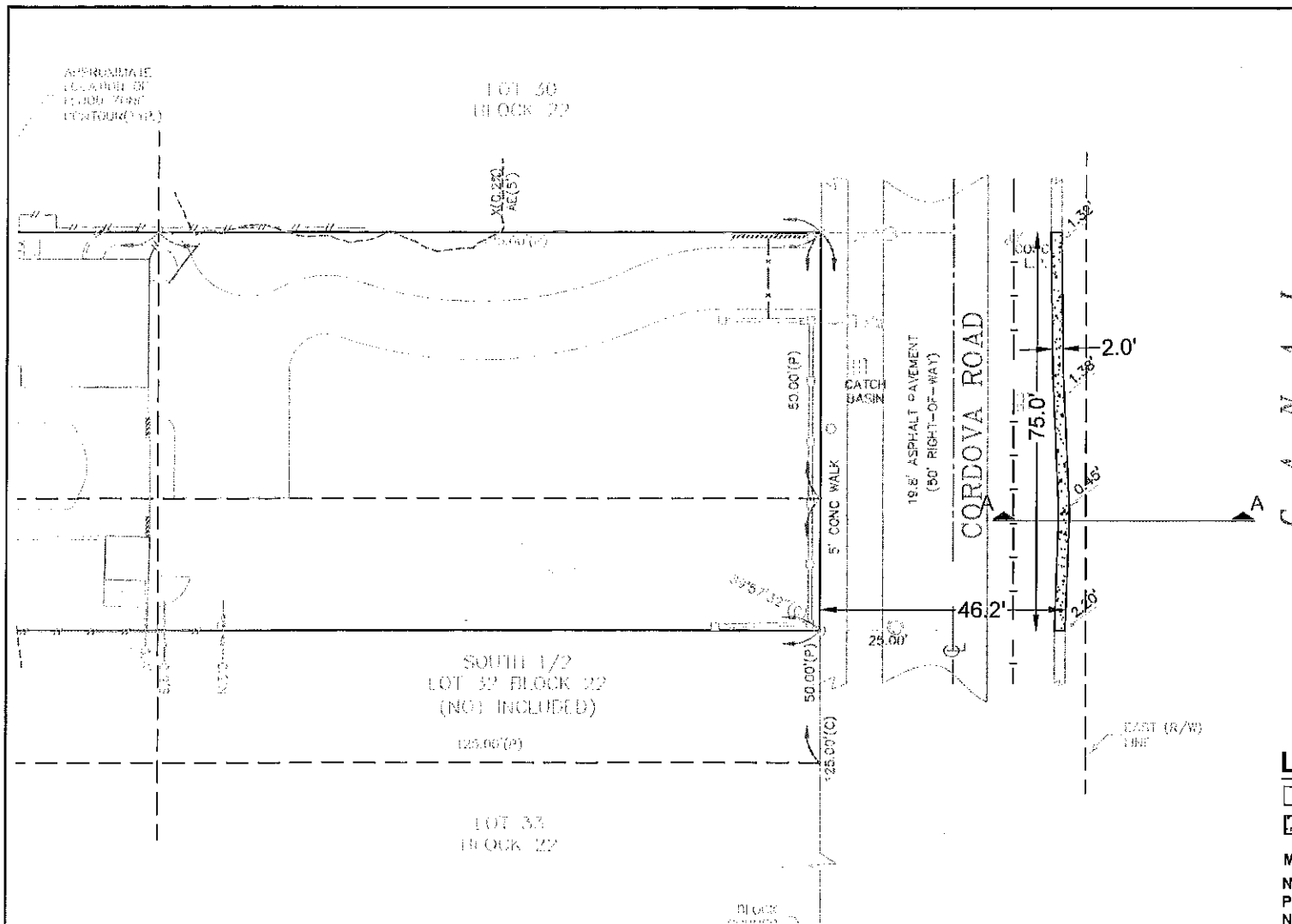
HSMV 82041 REVISED 02/06

SCAN CODE

MVT

I UNDERSTAND THAT MY DRIVER LICENSE AND REGISTRATIONS WILL BE SUSPENDED IMMEDIATELY IF THE INSURER DENIES THE INSURANCE INFORMATION SUBMITTED FOR THIS REGISTRATION.

12



LEGEND

- SUBJECT SITE (0.43 AC)
- EXISTING CORAL ROCK WALL TO REMAIN (±75 LN. FT.)
- M.H.W. = 0.32' NAVD88 M.L.W. = (-)2.10' NAVD88
- NOTE: SURVEY INFORMATION PROVIDED BY PINNELL SURVEY, INC. ELEVATIONS SHOWN AS NAVD88.

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

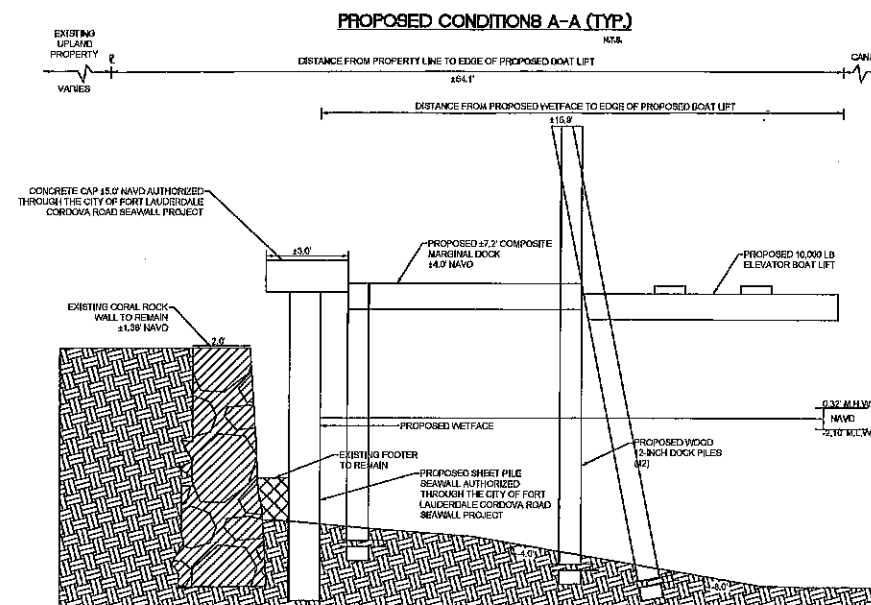
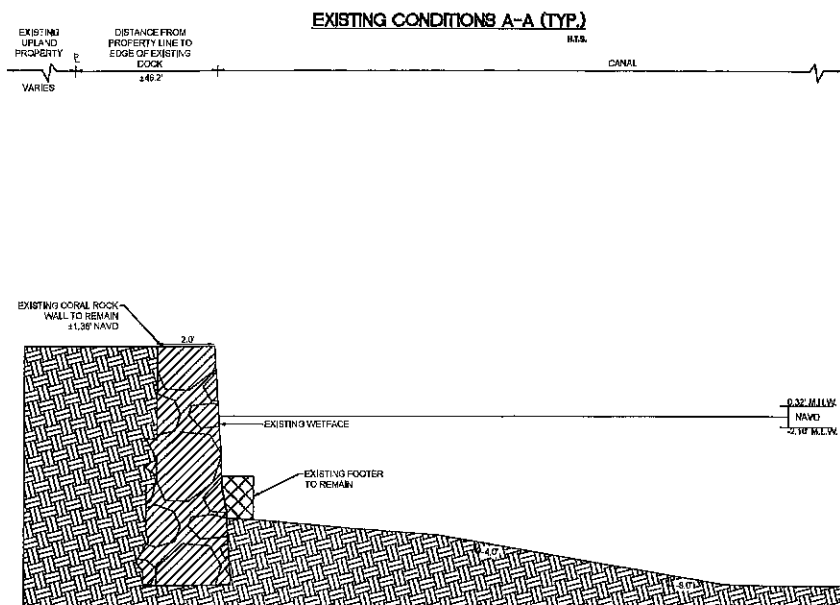
- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- TSE Species Surveys

1028 SE 13TH TERRACE

PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

EXISTING CONDITIONS

Date:	Sheet:	of:
10/21/2020	1	4
Proj No.: 19-0074		



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- Mitigation Design & Monitoring
- T&E Species Surveys

1028 SE 13TH TERRACE

PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

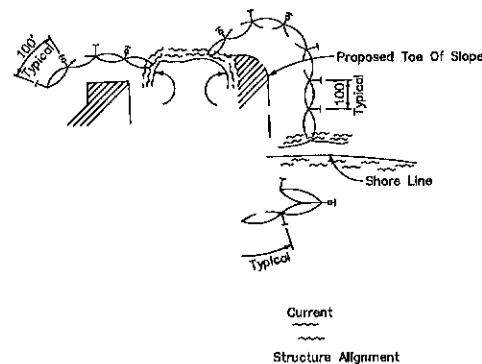
SECTION A

Date:
10/21/2020
Proj No.:
19-0074

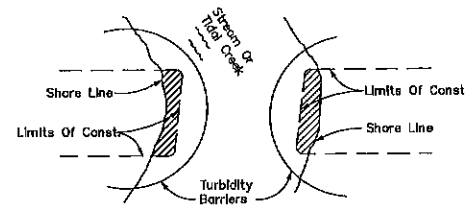
Sheet:
3

of:
4

CONSTRUCTION BARGE (TYP.)



