



CITY OF FORT LAUDERDALE

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

WEDNESDAY, NOVEMBER 4, 2020 – 6:00 P.M.

Cumulative Attendance
May 2020 – April 2021

Grant Henderson, Chair	P	4	0
Ed Strobel, Vice Chair	P	4	0
Cliff Berry II	A	2	2
Deirdre Boling-Lewis	A	3	1
Robyn Chiarelli	A	2	2
Barry Flanigan	P	4	0
Richard Graves	A	3	1
James Harrison	P	4	0
Rose Ann Lovell (arr. 6:03)	P	4	0
Kitty McGowan	P	3	1
Norbert McLaughlin	P	3	1
Ted Morley	P	3	1
Bill Walker	P	3	1
Steve Witten	P	4	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
Officer Paul Kelly, 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 6:01 p.m. and roll was called.

II. Approval of Minutes – October 1, 2020

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

III. Statement of Quorum

It was noted a quorum was present at the meeting.

IV. Waterway Crime & Boating Safety Report

Officer Paul Kelly of the Fort Lauderdale Police Department's Marine Unit reported the following activity during the month of September 2020:

- 11 citations
- 50 warnings
- 8 safety inspections
- 3 accidents
- 0 burglaries

Officer Kelly advised that attendance at the Fort Lauderdale International Boat Show was down by approximately two-thirds from previous years. There were no incidents at the Boat Show.

Mr. Flanigan noted that the Marine Unit had responded to a boat fire near the Lauderdale Marine Center during the month of October. He recalled that in the past two to three years, several vessels have caught fire at marinas west of the New River, but there is no fire boat stationed in that area. For this reason, some marinas in that area have offered free dockage for a fire boat. Mr. Harrison added that the Marine Industries Association of South Florida (MIASF) plans to form a study group to explore this possibility with boat yards located to the west.

Vice Chair Strobel noted that it takes both Fire and Police Department vessels significant time to respond to emergencies to the west. Officer Kelly estimated that it takes 45 minutes to an hour when the train bridge is in the up position. He agreed that a substation would benefit Fort Lauderdale citizens.

V. Presentation – South Fork Marina / Colby Cooper

Colby Cooper, representing the South Fork Marina, stated that an application for that property will go before the Planning and Zoning Board on November 18, 2020. The South Fork Marina is located just north of the Lauderdale Marine Center. After a previous occupant of the property closed in 2006, multiple developers considered the property before Hix Snedaker and Safe Harbor Marinas formed a joint venture there.

The last time South Fork Marina appeared before the Board, the Development Review Committee (DRC) process was underway for a passive mega-yacht facility. Mr. Cooper showed current renderings of the proposed facility, which includes a modification to double the previously proposed clubhouse size. Grand opening is anticipated for summer 2021.

Construction began in March 2020 and has not paused since that time. The site will include a 3058 sq. ft. clubhouse and Dockmaster office as well as a 2400 sq. ft. storage building and a new seawall. Construction of the project was divided into four separate parts with different general contractors for seawall/dredging, site work, floating docks, and clubhouse/storage.

The seawall/dredging phase is approximately 97% complete, and a new sheet pile seawall has been installed. Roughly 26,500 cubic yards of dredge material and uplands have been excavated. A contract has been signed with Bellingham Marine to install a concrete floating dock system similar to what is in place at Bahia Mar. The clubhouse's size will be doubled from its original measurement of 1553 sq. ft. to 3058 sq. ft. Completion is anticipated by August 2021.

Safe Harbor has worked closely with the surrounding Shady Banks and River Oaks communities as well as the City of Fort Lauderdale. This presentation has been shown to both communities as part of the Planning and Zoning Board process. The clubhouse size was increased in order to add office space, a kitchenette, restrooms, a fitness/gym facility, and a laundry room. The building's entrance is being moved to its west side to move it farther away from the street and neighbors. Lawn activity is being moved south of the clubhouse for the same reason.

Mr. Cooper advised that the goal is to add amenities that will help to keep captains and crews on-site and reduce traffic through a residential neighborhood. He characterized this as a good faith effort to ensure that traffic through the neighborhood is limited. Safe Harbor hopes to make the impact of the larger clubhouse as minimal as possible.

The marina's Site Plan has changed slightly and is now going through the City's administrative channels. The number of approved slips will be reduced from 34 to 31 to ensure that the widths of slips will accommodate the growing beam sizes of vessels. The marina is intended to be a passive mega-yacht facility where limited work can be done on boats.

Mr. Cooper recalled that when the marina was approved in 2018, Safe Harbor agreed to 25 voluntary conditions of approval that were negotiated with the Shady Banks neighborhood. These conditions are still in force and are unaffected by the proposed modifications. Safe Harbor also maintains its contribution of \$50,000 toward the Shady Banks Neighborhood Mobility Master Plan, which calls for traffic calming devices.

Other changes besides the size of the clubhouse include:

- Reducing the number of slips from 34 to 31
- Reducing the number of boats allowed from 55 to 53
- Reconfiguration of the storage building

The site will include 45 parking spaces. Safe Harbor has committed to not parking any service, delivery, or client vehicles on the street and maintaining them within the

property's loading areas and parking lot. Should it be determined that the facility needs more parking, more options will be explored. Mr. Cooper noted that previous iterations of the project rezoned a parcel on the site to XP, which permits parking if necessary. This parcel would be subject to the full approval process before the neighborhood associations, the Marine Advisory Board, the Planning and Zoning Board, and the City Commission.

Mr. Cooper emphasized that "live-aboard" vessels which are homesteaded will not be permitted in the marina; however, mega-yachts have insurance requirements that make it necessary for captains and crews to be present for a certain amount of time. Accommodation of these requirements is a voluntary condition of approval of the site.

Mr. Cooper further clarified that the facility will provide pump-out stations and other utilities on the floating docks, although services will not be available to the public. The average slip size is approximately 120 ft. At present, all slips are intended to be rentals. Dinghies may be kept on the site, although they will count toward the maximum number of vessels. Residentially zoned property on the site will not be used for any operations unless it is rezoned. No more than two vessels may be docked in any slip.

Mr. Flanigan suggested that the South Fork Marina consider entering into an arrangement with the Water Taxi for shuttle service to nearby restaurants. Mr. Cooper advised that there have been conversations regarding ferry service.

Chair Henderson asked if there will be sufficient space for large vessels to navigate within the site. Mr. Cooper confirmed this, reviewing the proposed layout of the site, its larger slips, and its submerged land lease. The marina plans to work with the tugboat community to ensure there is an understanding of the marina's footprint. The marina has recorded a covenant agreement to preserve the integrity of nearby tug operations. The Army Corps of Engineers has determined that navigation will not be impeded by the South Fork project.

VI. Dock Permit – 1028 SE 13th Terrace / Steven & Judith Altman Paskoski / Steven & Judith A Paskoski Trust

Mr. Cuba clarified that the Application is for private usage of public property abutting the waterway on Cordova Road, where the City is currently replacing its seawall. This is the first such application to request the Board's recommendation of approval to the City Commission.

Steven Paskoski, Applicant, explained that he wishes to replace a dock that the City removed in order to build the new seawall. The new structure will be a 40 ft. fixed dock with a 20 ft. floating dock. The total width of the property is 75 ft. The planned structure is within the required setbacks.

Code requires the dock to be the same height as the seawall cap. Mr. Paskoski has requested that the dock be 1 ft. lower than the cap, which would still be 2 ft. higher than the former dock. This is in order to make the ramp from the fixed dock to the floating dock less steep for easier access.

Mr. Harrison asked what the Applicant is allowed to do to access the site. Mr. Paskoski advised that he has yet to determine the height from the swales to the seawall cap. The docks may not be attached to the seawall in any way. The standards required by the Americans with Disabilities Act (ADA) include a pitch of 1 in. per every 12 in. Mr. Morley stated that he could not speak to the specifications of the ramp at this time. There was no ramp on the previous dock.

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.

Taylor Krips, also representing the Applicant, advised that if the new dock is more than 12 in. lower than the new seawall cap, the integrity of the dock would be affected by high tides. It was determined that an elevation of 4.0 would accommodate both the tides and the Applicants' needs. The dock will be very close to the seawall cap but will not be attached to it. Pilings are placed against the cap to support the dock.

Motion made by Mr. Morley, seconded by Mr. McLaughlin, to recommend approval. In a roll call vote, the **motion** passed unanimously.

VII. Waiver of Limitations – 321 N. Birch Road / Robert J. & Mary K. Berard

Mr. Cuba advised that the Applicant's representative has requested deferment of this Item to a date uncertain.

VIII. Old / New Business

Mr. McLaughlin recalled that one year ago, the state conducted a survey for a railroad bridge or tunnel above or beneath the New River. The results were to be presented in January 2020. He requested an update from the state on this issue.

Mr. Cuba recalled that he has reached out to the firm that presented these options to the Board at previous meetings, but has not received a response. He agreed to reach out to this firm once again. Mr. Harrison noted that MIASF's preference was for the highest bridge option, which was a 160 ft. bascule bridge. Because the railroad is a private entity, they will have the final choice in design.

Mr. Walker noted that the City has no more dock space available for development south of Sunrise Boulevard. It is estimated that a two-year process will be necessary before the addition of more slips can be approved. Slips were originally allocated to Broward

County north and south of Sunrise Boulevard due to the Marine Mammal Protection Act. A waiting list is currently available for more slips.

Ms. McGowan commented that it has been several years since the north and south slip allowances were determined, and the endangered status of manatees has changed since that time. Mr. Harrison commented that one short-term solution may be to reallocate slips from north to south of Sunrise Boulevard. Mr. Walker stated that he was informed this was not a possibility.

Mr. McLaughlin asked if any updates are available on the appropriation of bond funds as discussed the previous month. Mr. Flanigan replied that there are currently no allocations for seawalls. Mr. Cuba advised that sediment testing for water quality is underway and can be tracked on the City's website.

IX. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 7:06 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

MEMORANDUM MF NO. 20-17

DATE: December 9, 2020
TO: Marine Advisory Board
FROM: Andrew Cuba, Manager of Marine Facilities
RE: January 7, 2021 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: _____ (home) _____ (business) EMAIL: _____

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

 _____ 10/20/2020
Applicant's Signature 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

	PAGE
EXHIBIT 2 - SUMMARY DESCRIPTION	3
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
EXHIBIT 9 – EXISTING WAIVERS IN THE VICINITY	24
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, a ± 120 ft² 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

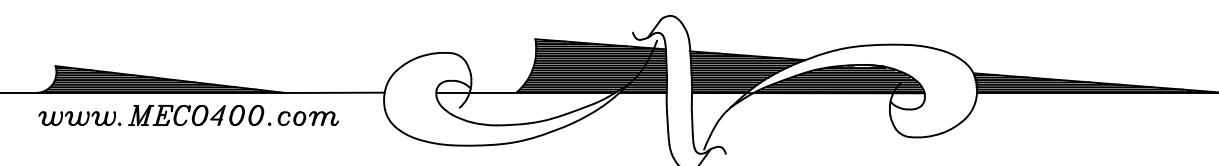
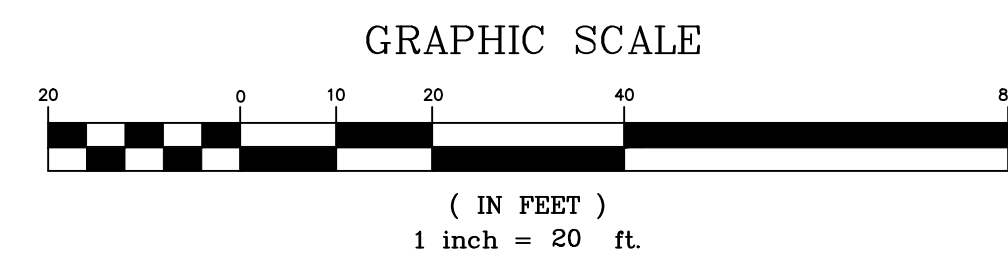
EXHIBIT IV ORIGINAL SURVEY



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

ALTA/ACSM LAND TITLE SURVEY

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



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 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:

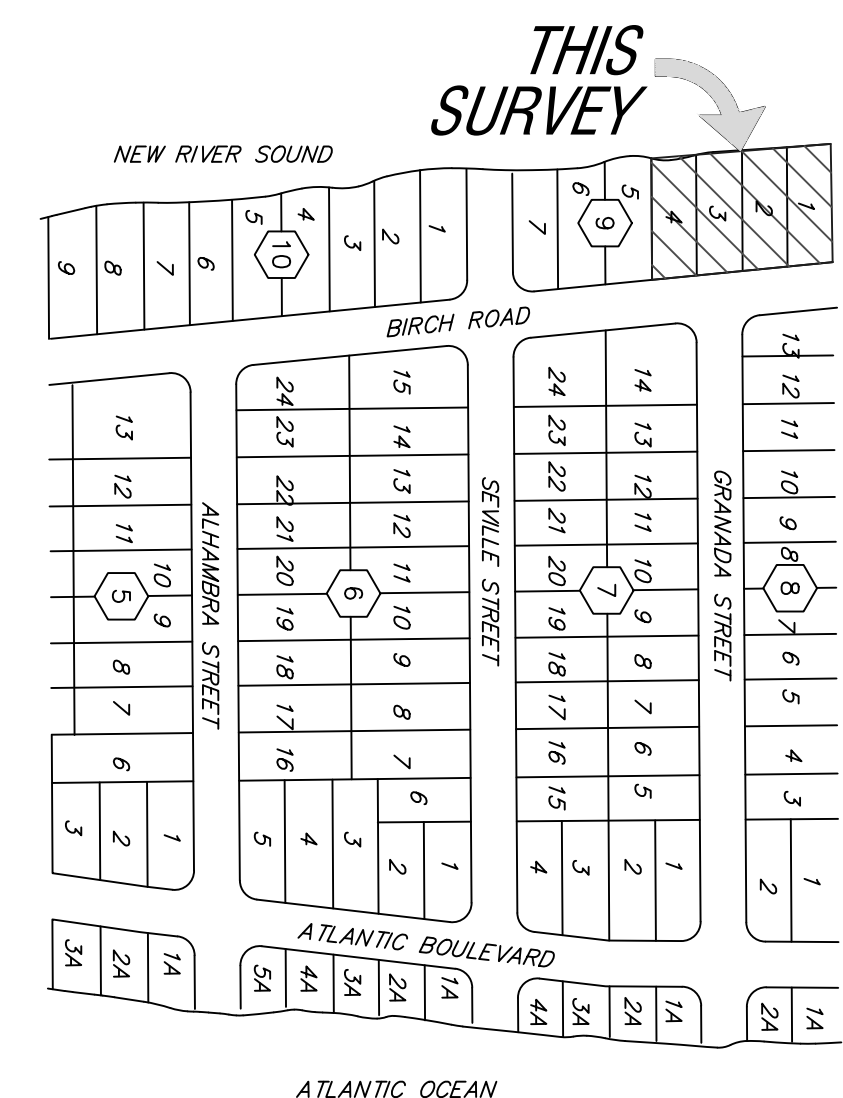
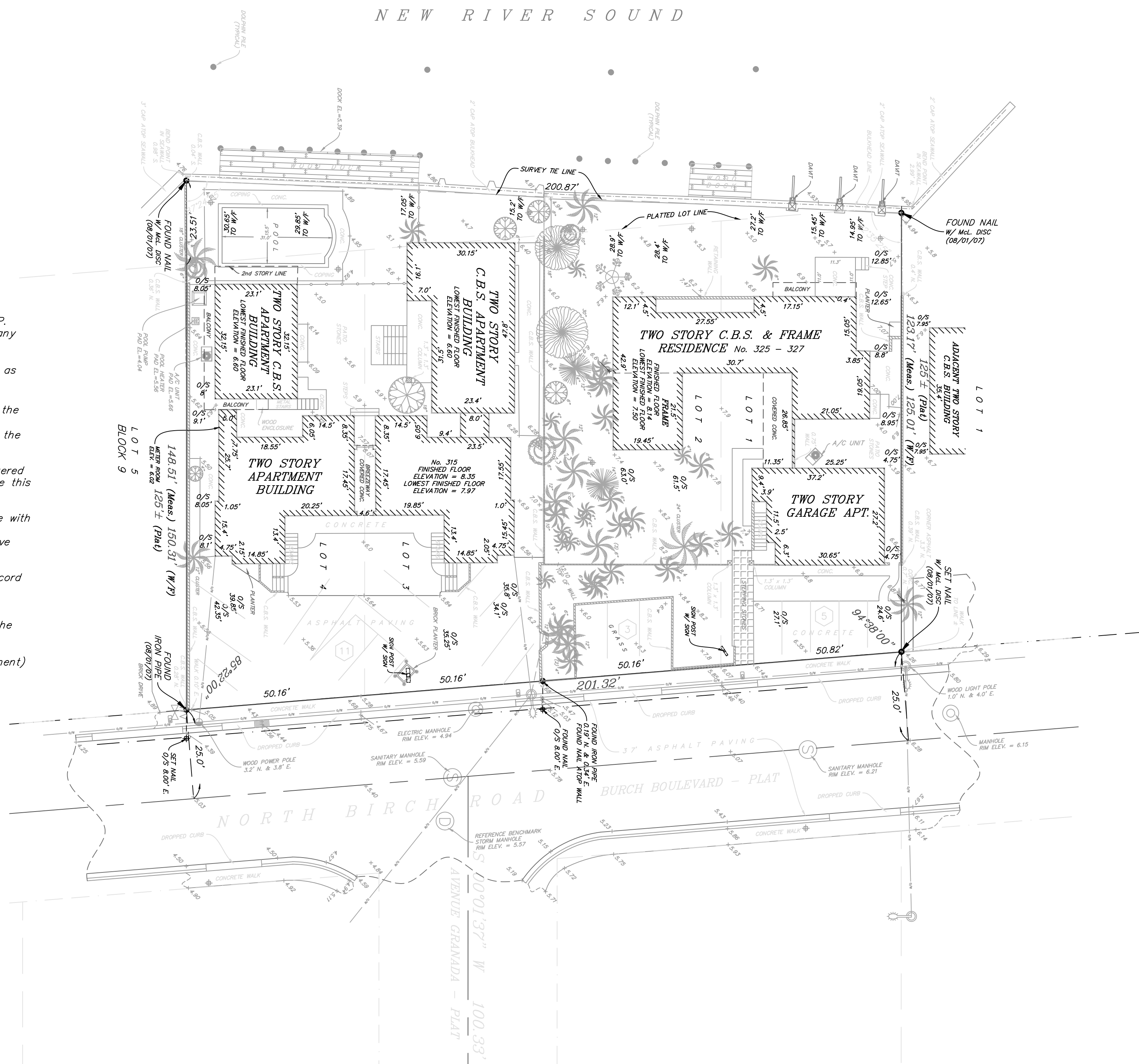
- 7) Easement per O.R. 15189, Page 658 affects this property. (Blanket Easement)

NOTES:

- 1) This survey reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Underground improvements if any not located.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) Boundary survey information does not infer Title or Ownership.
- 5) All iron rods 5/8", unless otherwise noted.
- 6) Reference Bench Mark: Storm Manhole at Intersection of Birch Road & Granada Street. ELEVATION = 5.57
- 7) Elevations shown refer, to National Geodetic Vertical Datum (1929), and are indicated thus: Elev. = 5.57
- 8) 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: E.W.J.
 C:\E.W.J. 2002\U3717\dwg\U3717.dwg 12/04/2007 11:11:15 AM EST



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

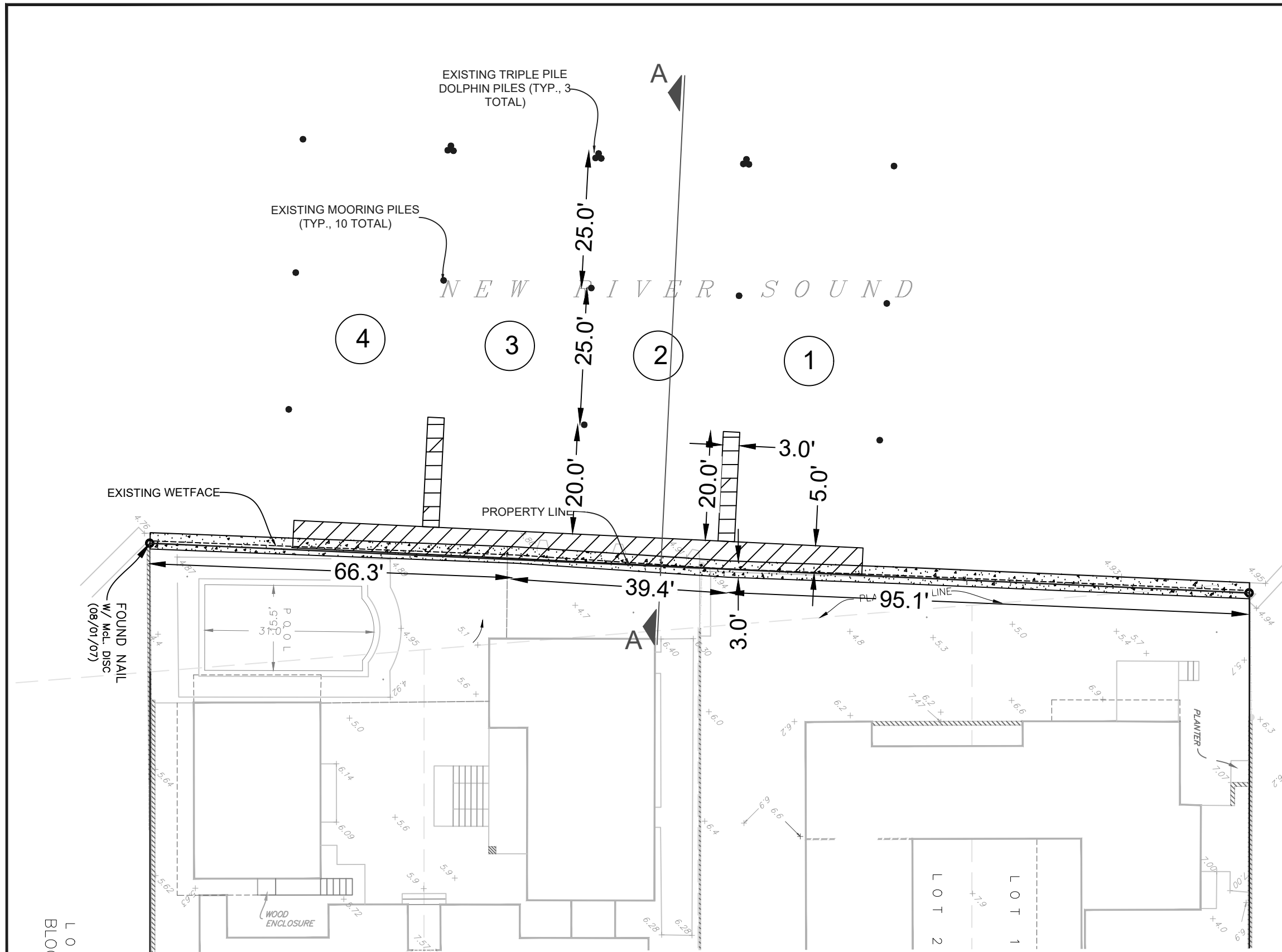
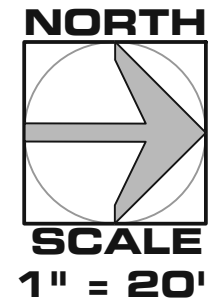


1. Central portion of the subject site, facing southeast along the ICWW.










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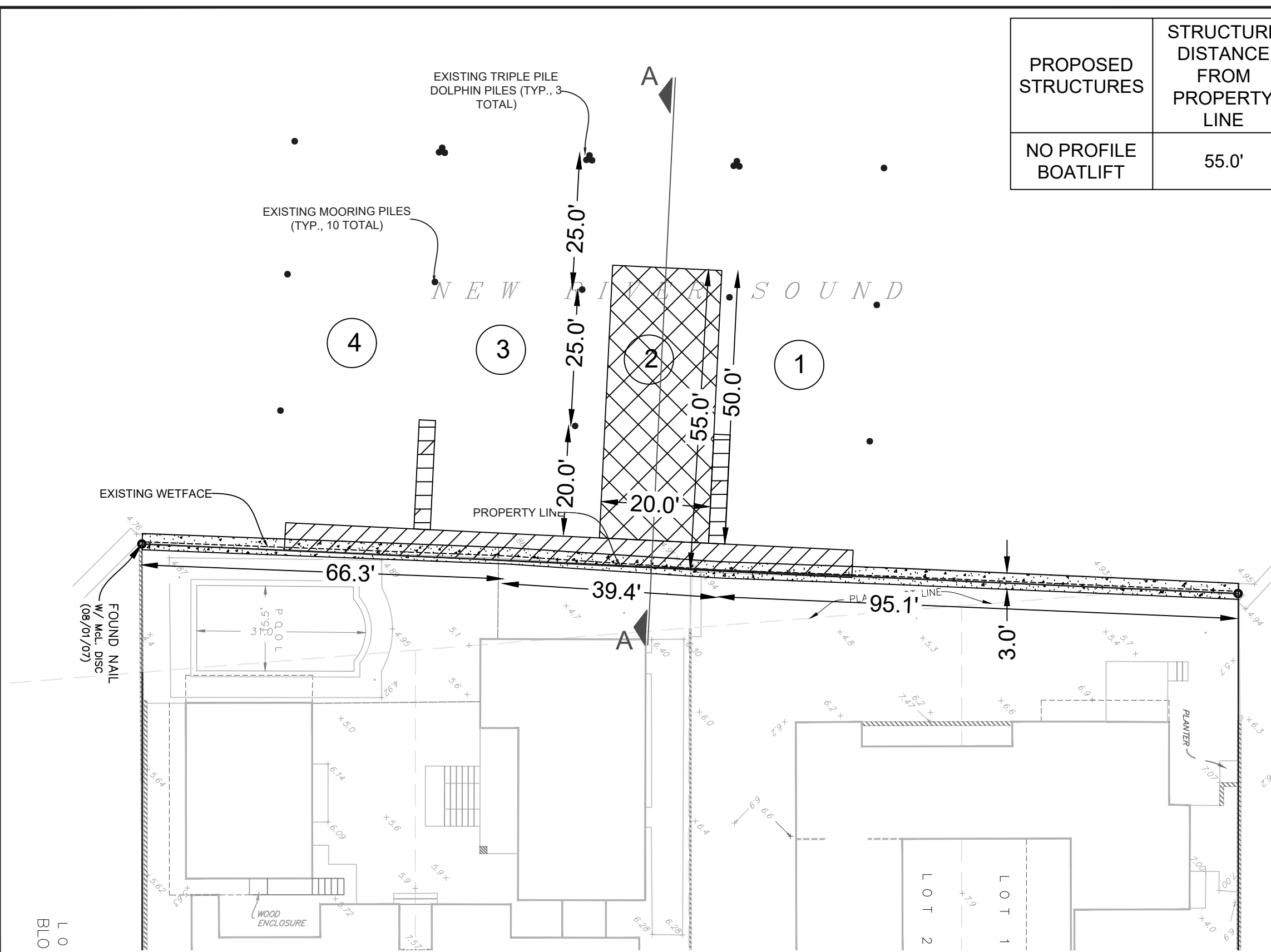
- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys