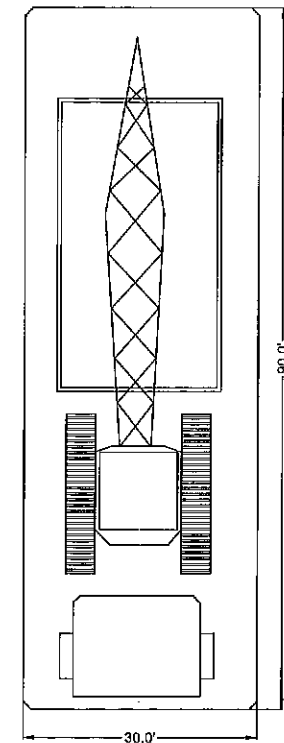
- LEGEND**
- Pile Locations
 - ▨ Dredge Or Fill Area
 - s Mooring Buoy w/Anchor
 - Anchor
 - Barrier Movement Due To Current Action



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

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

TURBIDITY BARRIER APPLICATIONS



THIS DRAWING AND ALL APPURTENANT MATTER CONTAINS INFORMATION PROPRIETARY TO THE CHAPPELL GROUP, INC. AND IS LOANED SUBJECT TO RETURN UPON DEMAND AND MUST NOT BE REPRODUCED, COPIED, LOANED, REVEALED, NOR LISTED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS SPECIFICALLY FURNISHED WITHOUT EXPRESSED WRITTEN CONSENT OF THE CHAPPELL GROUP, INC.
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- Marine & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys

1028 SE 13TH TERRACE

PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

DETAILS

Date:	Sheet:	of:
10/21/2020	4	4
Proj No.: 19-0074		

John W. N. Foster, M.D., RR.
350 N.W. 84th Avenue, Suite 108
Plantation, FL 33324

TEL: (305) 473-1600 FAX: (305) 473-1601

John W. N. Foster, M.D.
Secretary, Florida Board of Family Practice
Public Practice Reporting of Family Practice

On March 11, 1993

To Whom It May Concern:

North Florida has been successful in passing an artificial hip and knee replacement. This qualifies for reimbursement under the Americans with Disabilities Act.

We request that any range between a fixed dock and floating dock be, in general, a pitch as possible. This can be accomplished by lowering the elevation of the fixed dock.

If there are questions regarding this matter please contact me at the number listed above.

Sincerely,

John W. N. Foster, M.D.

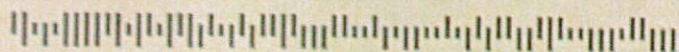


City of Fort Lauderdale
 Municipal Service Bill
 100 North Andrews Avenue
 Fort Lauderdale Florida 33301-1016

Handwritten: # 7261

Account Number	Bill Type	Due Date	Amount Due
2031570	Regular	10/12/20	\$206.15

PASKOSKI STEVE
 1028 SE 13TH TER
 FORT LAUDERDALE FL 33316-1355

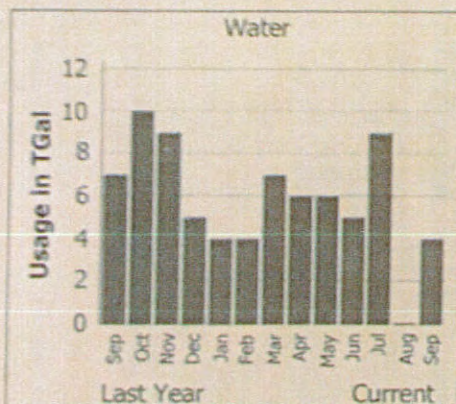


Service Address:	1028 SE 13TH TER
-------------------------	------------------

Municipal Services Information

Water Billing: 954-828-5150
24-Hour Customer Service: 954-828-8000
E-Mail: customerservice@fortlauderdale.gov
Lobby Hours: Monday-Friday, 7:30 a.m. to 5 p.m.
Pay Online At: utilitybilling.fortlauderdale.gov

Customer	PASKOSKI STEVE
Living Units	1
Period	8/16/20 to 9/16/20
Days	32
Previous Bill	\$147.70
Payments	-\$147.70
Adjustments	\$0.00
Past Due ***	\$0.00
Penalties	\$0.00
Current	\$206.15
Total Due	\$206.15



Description

Water Single Family in the City
 Water Base (2 inch Water meter)
 Water Monthly Fixed Charge
 Utility Tax
 Sewer Base City
 Sanitation SF 1 Crt Operations
 Sewer Single Family City
 Stormwater Single Family
 Sewer Monthly Fixed Charge

Meter/Dial	Reading		Usage	\$ Amount
	Previous	Current		
201004083-M	1,328	1,332	4	\$12.76
				\$35.80
				\$2.29
				\$4.86
				\$71.70
				\$40.70
				\$21.67
				\$14.00
				\$2.37
				\$206.15

Untitled Map

Write a description for your map.

Legend



90 ft

Google Earth

© 2020 Google



ITEM VII

MEMORANDUM MF NO. 20-15

DATE: October 19, 2020

TO: Marine Advisory Board

FROM: Andrew Cuba, Manager of Marine Facilities

RE: November 4, 2020 MAB - Dock Waiver of Distance Limitations
–Robert & Mary Berard / 321 N. Birch Road

Attached for your review is an application from Robert K. & Mary J. Berard / 321 N. Birch Road (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicants are requesting approval for the installation of a +/- 50' x 20' (+/- 1000 square foot) no profile boat lift extending a maximum of 55' from the property line into the Intracoastal Waterway (ICWW). The distances this proposed structure would extend from the property line into the ICWW is shown in the survey in **Exhibit 1** and summarized in Table 1 below:

TABLE 1

PROPOSED STRUCTURE	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING WAIVER
No Profile Boatlift	55'	25'	30'

Section 47-19.3 C limits the maximum distance of mooring structures, including boatlifts, to 25% of the width of the waterway, or 25%, whichever is less. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has indicated that the boatlift is necessary to safely moor the resident's vessels, especially during high wind events and severe weather. Light penetration and protection of natural resources are also identified.

PROPERTY LOCATION AND ZONING

The property is located within the IOA Zoning District. It is situated on the ICWW where the width of the waterway to the closest structure is +/-565', according to the Summary Description provided in **Exhibit 1**

DOCK PLAN AND BOATING SAFETY

Records reflect that there have six (6) waivers of docking distance limitations approved by the City Commission within close proximity since 2009. A comparison of these as shown in Table 2 including the maximum distances of all mooring structures extending into the ICW follows:

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
2009	540 Lido Drive	45'6"
2009	209 Grand Birch, Slip 4	45'6"
2011	215 N. Birch Road	47.5'
2013	209 Grand Birch, Slip 3	39.3'
2014	321 N. Birch Road	75'
2015	209 Grand Birch , Slip 1	45'

RECOMMENDATIONS

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

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers.
2. As a general condition of approval and in order to review for final consistency with construction of facilities in accord with this application and City building permits the applicant is required to provide the City's Supervisor of Marine Facilities with copies of "As Built" drawings from a certified and licensed contractor.

AC
Attachment

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

**321 N BIRCH RD
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: **Robert & Mary Berard**

TELEPHONE NO: _____ EMAIL: _____
(home) (business)

2. APPLICANT'S ADDRESS (if different than the site address): **321 N Birch Rd Fort Lauderdale, FL 33304**

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:
The applicant requests a waiver for the proposed construction of a no profile boat lift beyond 25 feet from the property line.

4. SITE ADDRESS: **321 N Birch Rd Fort Lauderdale, FL 33304** ZONING: **IOA**

LEGAL DESCRIPTION AND FOLIO NUMBER:
321 AT WATER'S EDGE CONDO UNIT PH 01 PER CDO CIN# 116467062

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


Applicant's Signature

10/20/2020
Date

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

City of Fort Lauderdale

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

Marine Advisory Board Action

Formal Action taken on _____

Commission Action

Formal Action taken on _____

Recommendation _____
Action _____

TABLE OF CONTENTS

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EXHIBIT 3 - WARRANTY DEED	6
EXHIBIT 4 - ORIGINAL SURVEY	9
EXHIBIT 5 - ZONING AERIAL	11
EXHIBIT 6 - SITE PHOTOGRAPHS	13
EXHIBIT 7 - PROJECT PLANS	15
EXHIBIT 8 - DISTANCE EXHIBIT	20
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EXHIBIT 10 - LETTERS OF SUPPORT	26

EXHIBIT II SUMMARY DESCRIPTION

Summary Description
321 N Birch Rd
TCG Project No. 20-0039

The project site is located along the New River at 321 N Birch Rd, in Section 12, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida

The property is located along the Intracoastal Waterway (ICWW), which is a tidal water. The nearest direct connection to the Atlantic Ocean is approximately 2.5 miles to the south at the Port Everglades Inlet. As the project site is located along the ICWW, the incoming tidal waters (flood) at the site move to the north and the outgoing waters (ebb) move to the south.

The project site consists of an existing 200 in. ft. concrete seawall, ± 520 ft² concrete marginal dock, two (2) 20'x3' finger piers, ten (10) mooring piles, and three (3) triple pile clusters. The existing structures extending more than 25' from the property were previously authorized under Resolution #14-0971. The proposed project includes the installation of a $\pm 1,000$ ft² no profile boat lift. As measured from the property line, the proposed structures encroach more than 25' from the property line into the ICWW. As these distances are over the allowable 25' distance into the waterway from the property line, the proposed boatlift will require a variance waiver.

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

The following five (5) matters provide justification for this waiver request:

1. All structures and piles will not exceed 30% of the width of the waterway.
2. Due to the extraordinary width of the waterway at this location to the closest structure ($\pm 565'$), the proposed project will not impede navigation within the ICWW.
3. The proposed structure is necessary for safely mooring resident's vessels, especially during high wind events and severe weather.
4. The proposed structure is consistent with the previously authorized structures located at the property and does not exceed the triple mooring piles at 75.0' (Resolution #14-0971).