321 N BIRCH RD

PREPARED FOR:
BOAT LIFTS AND DOCKS OF SOUTH FLORIDA

EXISTING CONDITIONS		
Date: 11/10/2020	Sheet : 1	of : 4
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 MOORING 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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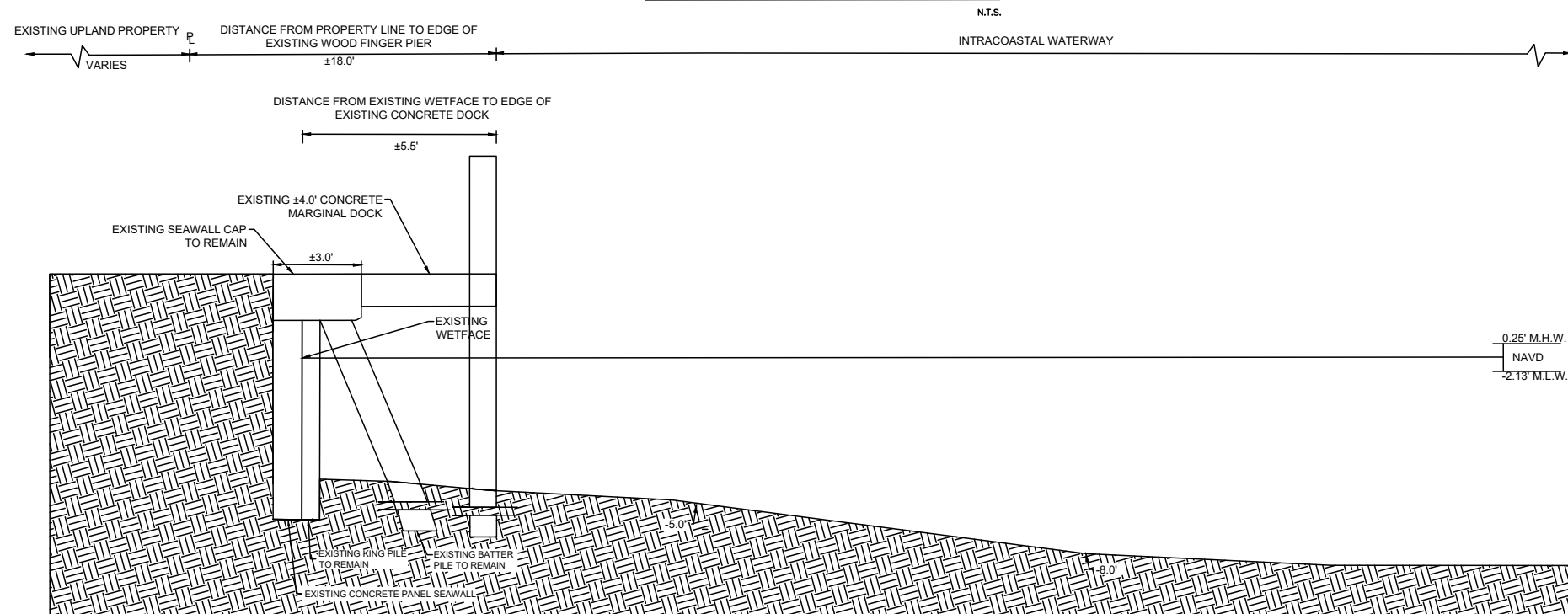
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321 N BIRCH RD

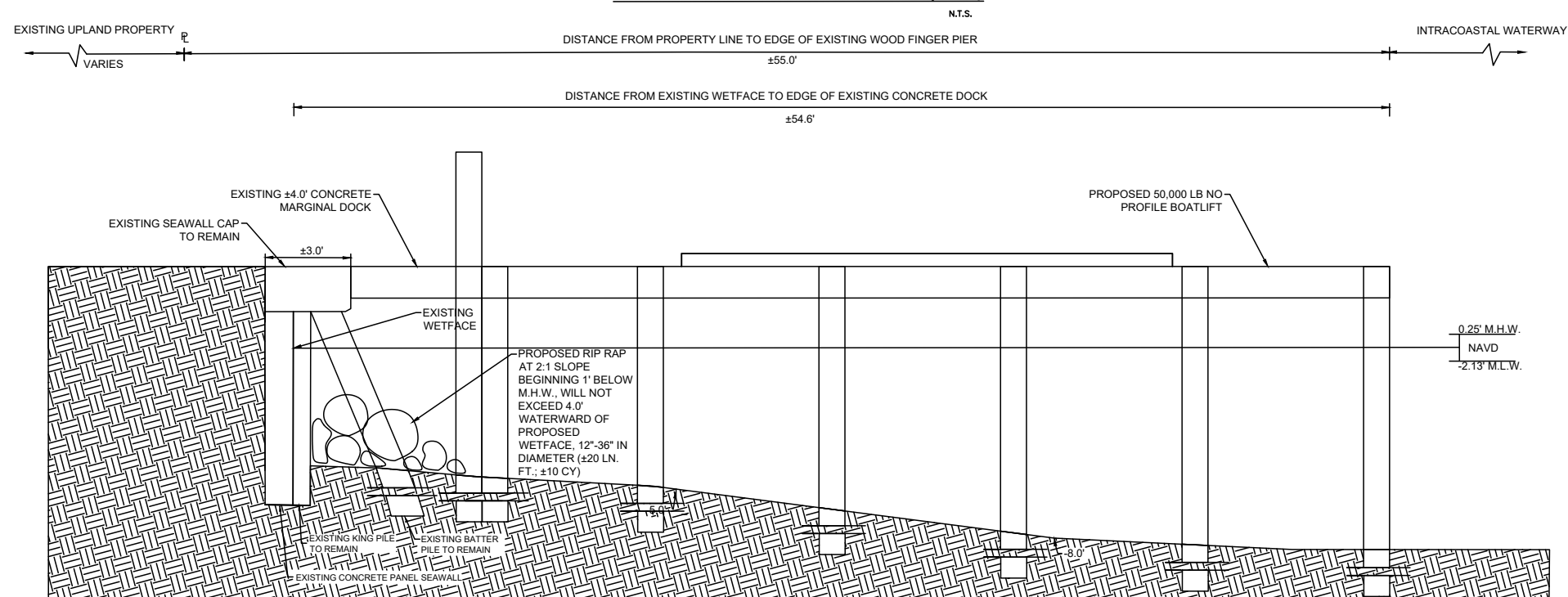
PREPARED FOR:
BOAT LIFTS AND DOCKS OF SOUTH FLORIDA

PROPOSED CONDITIONS		
Date: 11/10/2020	Sheet : 2	of : 4
Proj No.: 20-0039		

EXISTING CONDITIONS A-A (TYP.)



PROPOSED CONDITIONS A-A (TYP.)



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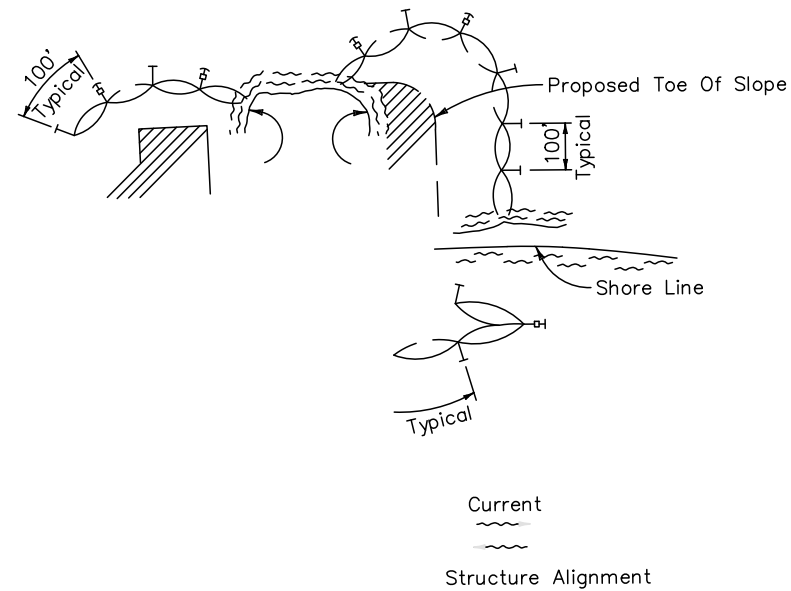
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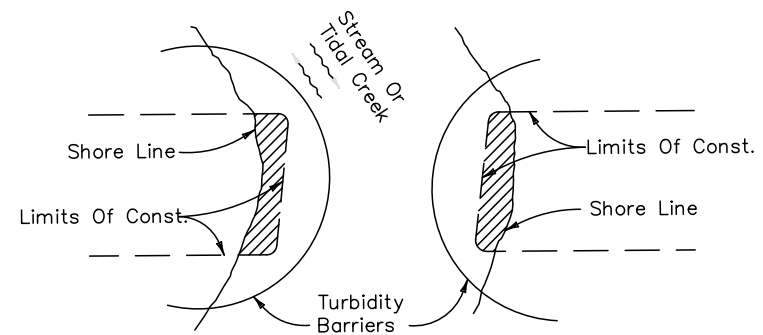
321 N BIRCH RD
PREPARED FOR:
BOAT LIFTS AND DOCKS OF SOUTH FLORIDA

SECTIONS		
Date: 11/10/2020	Sheet :	of :
Proj No.: 20-0039	3	4

CONSTRUCTION BARGE (TYP.)



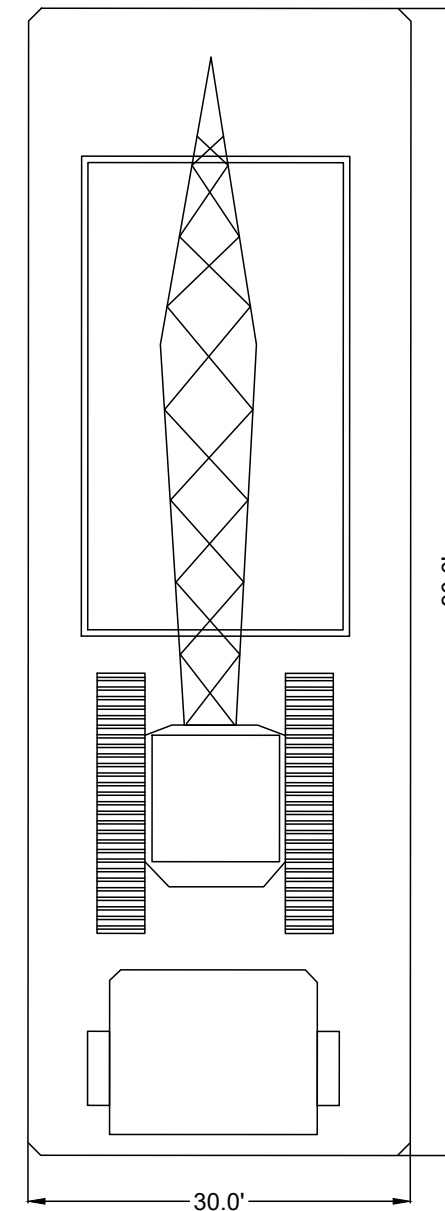
- LEGEND**
- Pile Locations
 - ▨ Dredge Or Fill Area
 - Mooring Buoy w/Anchor
 - ⊥ Anchor
 - Barrier Movement Due To Current Action



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

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

TURBIDITY BARRIER APPLICATIONS



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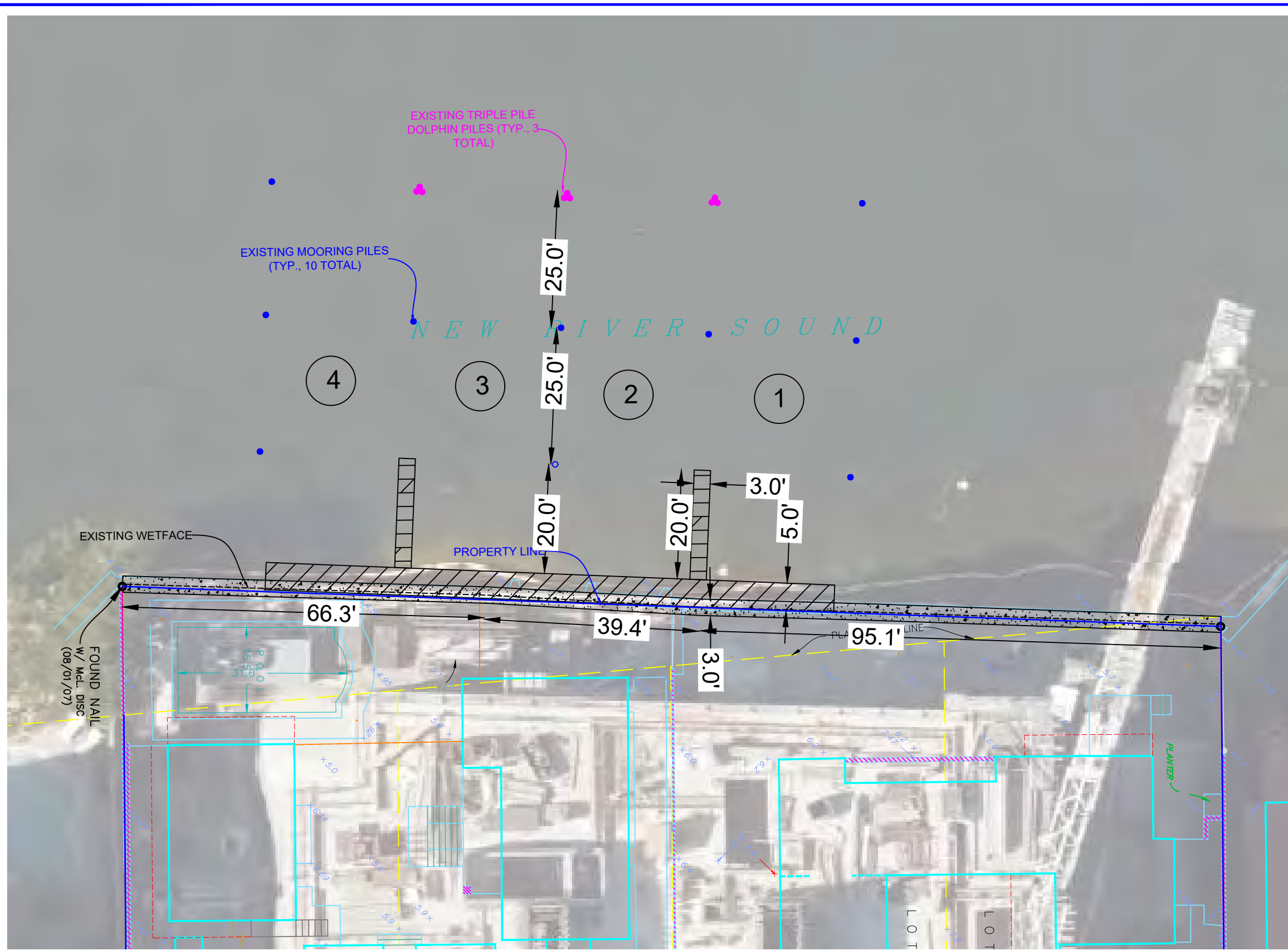
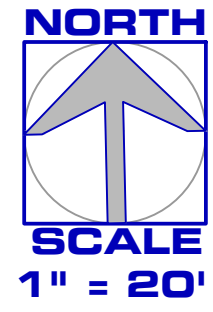
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321 N BIRCH RD
PREPARED FOR:
BOAT LIFTS AND DOCKS OF SOUTH FLORIDA

DETAILS

Date: 11/10/2020	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)
- ① EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL09-0018 (9)

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).
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 3. EXISTING TRIPLE MOORING PILES WERE PREVIOUSLY AUTHORIZED UNDER RESOLUTION 14-0971.
 4. TOTAL OVERWATER SQUARE FOOTAGE IS APPROXIMATELY 1,940 SQ. FT.

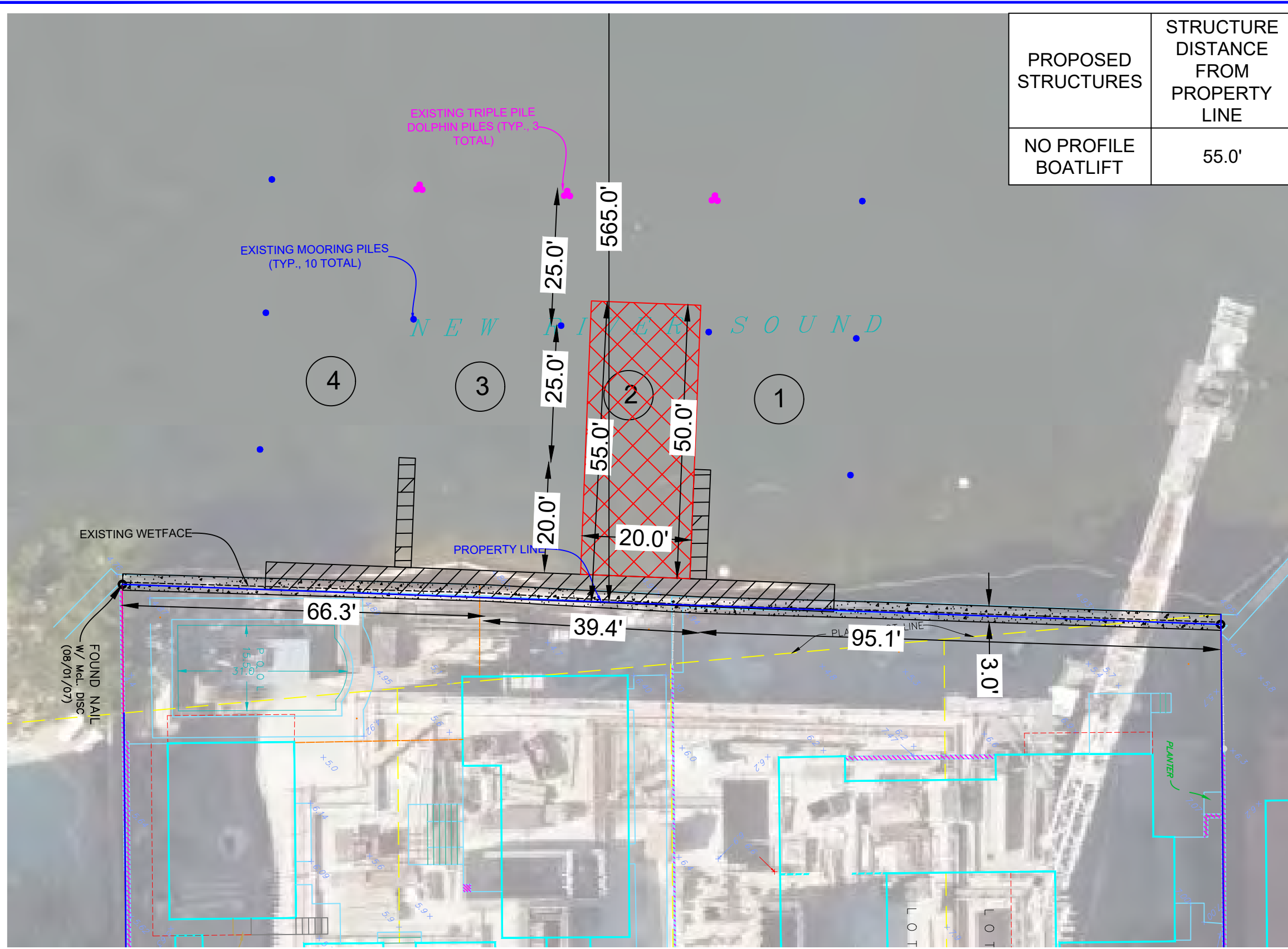
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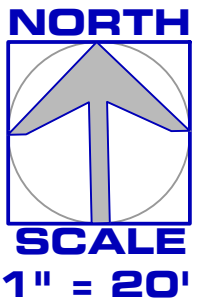
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321 N BIRCH RD
PREPARED FOR:
BOAT LIFTS AND DOCKS OF SOUTH FLORIDA

DISTANCE AERIAL - EXISTING		
Date: 11/10/2020	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

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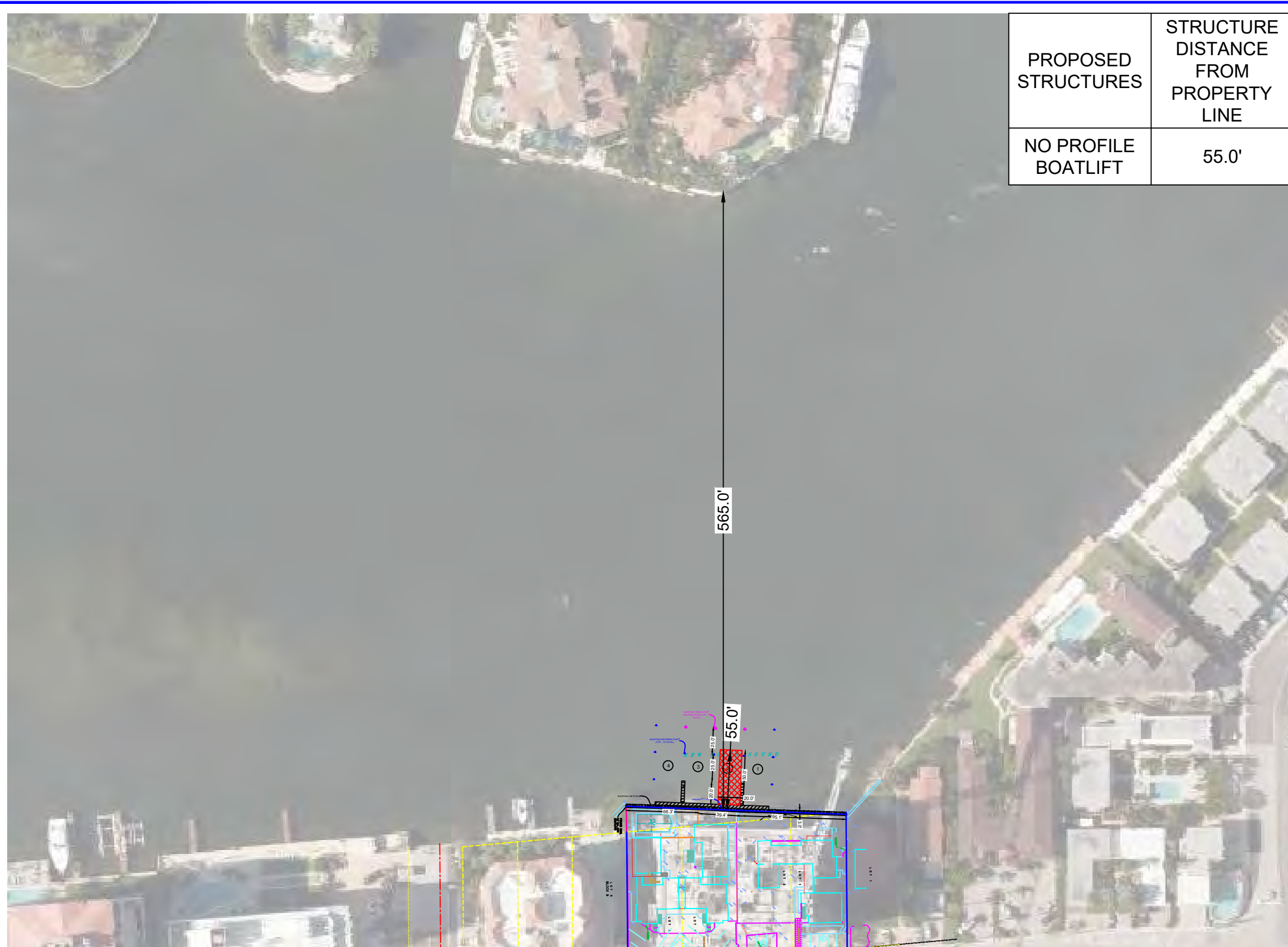
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321 N BIRCH RD

PREPARED FOR:
BOAT LIFTS AND DOCKS OF SOUTH FLORIDA

DISTANCE AERIAL - PROPOSED		
Date: 11/10/2020	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'



LEGEND

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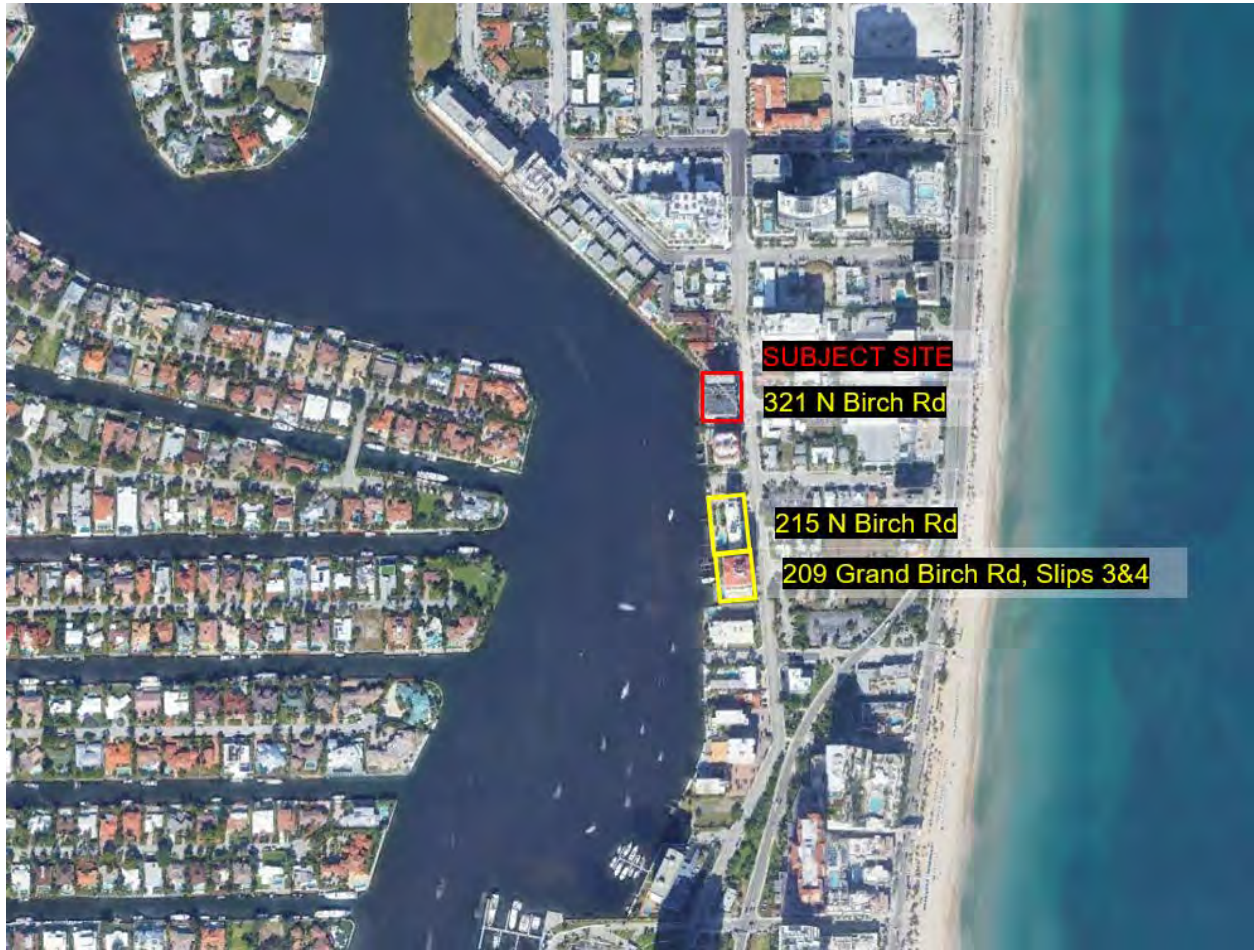
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321 N BIRCH RD
 PREPARED FOR:
BOAT LIFTS AND DOCKS OF SOUTH FLORIDA