5. The proposed boat lift will allow for light penetration and protection of natural resources.

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

STRUCTURE	PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
A	No Profile Boat Lift	55.0'	25'	30'

EXHIBIT III WARRANTY DEED

pared by and return to:

Deborah L. Pope
General Manager
Title Matters, LLC
4650 Donald Ross Rd. Ste. 220
Palm Beach Gardens, FL 33418
561-835-0535
File Number: 19-0030-WE

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 4th day of May, 2020 between 321 Birch, LLC, a Florida limited liability company whose post office address is 2385 NW Executive Center Drive, Ste. 370, Boca Raton, FL 33431, grantor, and Robert J. Berard and Mary K. Berard, husband and wife whose post office address is 1445 Plover Heights Rd., Stevens Point, WI 54482, 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 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 No. PII-01 of 321 WATER'S EDGE, a Condominium, according to The Declaration of Condominium recorded in Instrument Number 116467062, and all exhibits and amendments thereof, Public Records of Broward County, Florida

Parcel Identification Number:

SUBJECT TO Taxes and assessments for 2020 and subsequent years that are not yet due and payable.
SUBJECT TO Restrictions, conditions, reservations, easements, reservations, agreements, matters, declarations, and covenants of record affecting the property.

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 claiming by, through or under grantors.

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:

321 Birch, LLC, a Florida limited liability company

Deborah Cove
Witness Name: DEBORAH COVE

By: Carol G. DeMare
Carol G. DeMare, Authorized Agent

Dianne Ramsarran
Witness Name: DIANNE RAMSARRAN

State of Florida
County of Palm Beach

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 30th day of April, 2020 by Carol G. DeMare, Authorized Agent of 321 Birch LLC, a Florida limited liability company, on behalf of the company, who ☒ is personally known to me or ☐ has produced a driver's license as identification.

[Notary Seal]



Dianne Ramsarran
Notary Public

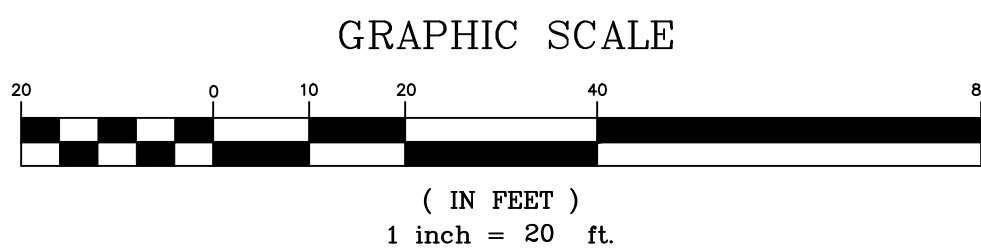
Printed Name: Dianne Ramsarran

My Commission Expires: 10/09/23

EXHIBIT IV ORIGINAL SURVEY



prepared by:
McLAUGHLIN ENGINEERING COMPANY (LB#285)
400 N.E. 3rd AVENUE FORT LAUDERDALE, FLORIDA
PHONE: (954) 763-7611
FAX: (954) 763-7615



www.MECO400.com

TREE SYMBOLS

- INDICATES DIAMETER± (D.B.H.)
- PINE TREE
 - PALM TREE
 - BOTTLE BRUSH TREE
 - FICUS TREE
 - BUSH OR SHRUB
 - UNKNOWN TREE
 - GUMBO LIMBO

ALTA/ACSM CERTIFICATION

TO: Ticor Title Insurance Company; Fieldstone, Lester, Shear & Denberg, L.L.P. AND Premier Developers Managements, L.L.C., a Florida limited liability company and/or assigns.

This is to certify that this map or plat and the survey on which it is based as surveyed on August 1st, 2007, was made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by the American Land Title Association (ALTA), & the National Society of Professional Surveyors (NSPS) in 2005. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and ACSM and in effect on the date of this certification.

The undersigned further certifies that in my professional opinion, as a Registered Land Surveyor in the State of Florida, the Relative Positional accuracy of the this survey does not exceed that which is specified therein.

The undersigned further certifies that this survey was prepared in accordance with the minimum technical standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

This survey reflects any easements road reservations or rights-of-way of record affecting this property per Ticor Title Insurance Company Agent File No: w0700156, dated July 17th, 2007, at 11:59 P.M.

Notes corresponding to exceptions contained in Schedule B- Section 2, of the above referenced title commitment:

7) Easement per O.R. 15189, Page 658 affects this property. (Blanket Easement)

NOTES:

- This survey reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- Underground improvements if any not located.
- This drawing is not valid unless sealed with an embossed surveyors seal.
- Boundary survey information does not infer Title or Ownership.
- All iron rods 5/8", unless otherwise noted.
- Reference Bench Mark: Storm Manhole at Intersection of Birch Road & Granada Street. ELEVATION = 5.57
- Elevations shown refer to National Geodetic Vertical Datum (1929), and are indicated thus: ∇ Elev. = 5.57
- This property lies in Flood Zone "AE", Elev.=6.0 Per Flood Insurance Rate Map No. 1201100210F. Dated: August 18, 1992. Community Panel No. 125105 Index Map Dated: October 2, 1997.

OFFICE NOTES

FIELD BOOK NO. TDS w/Worksheets, Print, LB# 266/15-16

JOB ORDER NO. U-1785, U-3717

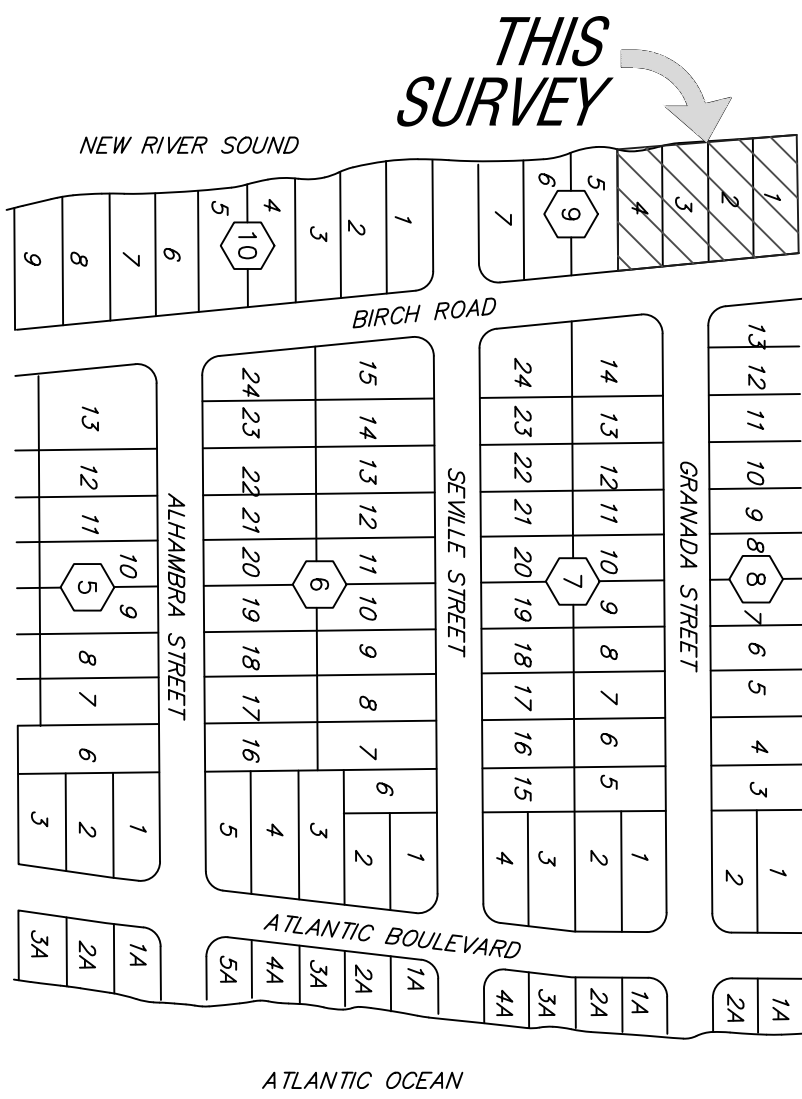
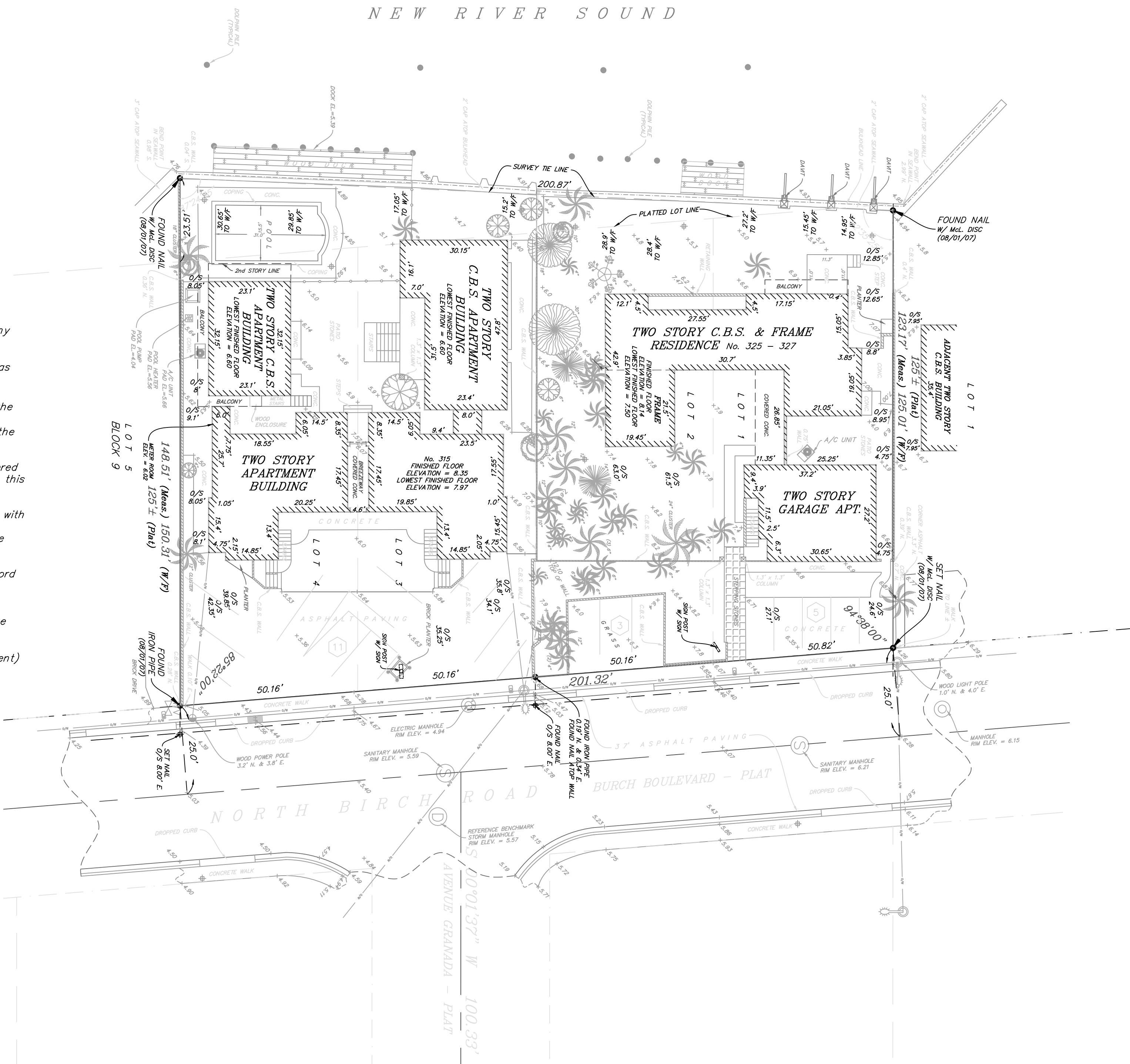
CHECKED BY:

DRAWN BY: EJJ3

C: \EJJ3 2002\U3717\dwg\U3717.dwg 12/04/2007 11:11:15 AM EST

ALTA/ACSM LAND TITLE SURVEY

LOTS 1-4, BLOCK 9, LAUDER-DEL-MAR PLAT BOOK 7 PAGE 30, B.C.R.



THIS SURVEY

Location Sketch
Not To Scale

Legal Description

Lots 1, 2, 3 and 4, Block 9, LAUDER DEL MAR, according to the plat thereof, as recorded in Plat Book 7, Page 30, of the public records of Broward County, Florida.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida.

LEGEND

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

CERTIFICATION

We hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Professional Land Surveyors in Chapter 61G17-6 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Dated at Fort Lauderdale, Florida, this 12th day of January, 2006.
Rotated Drawing orientation this 1st day of May, 2006.
Resurveyed this 1st day of August, 2007.

McLAUGHLIN ENGINEERING COMPANY

SCOTT A. McLAUGHLIN
Professional Surveyor & Mapper No. 5842
State of Florida.

FILE NO:

06 - 3 - 004(07)

EXHIBIT V ZONING AERIAL



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

321 N Birch Road



0 90 180 Feet

GIS
Fort Lauderdale

EXHIBIT VI SITE PHOTOGRAPHS

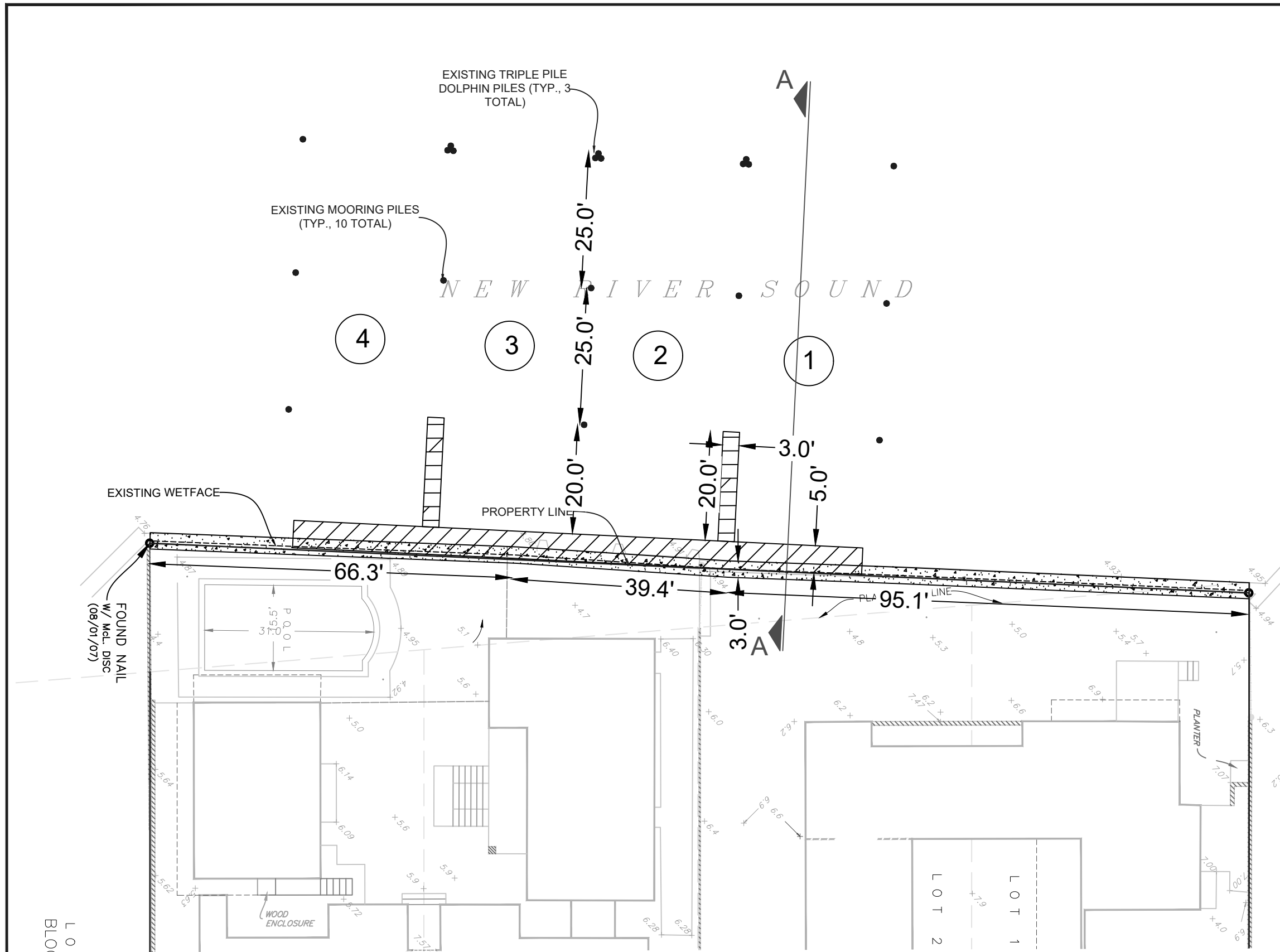
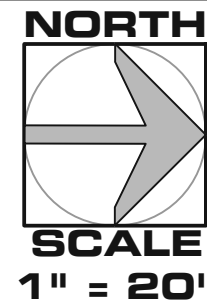


1. Central portion of the subject site, facing southeast along the ICWW.



2. Central portion of the subject site, facing northeast along the ICWW.

EXHIBIT VII PROJECT PLANS



LEGEND

- SUBJECT SITE (0.58 AC)
- EXISTING CONCRETE SEAWALL W/ 3.0' CAP TO REMAIN (±200 LN. FT.; ±300 SQ. FT. OVERWATER)
- EXISTING CONCRETE MARGINAL DOCK TO REMAIN (±520 SQ. FT.)
- EXISTING WOOD FINGER PIERS TO REMAIN (±120 SQ. FT.)
- EXISTING MOORING PILES TO REMAIN (10)
- EXISTING TRIPLE MOORING PILES TO REMAIN (3)
- EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL17-0002 (4)

M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD

NOTE:

1. EXISTING LOCATIONS ARE APPROXIMATE AND BASED ON SURVEY BY MCLAUGHLIN ENGINEERING COMPANY FILE NO. 06-3-004(07).
2. EXISTING STRUCTURES PREVIOUSLY AUTHORIZED UNDER BCPGMD ERL NO. DF14-1052 AND FDEP NO. 06-0323079-001.
3. EXISTING TRIPLE MOORING PILES WERE PREVIOUSLY AUTHORIZED UNDER RESOLUTION 14-0971.