DISTANCE AERIAL - PROPOSED		
Date: 11/10/2020	Sheet : 3	of : 3
Proj No.: 20-0039		

EXHIBIT IX EXISTING WAIVERS IN THE VICINTY

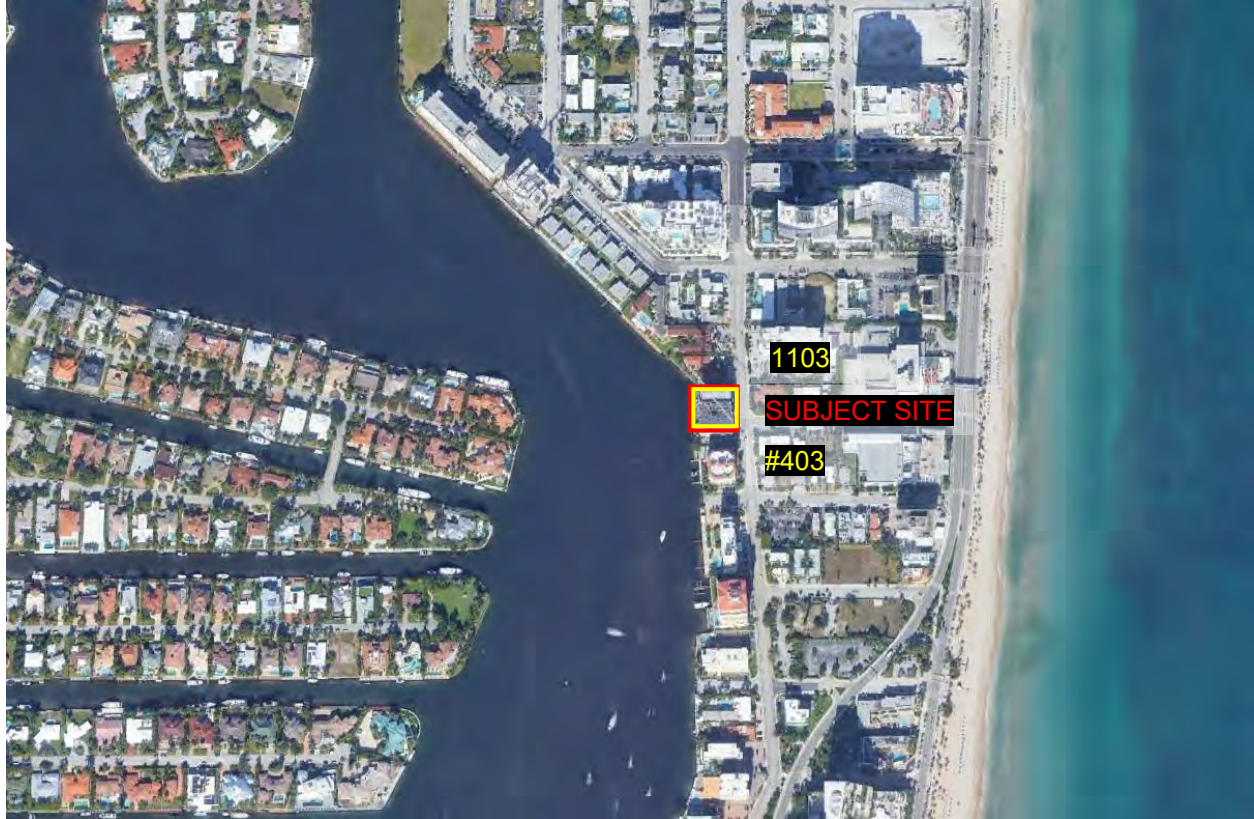
EXISTING WAIVERS IN THE VICINITY



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

November 18, 2020

Mr. Robert Berard
321 N Birch Rd #PH01
Fort Lauderdale, FL 33431

RE: 321 N Birch Rd
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 #403, and support the project as proposed.

Sincerely,



Edward Cave
321 N Birch Rd #403
Fort Lauderdale, FL 33431

November 18, 2020

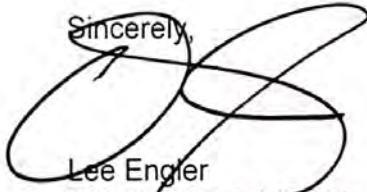
Mr. Robert Berard
321 N Birch Rd #PH01
Fort Lauderdale, FL 33431

RE: 321 N Birch Rd
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 #1103, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lee Engler', written over a large, stylized scribble.

Lee Engler
321 N Birch Rd #1103
Fort Lauderdale, FL 33431

ITEM VII

MEMORANDUM MF NO. 20-18

DATE: December 17, 2020
TO: Marine Advisory Board
FROM: Andrew Cuba, Manager of Marine Facilities
RE: January 7, 2021 MAB - Dock Waiver of Distance Limitations
–Liam Coakley / 301 N. Birch Road, Unit 8S

Attached for your review is an application from Liam Coakley / 301 N. Birch Road, Unit 8S (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicants are requesting approval for the installation of a 20,000-pound boat lift extending a maximum of 35.5' 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
Boatlift	35.5'	25'	10.5'

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 +/-605', 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



301 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: **Liam Coakley**

TELEPHONE NO: 703-928-9739 (home) 703-573-0596 (business) EMAIL: LCoakley@CJCoakley.co

2. APPLICANT'S ADDRESS (if different than the site address):
3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:
The applicant requests a waiver for the proposed construction of a boat lift beyond 25 feet from the property line.

4. SITE ADDRESS: **301 N Birch Road, #8S, Fort Lauderdale, FL 33304** ZONING: **IOA**

LEGAL DESCRIPTION AND FOLIO NUMBER:
BIRCH POINTE CONDO UNIT 8S PER CDO BK/PG: 24637/247

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

12/2/20
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 _____

TABLE OF CONTENTS

	PAGE
EXHIBIT 2 - SUMMARY DESCRIPTION	3
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
EXHIBIT 9 – EXISTING WAIVERS IN THE VICINITY	24

EXHIBIT II SUMMARY DESCRIPTION

Summary Description
301 N Birch Rd
TCG Project No. 19-0058

The project site is located along the New River at 301 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 104 in. ft. concrete seawall, ± 790 ft² concrete marginal dock and finger piers, three (3) mooring piles and four (4) post boat lift. The proposed project includes the installation of a second 20,000 lb, four (4) post boat lift. As measured from the property line, the proposed structure encroaches more than 25' from the property line into the ICWW. As this distance is over the allowable 25' distance into the waterway from the property line, the proposed boatlift will require a variance waiver.

The proposed structure has already been approved by the Broward County Environmental Protection & Growth Management Department, and a Site plan level II application is being processed concurrently with the City of Fort Lauderdale for the installation of the second lift.

The following four (4) 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 ($\pm 605'$), 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 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	Boat Lift	35.5'	25'	10.5'

EXHIBIT III WARRANTY DEED



INSTR # 101648034
OR BK 32694 PG 1561
RECORDED 01/29/2002 09:03 AM
COMMISSION
BROWARD COUNTY
DOC STMP-D 0.70
DEPUTY CLERK 1004

Prepared by and return to:

RICHARD G. COKER, JR.
Coker & Feiner
644 Southeast 5th Avenue
Fort Lauderdale, FL 33301-3104
Telephone: (954) 761-3636

Property Appraisers Parcel ID
(Folio) No. 0212-10-103

QUIT CLAIM DEED

THIS QUIT CLAIM DEED, made this 25 day of January, 2002, by ELLEN P. COAKLEY, as Successor Trustee of the Cornelius J. Coakley Living Trust Dated December 31, 1995 and Executrix of the Estate of Cornelius J. Coakley, first party, to ELLEN P. COAKLEY, Trustee of the Ellen P. Coakley Living Trust Dated December 31, 1995, whose post office address is: 301 North Birch Road, Unit 8S, Fort Lauderdale, FL 33304, second party.

WITNESSETH: That the first party, for and in consideration of the sum of Ten (\$10.00) Dollars in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit claim unto the second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Broward County, State of Florida, to-wit:

A condominium parcel designated as Unit No. 8S of BIRCH POINTE, a Condominium, according to the Declaration of Condominium recorded in Official Records Book 24637, Page 247, of the Public Records of Broward County, Florida, together with all appurtenances thereto.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity to the only proper use, benefit and behoof of the said second party forever.

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

Signed, sealed and delivered in our presence:

[Signature]
Signature
[Printed Name]
Printed Name

[Signature]
Signature
C F Johnston
Printed Name

[Signature]
Ellen P. Coakley, as Successor Trustee of the
Cornelius J. Coakley Living Trust Dated
December 31, 1995 and Executrix of the
Estate of Cornelius J. Coakley

301 North Birch Road, Unit 8S
Fort Lauderdale, FL 33304
Post Office Address

STATE OF FLORIDA :
: SS.
COUNTY OF BROWARD :

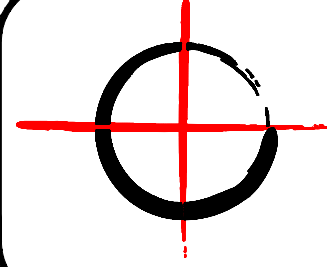
The foregoing instrument was acknowledged before me this 25th day of January, 2002, by ELLEN P. COAKLEY, as Successor Trustee of the Cornelius J. Coakley Living Trust Dated December 31, 1995 and Executrix of the Estate of Cornelius J. Coakley who is personally known to me or who has produced _____ as identification and who did not take an oath.

[Signature]
Signature of Notary Public



Print, type or stamp name of Notary & Commission No.

EXHIBIT IV ORIGINAL SURVEY



PINNELL SURVEY, INC.
 PROFESSIONAL SURVEYORS AND MAPPERS
 5300 WEST HILLSBORO BOULEVARD, SUITE 215-A
 COCONUT CREEK, FLORIDA 33073
 PHONE: (954)418-4940 FAX: (954)418-4941
 LICENSED BUSINESS #6857

**PROJECT ADDRESS: 301 NORTH BIRCH ROAD
 FORT LAUDERDALE, FLORIDA 33304**

CERTIFY TO:
 1. BIRCH POINTE CONDOMINIUM
 2.
 3.
 4.

LEGAL DESCRIPTION:
 LOTS 5, 6 AND 7, BLOCK 9, OF LAUDER DEL MAR, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, AT PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH THE LAND DESCRIBED AS FOLLOWS:
 A PORTION OF NEW RIVER SOUND (INTRACOASTAL WATERWAY) LYING IN SECTION 1, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:
 COMMENCE AT THE NORTHEAST CORNER OF LOT 5, 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; THENCE ON AN ASSUMED BEARING OF SOUTH 89°02'35" WEST ALONG THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 125 FEET MORE OR LESS TO THE ORDINARY HIGH WATER MARK OF SAID NEW RIVER SOUND, AS SHOWN ON SAID LAUDER DEL MAR, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°02'35" WEST ALONG THE WESTERLY EXTENSION OF THE SAID NORTH LINE OF LOT 5, A DISTANCE OF 24.5 FEET MORE OR LESS TO THE WATERWARD FACE OF AN EXISTING CONCRETE SEAWALL LYING ON THE EAST SIDE OF SAID NEW RIVER SOUND; THENCE SOUTH 01°31'25" WEST ALONG SAID FACE OF SEAWALL, A DISTANCE OF 1.7 FEET MORE OR LESS; THENCE SOUTH 49°08'15" EAST AND CONTINUING ALONG SAID FACE OF SEAWALL, A DISTANCE OF 28.5 FEET MORE OR LESS; THENCE SOUTH 05°52'28" EAST AND CONTINUING ALONG SAID FACE OF SEAWALL, A DISTANCE OF 129.8 FEET MORE OR LESS; THENCE NORTH 89°02'35" EAST ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 7, BLOCK 9 OF SAID LAUDER DEL MAR, A DISTANCE OF 4.5 FEET MORE OR LESS TO THE SAID ORDINARY HIGH WATER MARK OF NEW RIVER SOUND; THENCE NORTH 05°37'25" WEST ALONG SAID ORDINARY HIGH WATER MARK, A DISTANCE OF 150.5 FEET MORE OR LESS TO THE POINT OF BEGINNING.
 AND TOGETHER WITH A LEASEHOLD INTEREST IN THE FOLLOWING DESCRIBED LAND LEASE PARCEL:
 A PORTION OF NEW RIVER SOUND (INTRACOASTAL WATERWAY) LYING IN SECTION 1, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:
 COMMENCE AT THE NORTHEAST CORNER OF LOT 5, 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; THENCE ON AN ASSUMED BEARING OF SOUTH 89°02'35" WEST ALONG THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 125 FEET MORE OR LESS TO THE ORDINARY HIGH WATER MARK OF NEW RIVER SOUND, AS SHOWN ON SAID LAUDER DEL MAR; THENCE CONTINUE SOUTH 89°02'35" WEST ALONG THE WESTERLY EXTENSION OF THE SAID NORTH LINE OF LOT 5, A DISTANCE OF 24.5 FEET TO THE WATERWARD FACE OF AN EXISTING CONCRETE SEAWALL LYING ON THE EAST SIDE OF SAID NEW RIVER SOUND; THENCE CONTINUE WITH A BEARING OF SOUTH 89°02'35" WEST ALONG THE WESTERLY EXTENSION OF THE SAID NORTH LINE OF LOT 5, A DISTANCE OF 27.29 FEET TO A POINT; THENCE WITH A BEARING OF SOUTH 05°52'28" EAST FOR, A DISTANCE OF 25.09 FEET TO THE POINT OF BEGINNING; THENCE WITH A BEARING OF NORTH 89°02'35" EAST, FOR A DISTANCE OF 46.67 FEET TO A POINT; THENCE WITH A BEARING OF SOUTH 05°52'28" EAST, FOR A DISTANCE OF 115.45 FEET TO A POINT; THENCE WITH A BEARING OF SOUTH 89°02'35" WEST, FOR A DISTANCE OF 46.67 FEET TO A POINT; THENCE WITH A BEARING OF NORTH 05°52'28" WEST, FOR A DISTANCE OF 115.45 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