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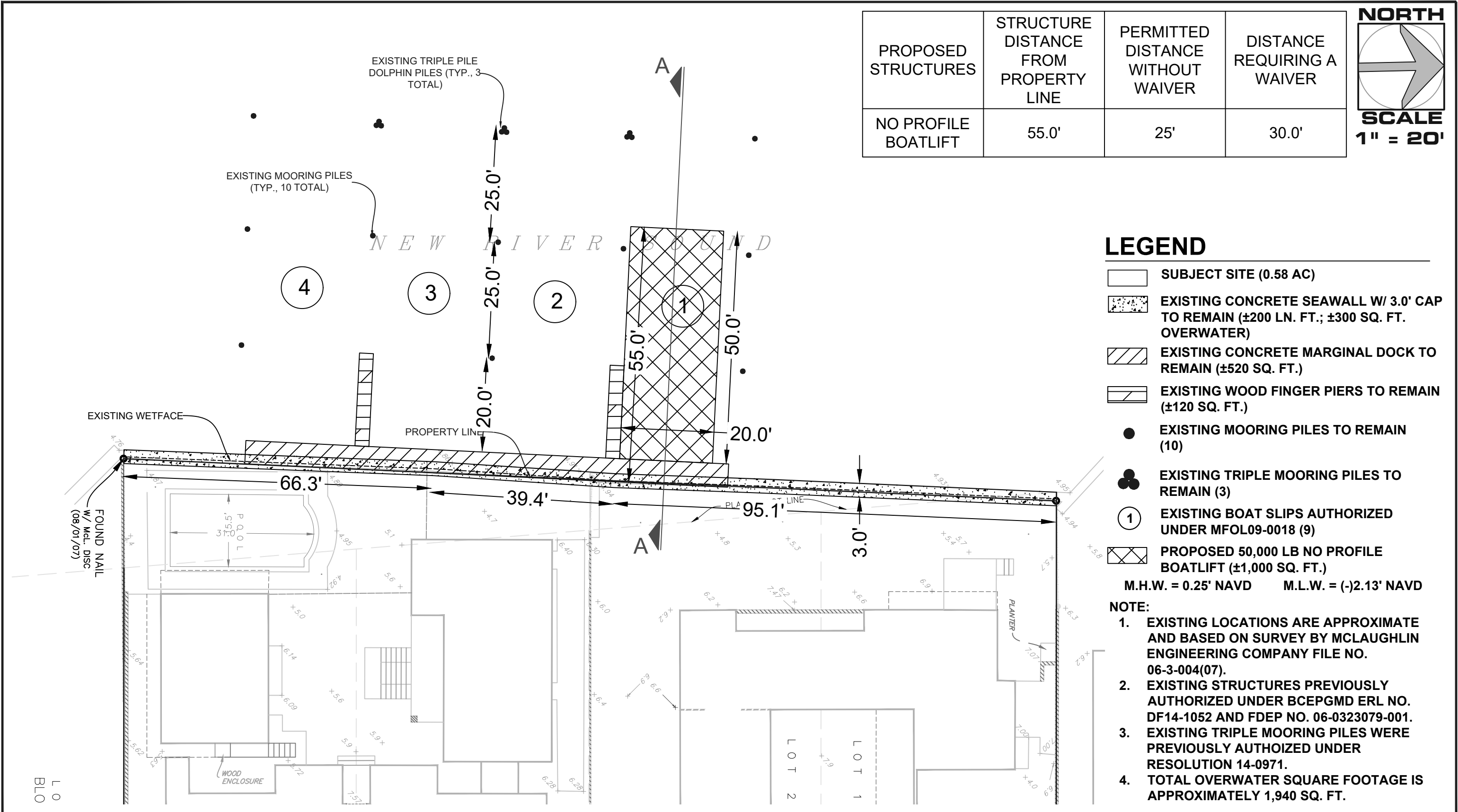
- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys

321 N BIRCH RD

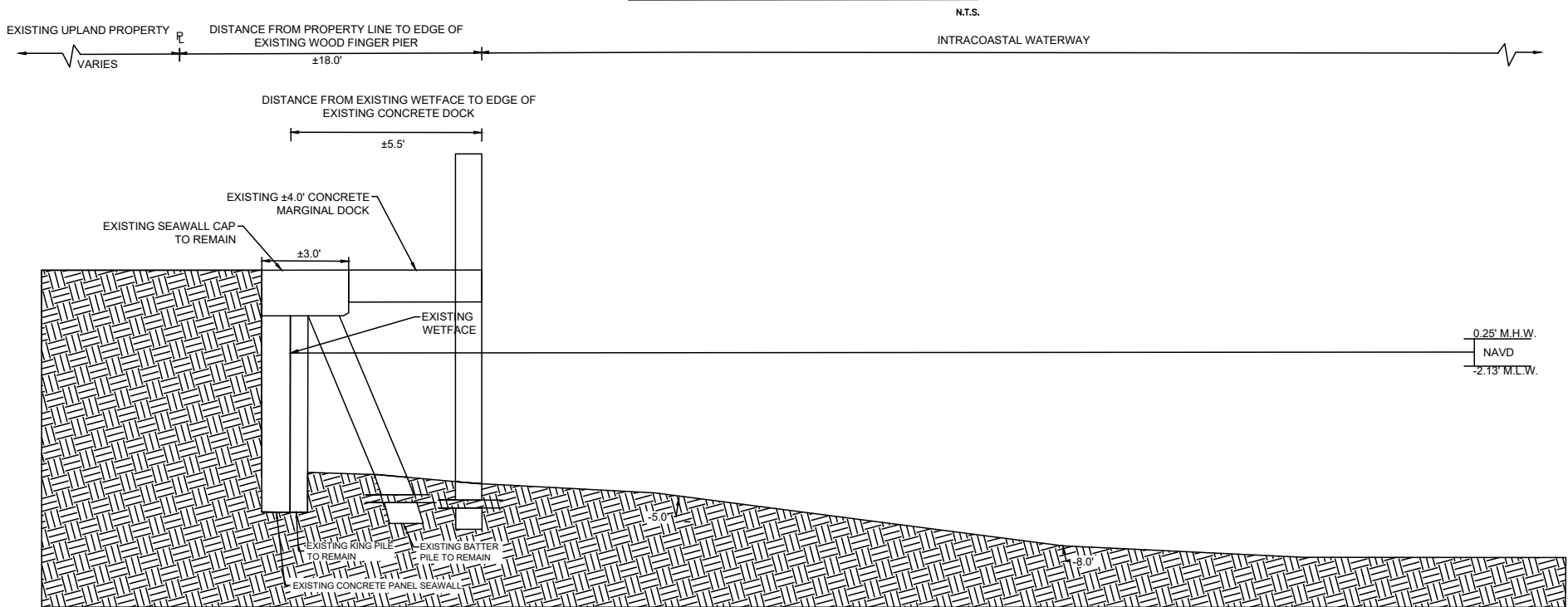
PREPARED FOR:
BOAT LIFTS AND DOCKS OF SOUTH FLORIDA

EXISTING CONDITIONS

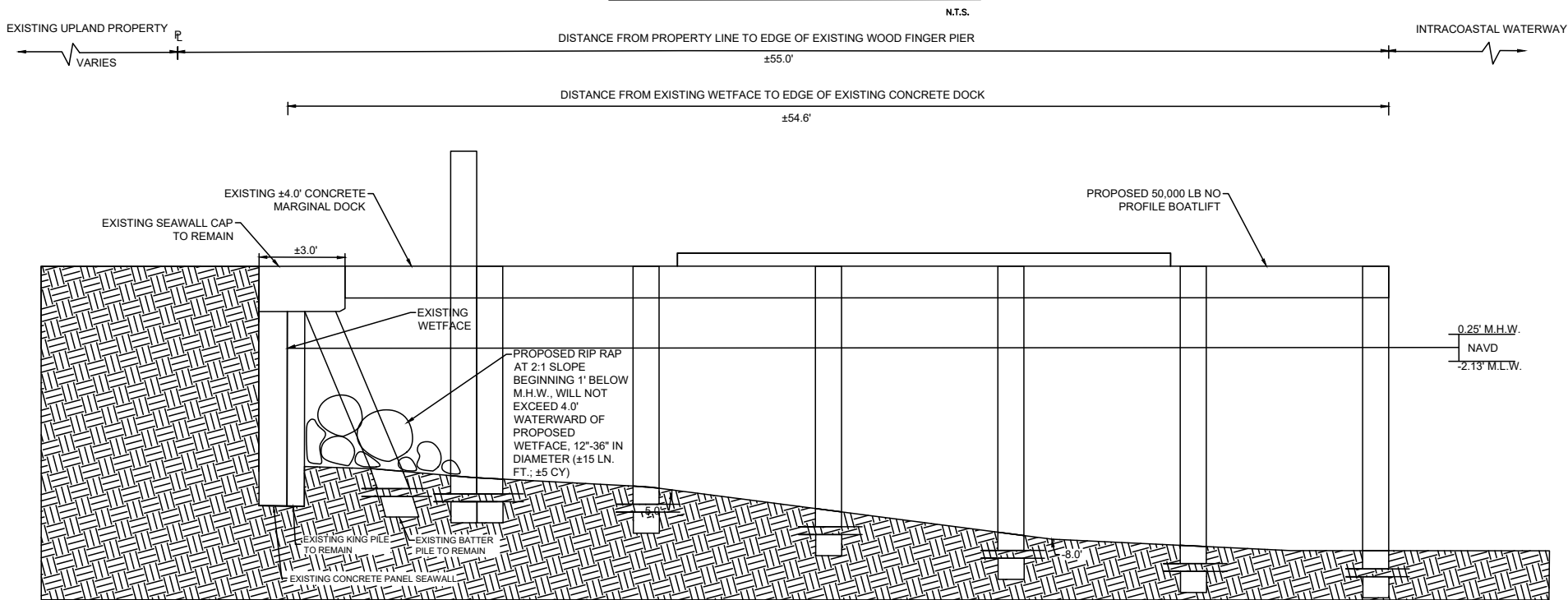
Date: 10/7/2020	Sheet : 1	of : 4
Proj No.: 20-0039		



EXISTING CONDITIONS A-A (TYP.)



PROPOSED CONDITIONS A-A (TYP.)