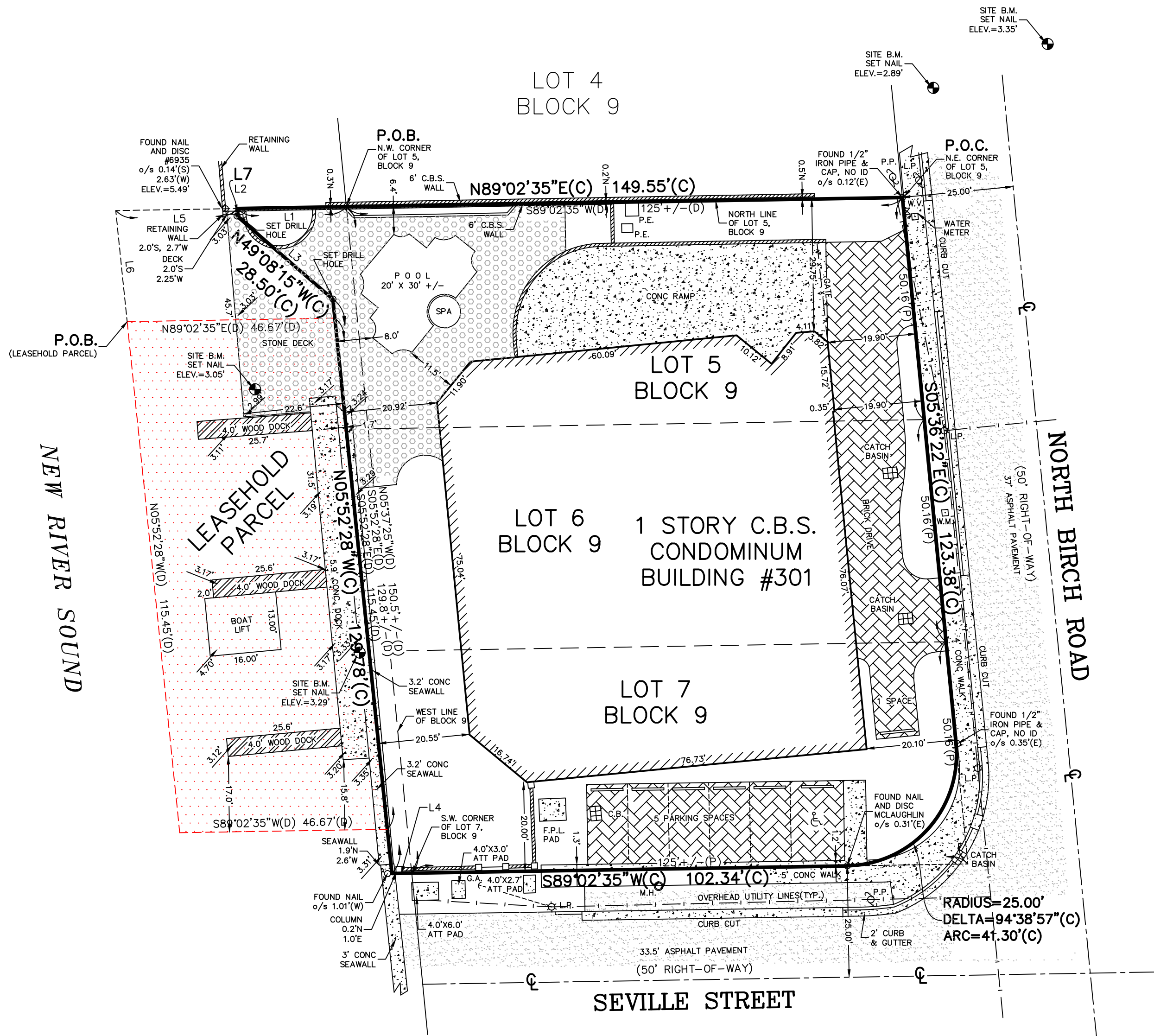
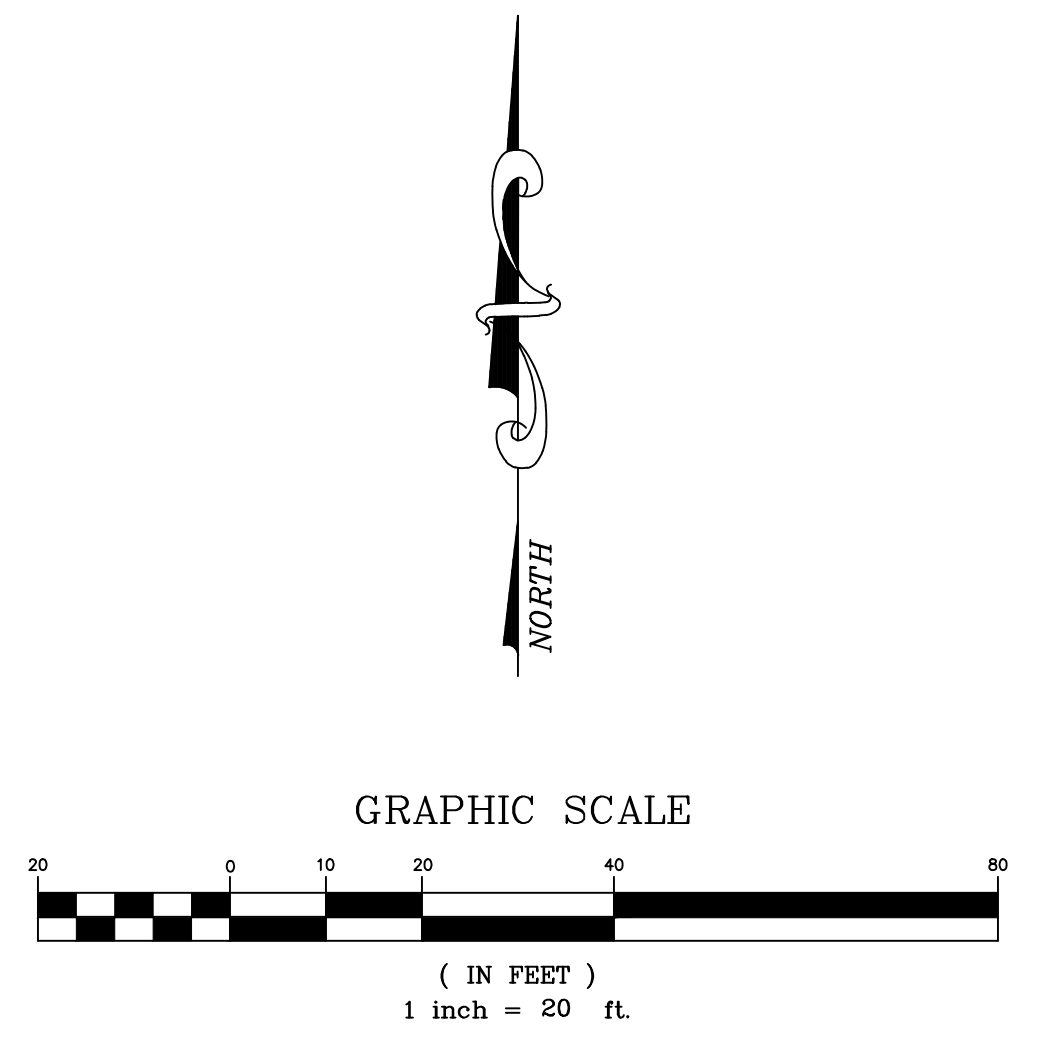
GENERAL NOTES:
 1) TYPE OF SURVEY: BOUNDARY
 2) IF THIS SURVEY HAS BEEN REVISED AS INDICATED IN THE REVISION BOX SHOWN HEREON, THEN ANY AND ALL PREVIOUS VERSIONS OF THIS SURVEY PREPARED BY PINNELL SURVEY, INC. ARE NULL & VOID.
 3) THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 4) 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.
 5) UNLESS OTHERWISE NOTED, FIELD MEASUREMENTS ARE IN AGREEMENT WITH RECORD MEASUREMENTS.
 6) ELEVATIONS SHOWN HEREON ARE BASED ON THE NAVD '88, UNLESS OTHERWISE NOTED.
 7) UNDERGROUND IMPROVEMENTS AND UTILITIES ARE NOT LOCATED.
 8) FENCE AND WALL OWNERSHIP IS NOT DETERMINED.
 9) 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.
 10) ALL EASEMENTS SHOWN ON THE ATTACHED DRAWING ARE PER THE RECORD PLAT (UNLESS OTHERWISE NOTED).
 11) BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF SOUTH 89°02'35" WEST ALONG THE NORTH LINE OF LOT 5, BLOCK 9 OF LAUDER DEL MAR, PLAT BOOK 7, PAGE 30 BROWARD COUNTY RECORDS.
 12) BY GRAPHIC PLOTTING ONLY, THE PROPERTY SHOWN HEREON IS LOCATED WITHIN A FLOOD ZONE "AE" WITH A BASE FLOOD ELEVATION OF 5 FEET, AS SHOWN ON F.I.R.M. MAP 125105-0388-H, BEARING A MAP EFFECTIVE DATE OF 08/18/14.
 13) REFERENCE BENCHMARK: USACE B.M. "ED-3A 1943", ELEVATION = 4.83'(NGVD '29) / 3.24'(NAVD '88)
 14) REFERENCE BENCHMARK ELEVATION DATUM WAS CONVERTED FROM NGVD '29 TO NAVD '88 USING CORPSPCON 6.0.1.
 15) DATE FIELDWORK PERFORMED: 09/24/19 (FIELD BOOK 602, PAGE 59)
 16) DRAWN BY: J.H.P. & Q.D.I. CHECKED BY: J.H.P.

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 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA STATE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS.
 No. 5734
 10/04/19
 JASON H. PINNELL
 PROFESSIONAL SURVEYOR & MAPPER
 LICENSE NO. 5734 - STATE OF FLORIDA

REVISIONS:

REVISION	DATE	CHECKED BY

PROJECT NAME: BIRCH POINTE CONDOMINIUM JOB NO.: 19-1948



LEGEND:

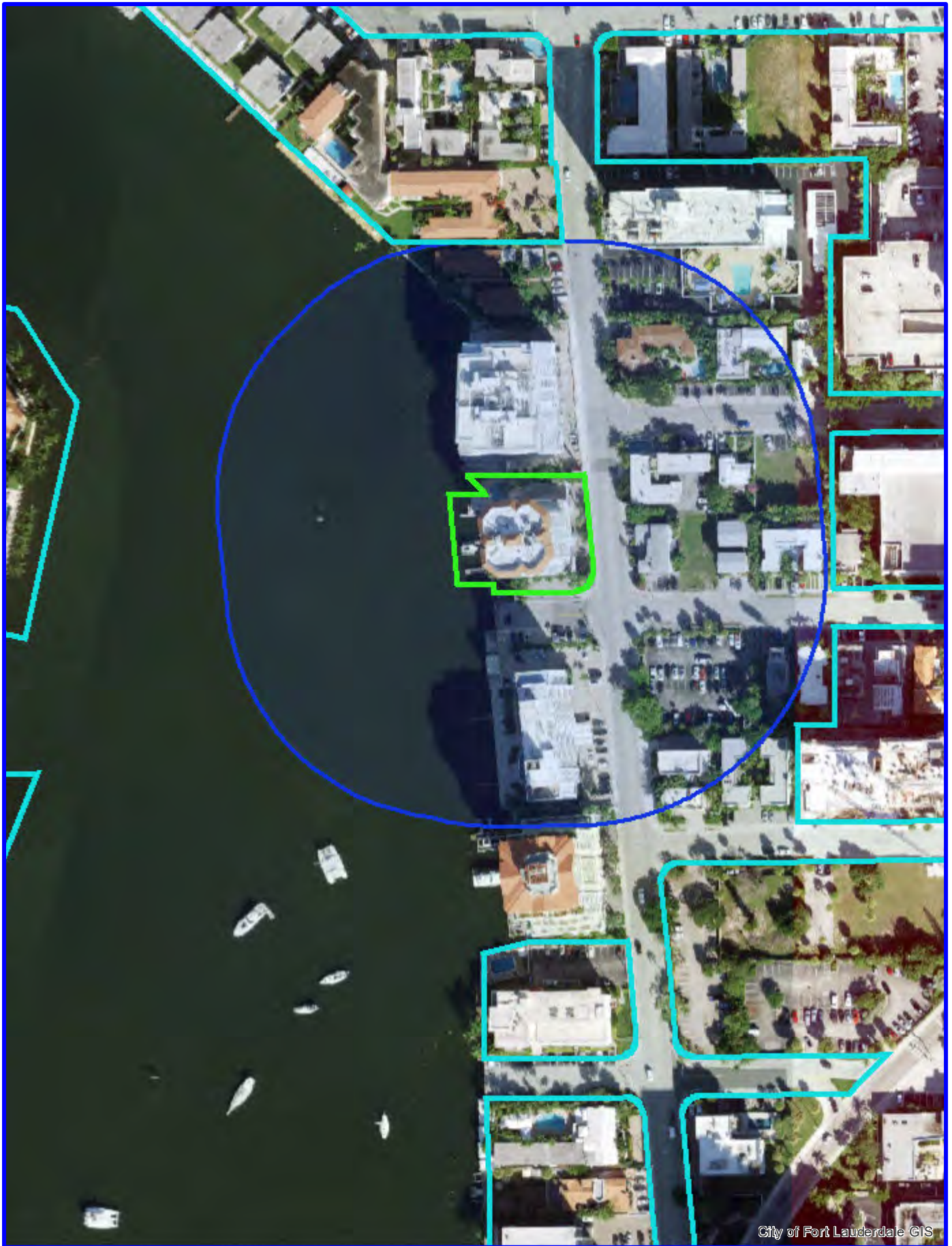
- B.M. = BENCHMARK
- B.C.R. = BROWARD COUNTY RECORDS
- C = CALCULATED MEASUREMENT
- CL = CENTERLINE
- C.B. = CHORD BEARING
- C.B.S. = CONCRETE BLOCK STRUCTURE
- C.L.F. = CHAIN LINK FENCE
- C.O. = CLEAN OUT
- CONC. = CONCRETE
- C.L.P. = CONCRETE LIGHT POLE
- D = DEED MEASUREMENT
- E.S. = ELECTRIC SERVICE
- ELEV. = ELEVATION
- F.P.L. = FLORIDA POWER & LIGHT
- G.A. = GUY ANCHOR
- L.P. = LIGHT POLE
- M = MEASURED
- M-D.C.R. = MIAMI-DADE COUNTY RECORDS
- M.H. = MANHOLE
- NAVD = NORTH AMERICAN VERTICAL DATUM
- NGVD = NATIONAL GEODETIC VERTICAL DATUM
- O.R.B. = OFFICIAL RECORDS BOOK
- P = PLAT MEASUREMENT
- P.B. = PLAT BOOK
- P.E. = POOL EQUIPMENT
- P.B.C.R. = PALM BEACH COUNTY RECORDS
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- TYP. = TYPICAL
- W.M. = WATER METER
- P.P. = POWER POLE
- A/C = AIR CONDITIONING UNIT
- o/s = OFFSET
- R/W = RIGHT-OF-WAY
- ♿ = HANDICAPPED PARKING
- ⚡ = FIRE HYDRANT
- ⚡ = UTILITY POLE
- = SPOT ELEVATION

LINE DATA:

L1: S89°02'35"W(D)	24.5'+/-(D)
L2: S01°31'25"W(D)	1.7'+/-(D)
L3: S49°08'15"E(D)	28.5'+/-(D)
L4: N89°02'35"E(D)	4.5'+/-(D)
L5: S89°02'35"W(D)	27.29'(D)
L6: S05°52'28"E(D)	25.09'(D)
L7: N01°31'25"E(C)	1.70'(C)

ENCROACHMENT NOTES:
 1) 6 FOOT C.B.S. WALL CROSSES OVER THE NORTHERLY PROPERTY LINE.
 2) RETAINING WALL CROSSES OVER THE WESTERLY PROJECTION OF THE NORTHERLY PROPERTY LINE.
 3) CONCRETE SIDEWALK CROSSES OVER THE SOUTHERLY PROPERTY LINE.

**EXHIBIT V
ZONING AERIAL**



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

301 N Birch Rd



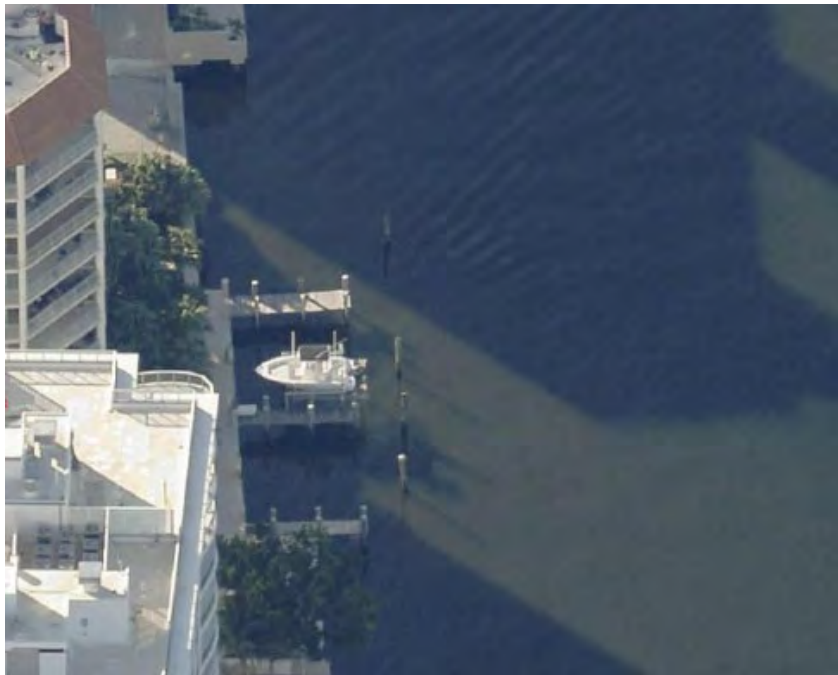
0 90 180 Feet

GIS
Fort Lauderdale

EXHIBIT VI SITE PHOTOGRAPHS



1. Southern portion of the subject site, facing north along the ICWW.



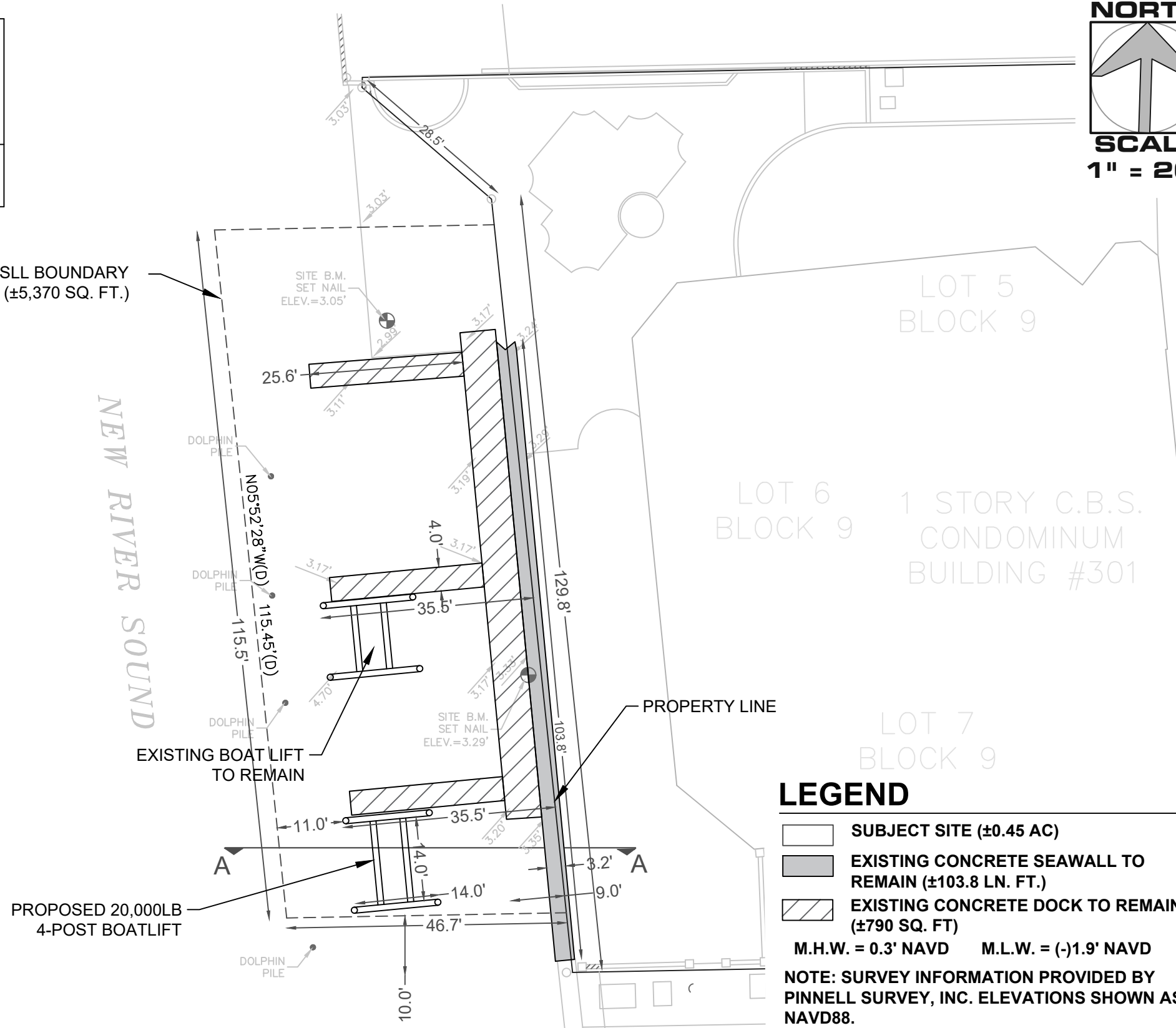
2. Northern portion of the subject site, facing south along the ICWW.

EXHIBIT VII PROJECT PLANS

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
BOATLIFT	35.5'	25'	10.5'



EXISTING SLL BOUNDARY
(±5,370 SQ. FT.)



LEGEND

- SUBJECT SITE (±0.45 AC)
- EXISTING CONCRETE SEAWALL TO REMAIN (±103.8 LN. FT.)
- EXISTING CONCRETE DOCK TO REMAIN (±790 SQ. FT)

M.H.W. = 0.3' NAVD M.L.W. = (-)1.9' NAVD

NOTE: SURVEY INFORMATION PROVIDED BY PINNELL SURVEY, INC. ELEVATIONS SHOWN AS NAVD88.

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THE Chappell GROUP INC.
 714 East McNab Road
 Pompano Beach, Florida 33060
 tel. 954.782.1908
 fax. 954.782.1108
www.thechappellgroup.com