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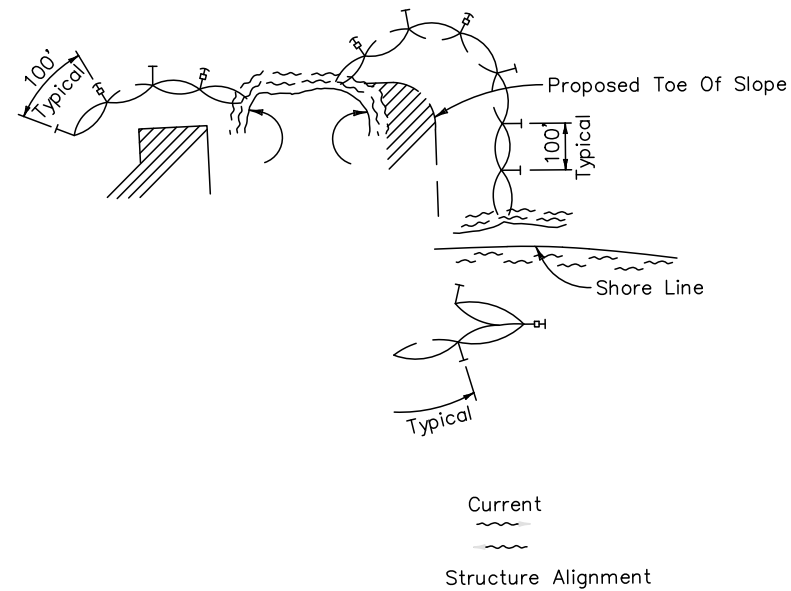
PREPARED FOR:
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SECTIONS

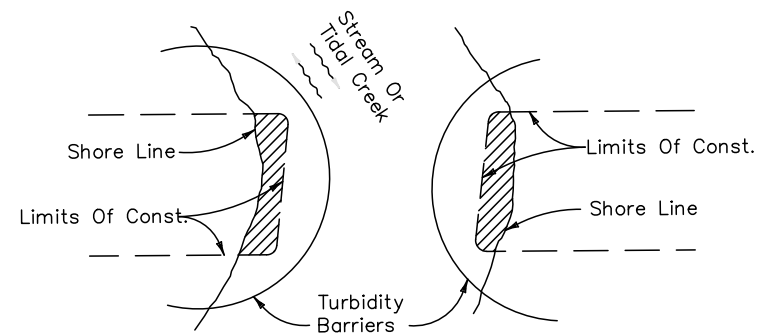
Date:
10/7/2020
Proj No.:
20-0039

Sheet :
3

of :
4



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

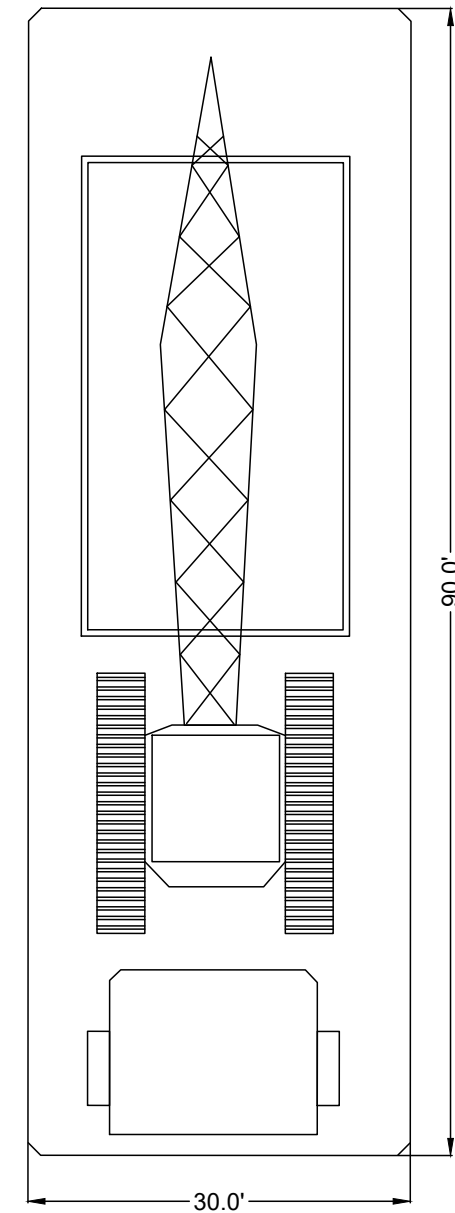


Note:
Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractors option unless otherwise specified in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

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

TURBIDITY BARRIER APPLICATIONS

CONSTRUCTION BARGE (TYP.)



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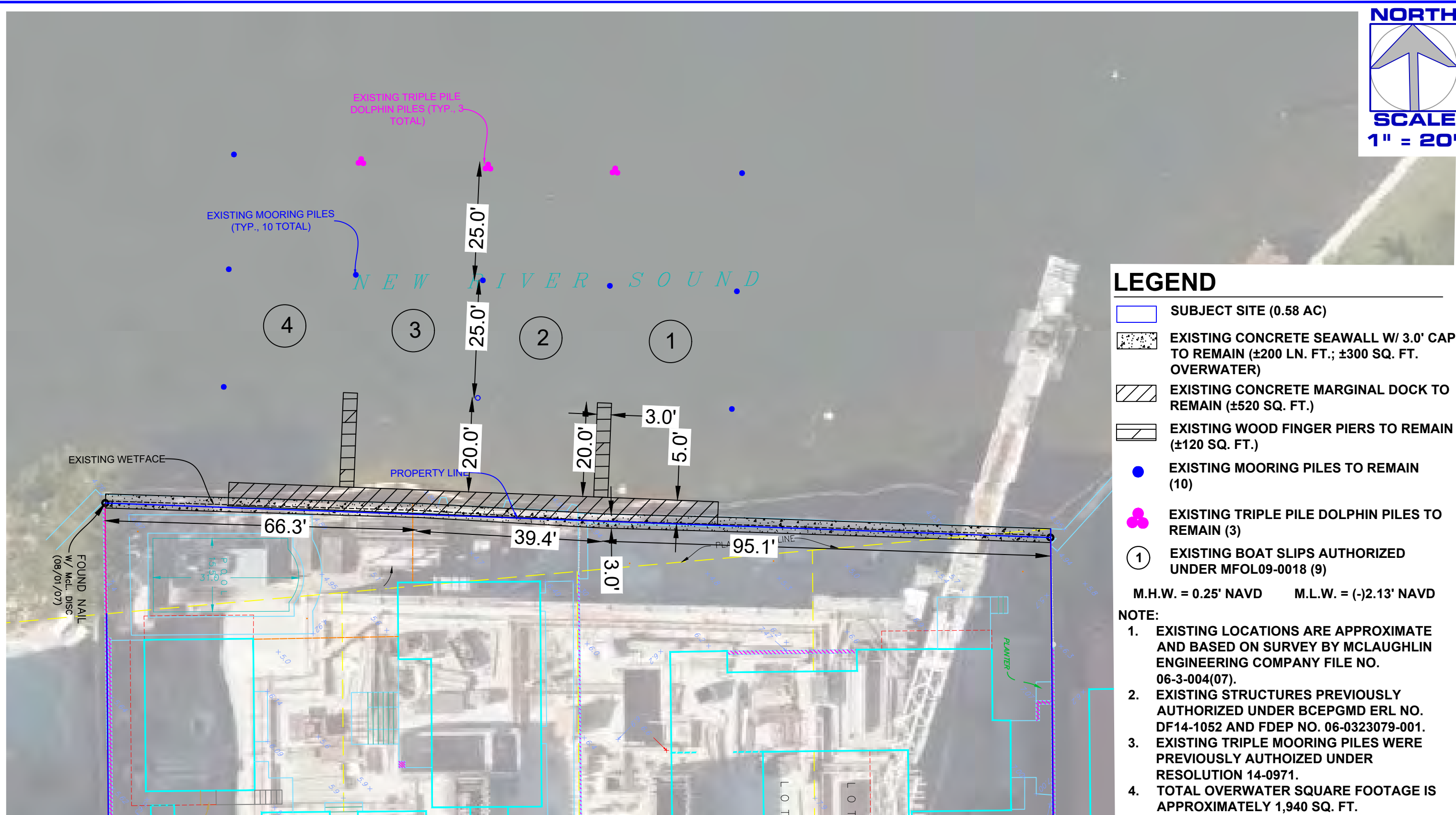
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- Mitigation Design & Monitoring
- T&E Species Surveys

321 N BIRCH RD
PREPARED FOR:
BOAT LIFTS AND DOCKS OF SOUTH FLORIDA

DETAILS

Date: 10/7/2020	Sheet : 4	of : 4
Proj No.: 20-0039		

EXHIBIT VIII DISTANCE EXHIBIT



LEGEND

- SUBJECT SITE (0.58 AC)
- EXISTING CONCRETE SEAWALL W/ 3.0' CAP TO REMAIN (±200 LN. FT.; ±300 SQ. FT. OVERWATER)
- EXISTING CONCRETE MARGINAL DOCK TO REMAIN (±520 SQ. FT.)
- EXISTING WOOD FINGER PIERS TO REMAIN (±120 SQ. FT.)
- EXISTING MOORING PILES TO REMAIN (10)
- EXISTING TRIPLE PILE DOLPHIN PILES TO REMAIN (3)
- EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL09-0018 (9)

M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD

- NOTE:
- EXISTING LOCATIONS ARE APPROXIMATE AND BASED ON SURVEY BY MCLAUGHLIN ENGINEERING COMPANY FILE NO. 06-3-004(07).
 - EXISTING STRUCTURES PREVIOUSLY AUTHORIZED UNDER BCEPGMD ERL NO. DF14-1052 AND FDEP NO. 06-0323079-001.
 - EXISTING TRIPLE MOORING PILES WERE PREVIOUSLY AUTHORIZED UNDER RESOLUTION 14-0971.
 - TOTAL OVERWATER SQUARE FOOTAGE IS APPROXIMATELY 1,940 SQ. FT.