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

301 N BIRCH RD

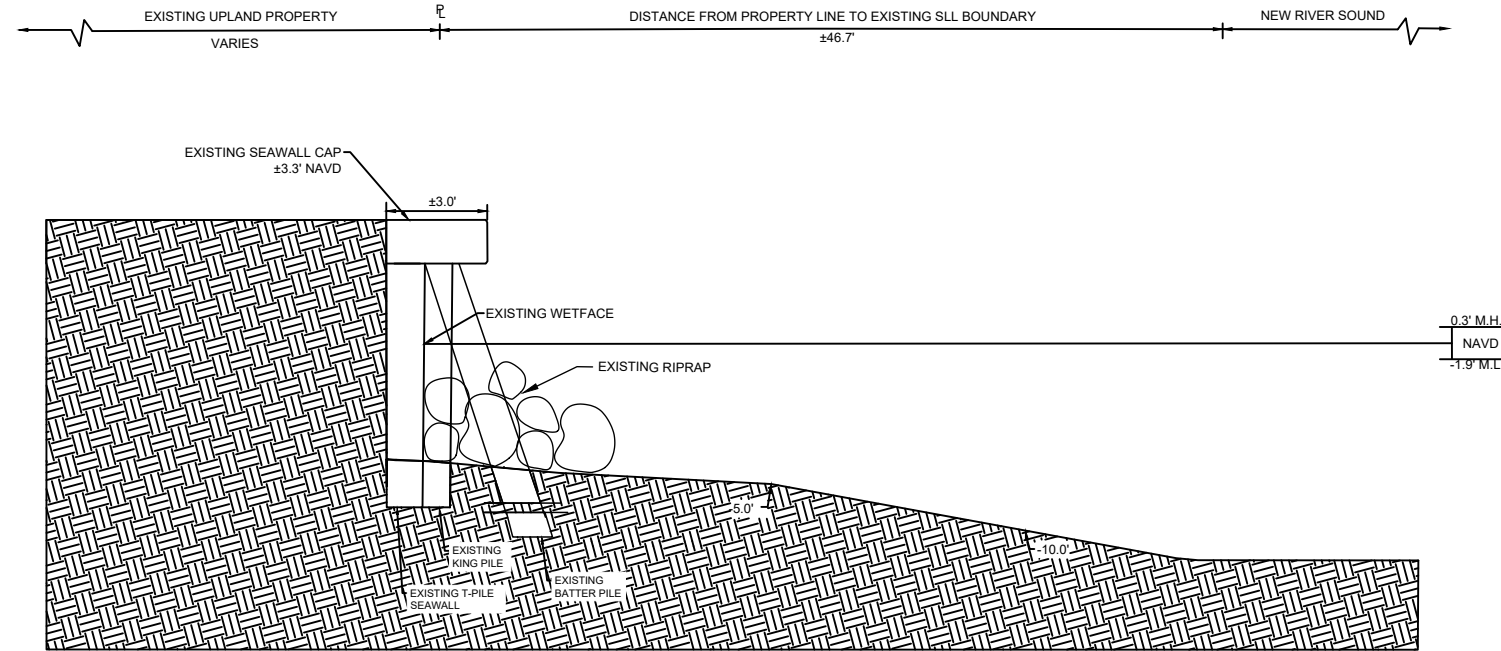
PREPARED FOR:
LIAM COAKLEY

PROPOSED CONDITIONS

Date: 12/18/2020	Sheet : 2	of : 4
Proj No.: 19-0058		

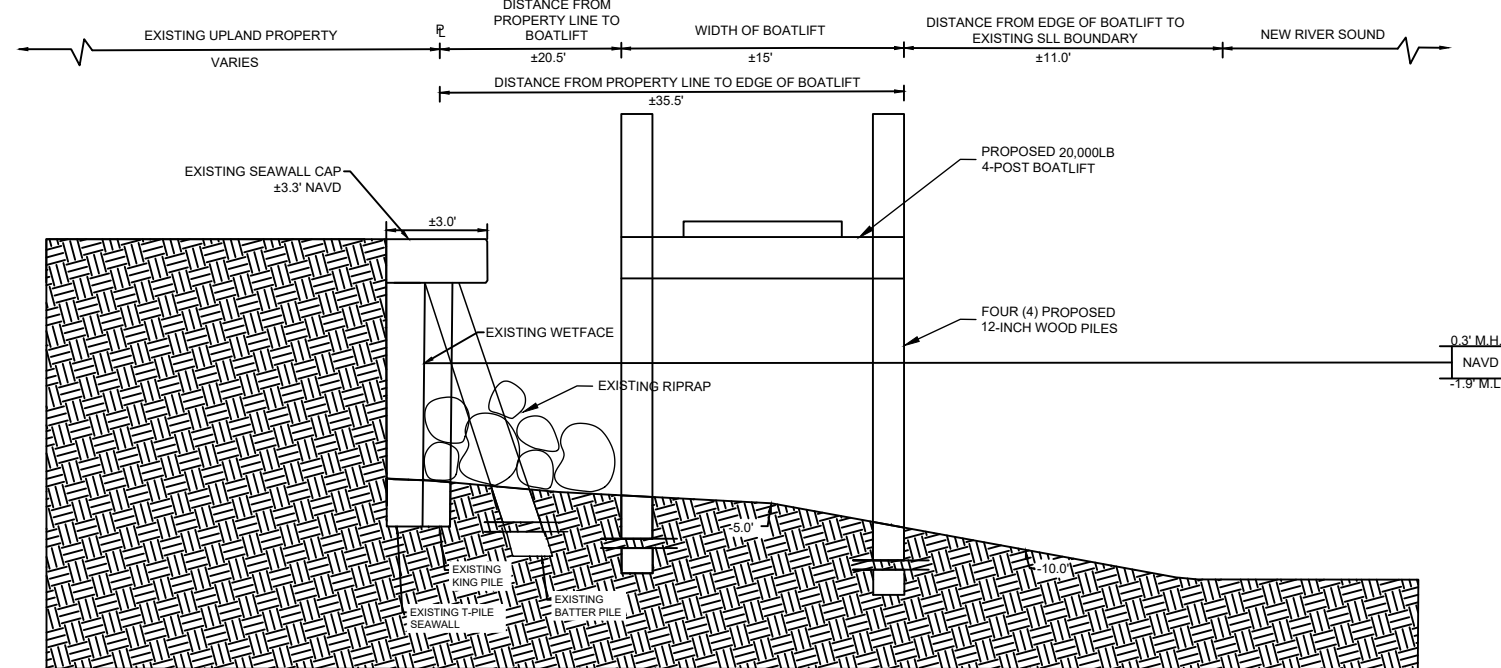
EXISTING CONDITIONS A-A (TYP.)

N.T.S.



PROPOSED CONDITIONS A-A (TYP.)

N.T.S.



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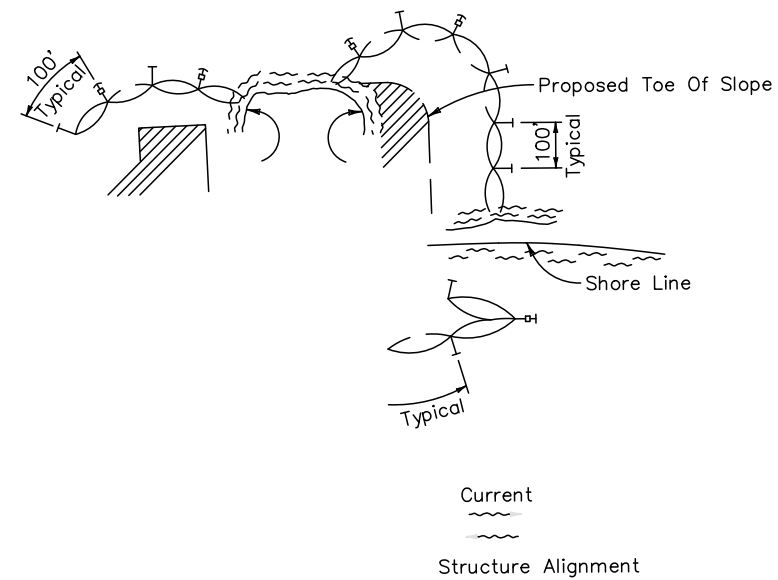
301 N BIRCH RD

PREPARED FOR:
LIAM COAKLEY

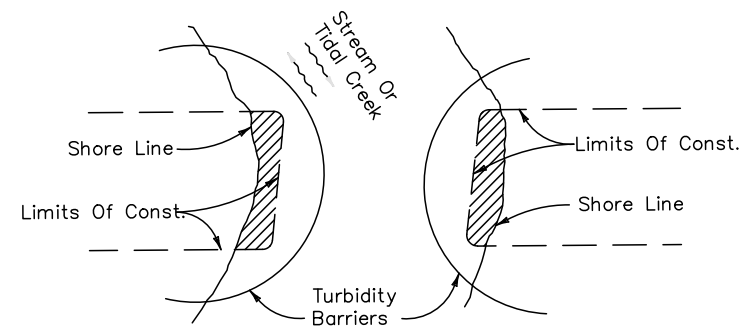
SECTIONS

Date: 12/18/2020	Sheet : 3	of : 4
Proj No.: 19-0058		

CONSTRUCTION BARGE (TYP.)



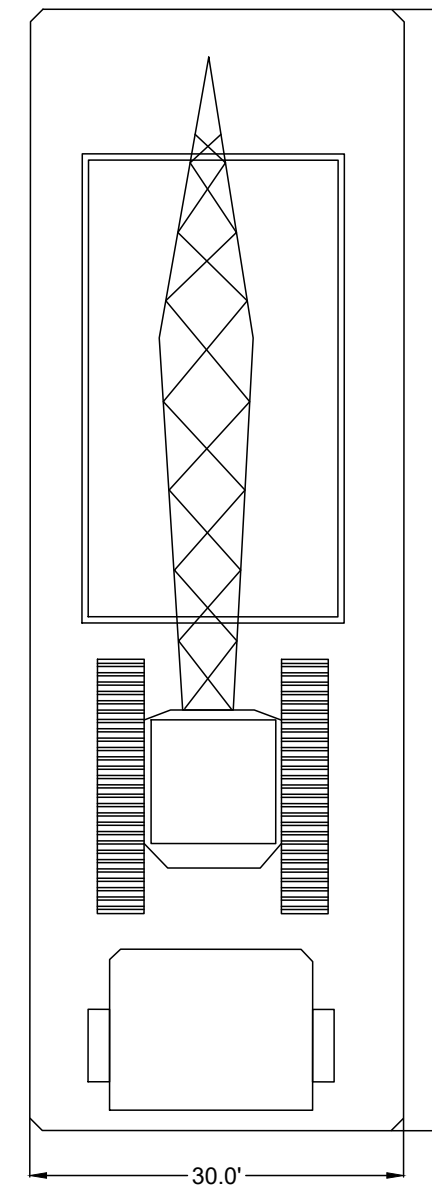
- LEGEND**
- Pile Locations
 - ▨ Dredge Or Fill Area
 - ⊕ Mooring Buoy w/Anchor
 - ⊖ Anchor
 - ⊖ Barrier Movement Due To Current Action



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

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

TURBIDITY BARRIER APPLICATIONS



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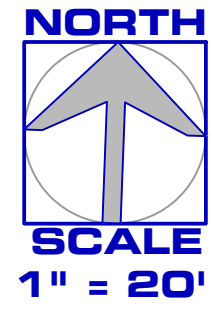
301 N BIRCH RD

PREPARED FOR:
LIAM COAKLEY

DETAILS

Date: 12/18/2020	Sheet : 4	of : 4	
Proj No.: 19-0058			

EXHIBIT VIII DISTANCE EXHIBIT



LEGEND

- SUBJECT SITE (±0.45 AC)
- EXISTING CONCRETE SEAWALL TO REMAIN (±103.8 LN. FT.)
- EXISTING CONCRETE DOCK TO REMAIN (±790 SQ. FT.)

M.H.W. = 0.3' NAVD M.L.W. = (-)1.9' NAVD
 NOTE: SURVEY INFORMATION PROVIDED BY PINNELL SURVEY, INC. ELEVATIONS SHOWN AS NAVD88.

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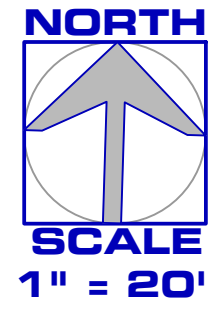
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- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys

301 N BIRCH RD

PREPARED FOR:
LIAM COAKLEY

DISTANCE AERIAL - EXISTING		
Date: 12/16/2020	Sheet : 1	of : 3
Proj No.: 19-0058		



LEGEND

- SUBJECT SITE (±0.45 AC)
- EXISTING CONCRETE SEAWALL TO REMAIN (±103.8 LN. FT.)
- EXISTING CONCRETE DOCK TO REMAIN (±790 SQ. FT)

M.H.W. = 0.3' NAVD M.L.W. = (-)1.9' NAVD

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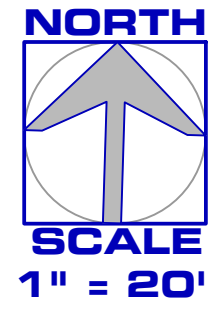
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301 N BIRCH RD

PREPARED FOR:
LIAM COAKLEY

DISTANCE AERIAL - PROPOSED		
Date: 12/16/2020	Sheet : 2	of : 3
Proj No.: 19-0058		



LEGEND

- SUBJECT SITE (±0.45 AC)
- EXISTING CONCRETE SEAWALL TO REMAIN (±103.8 LN. FT.)
- EXISTING CONCRETE DOCK TO REMAIN (±790 SQ. FT)

M.H.W. = 0.3' NAVD M.L.W. = (-)1.9' NAVD
 NOTE: SURVEY INFORMATION PROVIDED BY PINNELL SURVEY, INC. ELEVATIONS SHOWN AS NAVD88.

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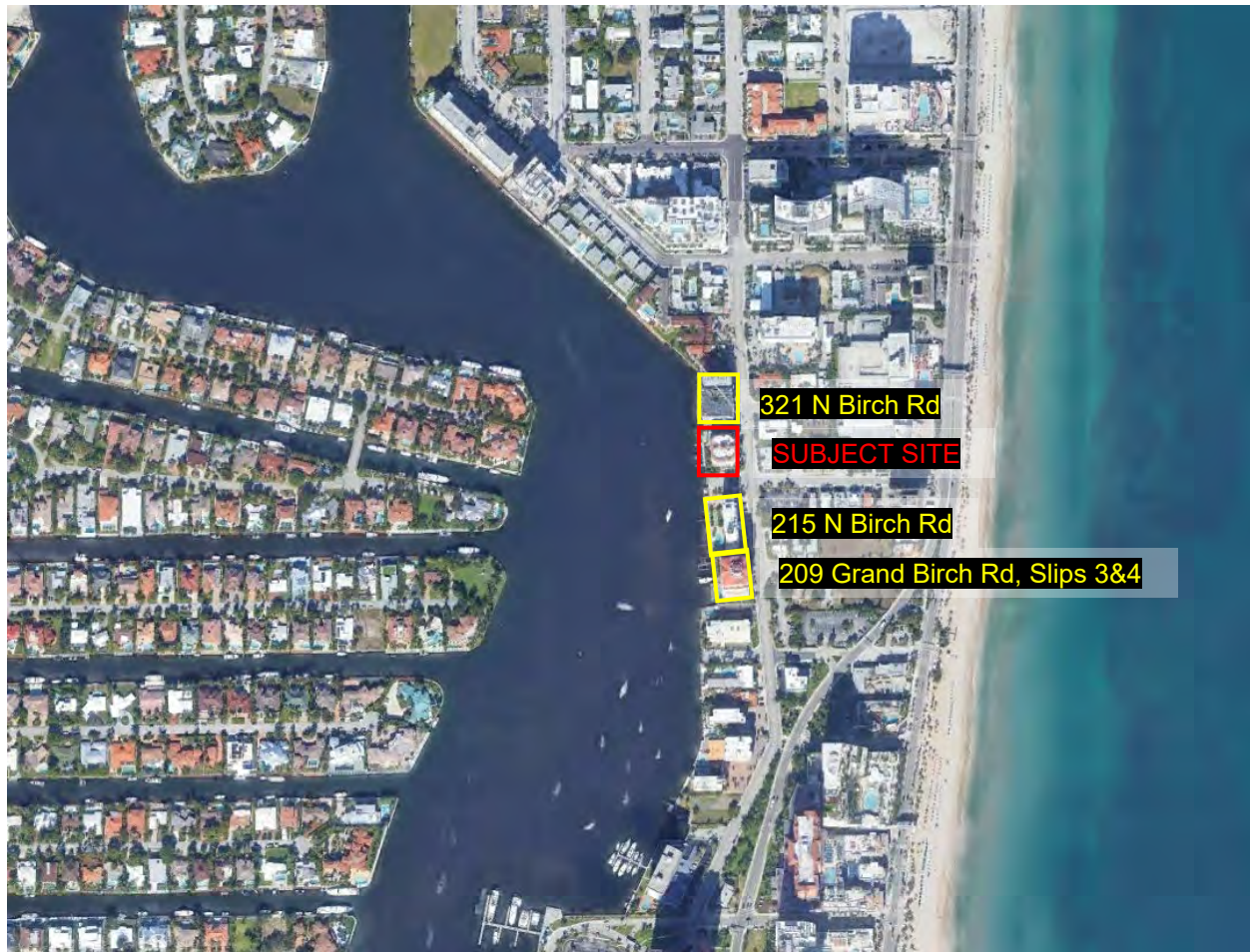
- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys

301 N BIRCH RD
 PREPARED FOR:
 LIAM COAKLEY

DISTANCE AERIAL - PROPOSED		
Date: 12/16/2020	Sheet : 3	of : 3
Proj No.: 19-0058		

EXHIBIT IX EXISTING WAIVERS IN THE VICINITY

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'