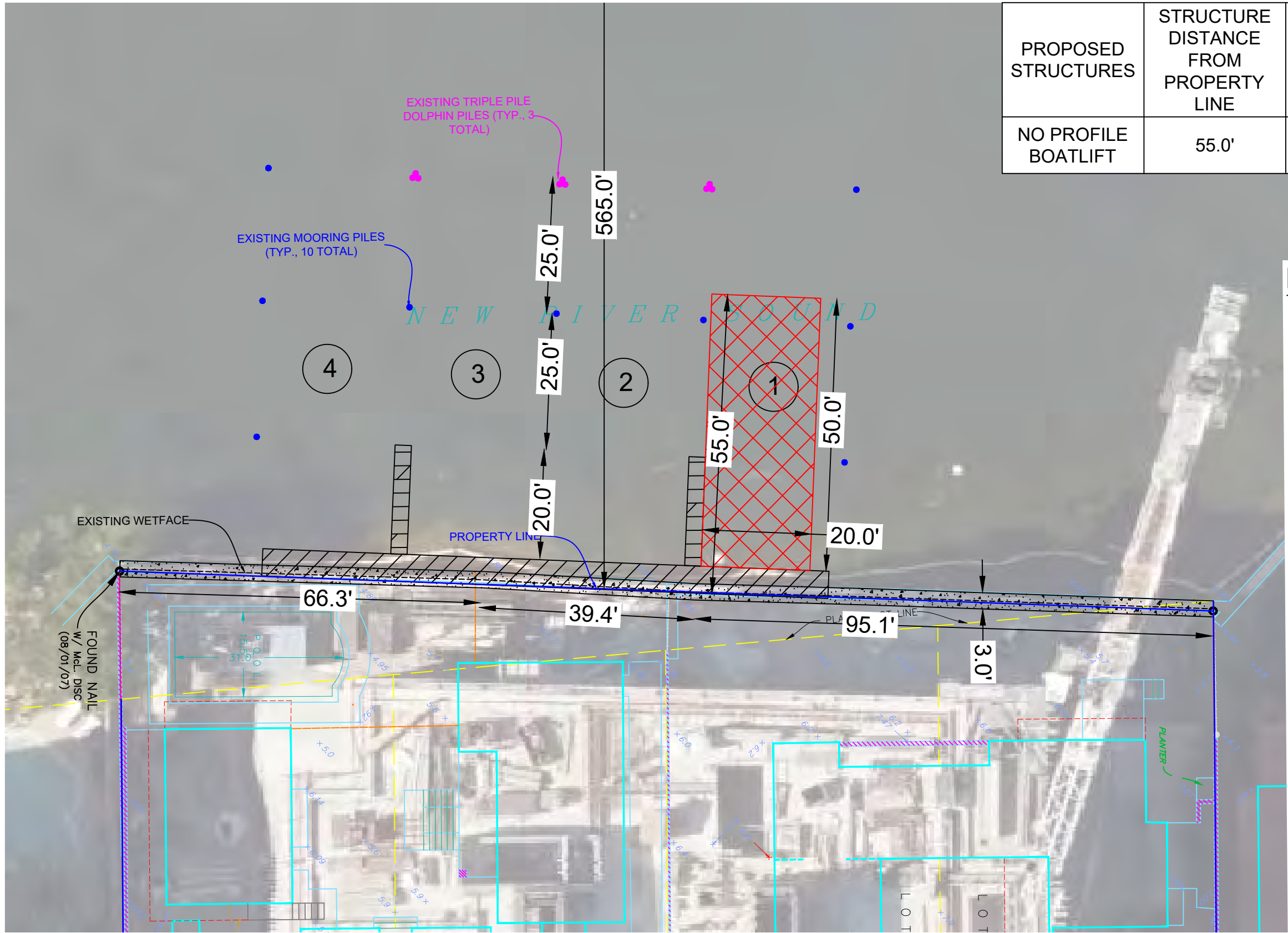
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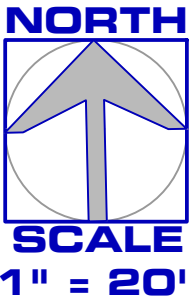
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321 N BIRCH RD
PREPARED FOR:
BOAT LIFTS AND DOCKS OF SOUTH FLORIDA

DISTANCE AERIAL - EXISTING		
Date: 10/12/2020	Sheet : 1	of : 3
Proj No.: 20-0039		



PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
NO PROFILE BOATLIFT	55.0'	25'	30.0'



LEGEND

- SUBJECT SITE (0.58 AC)
- EXISTING CONCRETE SEAWALL W/ 3.0' CAP TO REMAIN (±200 LN. FT.; ±300 SQ. FT. OVERWATER)
- EXISTING CONCRETE MARGINAL DOCK TO REMAIN (±520 SQ. FT.)
- EXISTING WOOD FINGER PIERS TO REMAIN (±120 SQ. FT.)
- EXISTING MOORING PILES TO REMAIN (10)
- EXISTING TRIPLE PILE DOLPHIN PILES TO REMAIN (3)
- EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL09-0018 (9)
- PROPOSED 50,000 LB NO PROFILE BOATLIFT (±1,000 SQ. FT.)
- M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD

- NOTE:
- EXISTING LOCATIONS ARE APPROXIMATE AND BASED ON SURVEY BY MCLAUGHLIN ENGINEERING COMPANY FILE NO. 06-3-004(07).
 - EXISTING STRUCTURES PREVIOUSLY AUTHORIZED UNDER BCEPGMD ERL NO. DF14-1052 AND FDEP NO. 06-0323079-001.
 - EXISTING TRIPLE MOORING PILES WERE PREVIOUSLY AUTHORIZED UNDER RESOLUTION 14-0971.
 - TOTAL OVERWATER SQUARE FOOTAGE IS APPROXIMATELY 1,940 SQ. FT.

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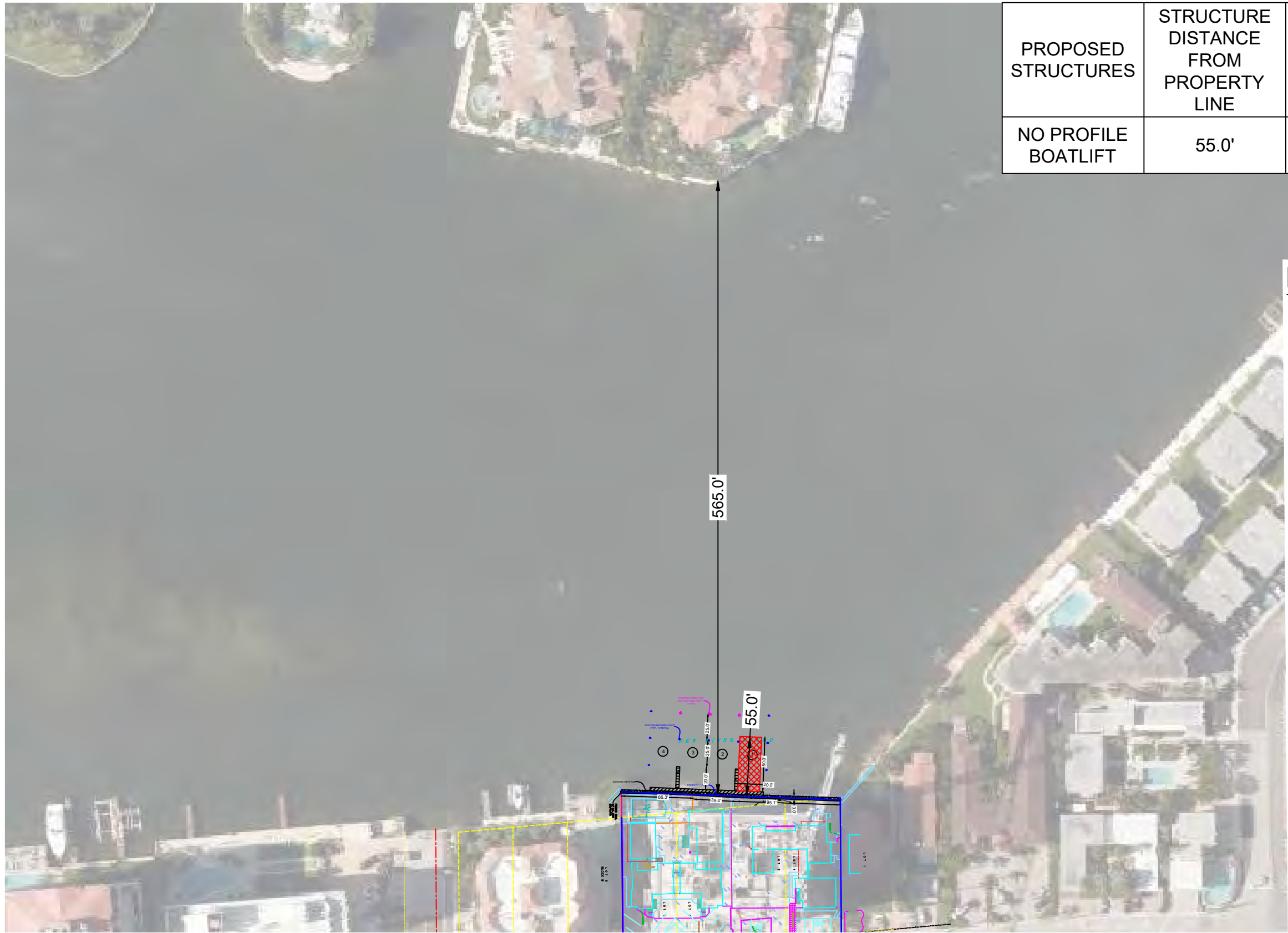
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PREPARED FOR:

BOAT LIFTS AND DOCKS OF SOUTH FLORIDA

DISTANCE AERIAL - PROPOSED

Date: 10/12/2020	Sheet : 2	of : 3
Proj No.: 20-0039		



PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
NO PROFILE BOATLIFT	55.0'	25'	30.0'



SCALE
1" = 100'

LEGEND

- SUBJECT SITE (0.58 AC)
 - EXISTING CONCRETE SEAWALL W/ 3.0' CAP TO REMAIN (± 200 LN. FT.; ± 300 SQ. FT. OVERWATER)
 - EXISTING CONCRETE MARGINAL DOCK TO REMAIN (± 520 SQ. FT.)
 - EXISTING WOOD FINGER PIERS TO REMAIN (± 120 SQ. FT.)
 - EXISTING MOORING PILES TO REMAIN (10)
 - EXISTING TRIPLE PILE DOLPHIN PILES TO REMAIN (3)
 - EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL09-0018 (9)
 - PROPOSED 50,000 LB NO PROFILE BOATLIFT ($\pm 1,000$ SQ. FT.)
- M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD

- NOTE:
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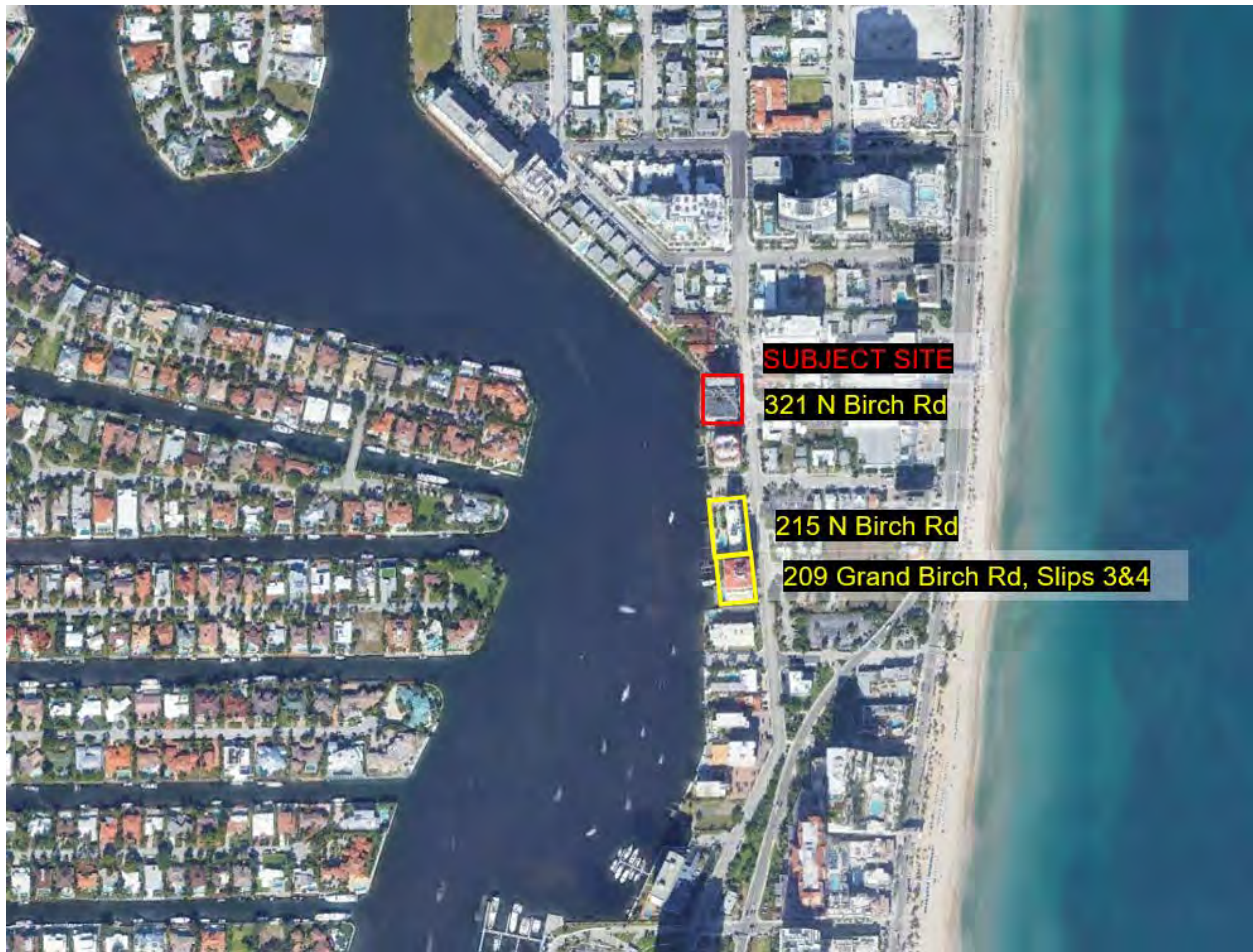
PREPARED FOR:

BOAT LIFTS AND DOCKS OF SOUTH FLORIDA

DISTANCE AERIAL - PROPOSED		
Date: 10/12/2020	Sheet : 3	of : 3
Proj No.: 20-0039		

EXHIBIT IX EXISTING WAIVERS IN THE VICINTY

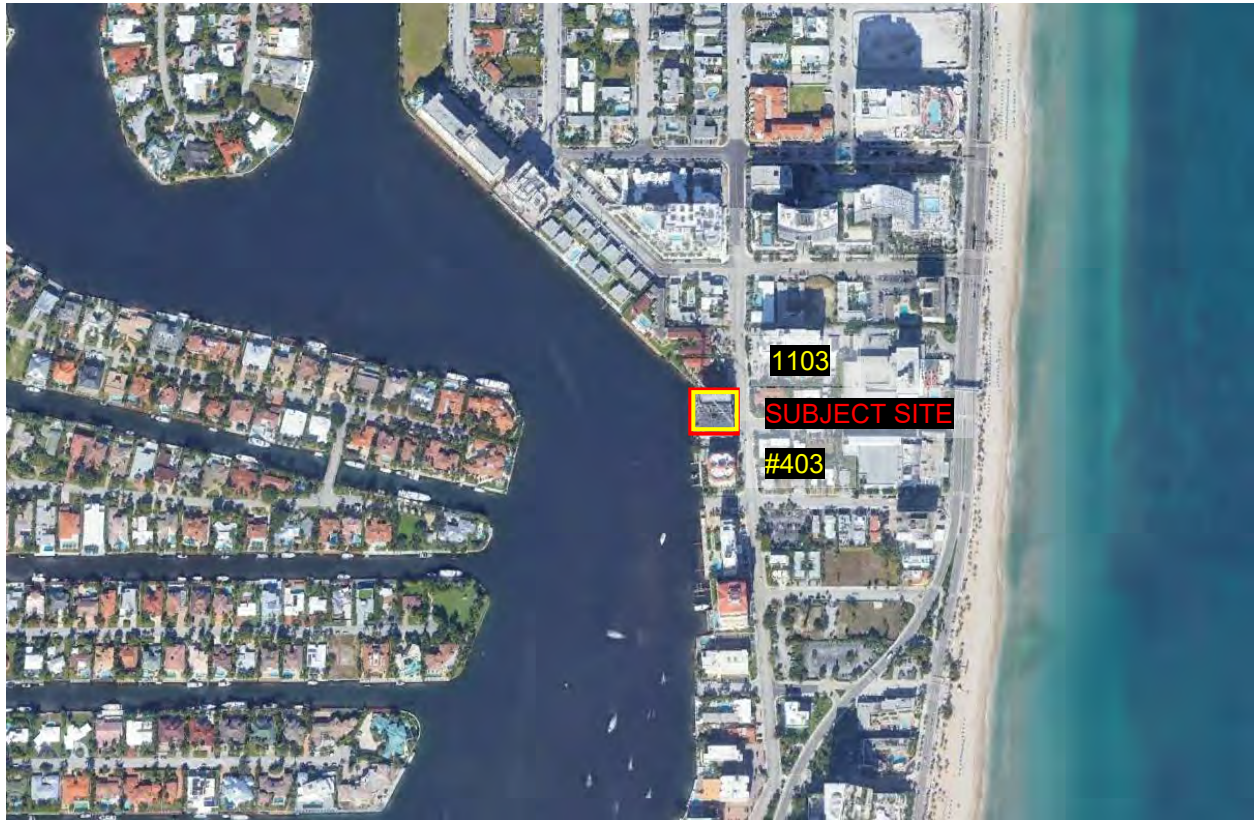
EXISTING WAIVERS IN THE VICINITY



ADDRESS	MAXIMUM DISTANCE
321 N Birch Rd	75'
215 N Birch Rd	47.5'
209 Grand Birch, Slip 3	39.3'
209 Grand Birch, Slip 4	45.5'
Subject Site	50'

EXHIBIT X LETTERS OF SUPPORT

LETTERS OF SUPPORT



ADDRESS	OWNER
321 N Birch Rd #403	Edward Cave
321 N Birch Rd #1103	Lee Engler

September 22, 2020

Mr. Bob Berard
321 N Birch Rd
Fort Lauderdale, FL 33431

RE: City of Fort Lauderdale Waiver Request

Dear Mr. Berard,

I have reviewed the attached plans (Attachment A), for the proposed project to install a no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N. BIRCH RD. NO. 403 and support the project as proposed.

Sincerely,

Name: EDWARD CAVE

Address: 321 NORTH BIRCH RD NO. 403

Phone Number: 404. 401. 4121

September 22, 2020

Mr. Bob Berard
321 N Birch Rd
Fort Lauderdale, FL 33431

RE: City of Fort Lauderdale Waiver Request

Dear Mr. Berard,

I have reviewed the attached plans (Attachment A), for the proposed project to install a no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 WATERS EDGE and support the project as proposed.

Sincerely,

Name: LEE ENGLOR

Address: 321 N BIRCH RD # 1103

Phone Number: 763-370-0800