



**BOARD OF ADJUSTMENT MEETING NOTICE:**

JULY 20, 2021

A Public Hearing will be held before the Board of Adjustment on Wednesday, **August 11, 2021 at 6:00 P.M.**

This meeting will be held in the City Commission Chambers, City Hall, 1<sup>st</sup> Floor, 100 North Andrews Avenue, to determine whether the following application should be granted:

**CASE:** PLN-BOA-21070005  
**OWNER:** 1 HARBORAGE INVESTMENTS LLC  
**AGENT:** HOPE CALHOUN, ESQ., DUNAY, MISKEL & BACKMAN LLP  
**ADDRESS:** 1 HARBORAGE ISLE DR, FORT LAUDERDALE, FL 33316

**LEGAL DESCRIPTION:** 12-50-42 COMM AT NE COR GOV LOT 3 OF SEC 13-50-42, W 2.47, N 514.11, SWLY 413.89,NWLY 33.90 TO POB, CONT NWLY 110,NELY 206.09, SE 85.80 TO PT OF CUR,SLY ARC DIST 40.73,SW 203.69 TO POB, AS DESC IN OR 3895/204 AKA LOT 1 THE HARBORAGE

**ZONING:** RS-4.4

**COMMISSION DISTRICT:** 4

**REQUESTING:** **Sec. 47-5.30 Table of dimensional requirements for the RS-4.4 district. (Note A).**

- Requesting a variance to reduce the minimum corner yard setback from 25 feet to 10 feet. A total setback reduction of fifteen(15) feet.
- Requesting a variance to eliminate the requirement to increase the side yard setback by one(1) foot for every additional foot of building height above 22 feet, from thirteen(13) feet to ten(10) feet, a total reduction of three(3) feet, per the shaded area on plan sheet A4.

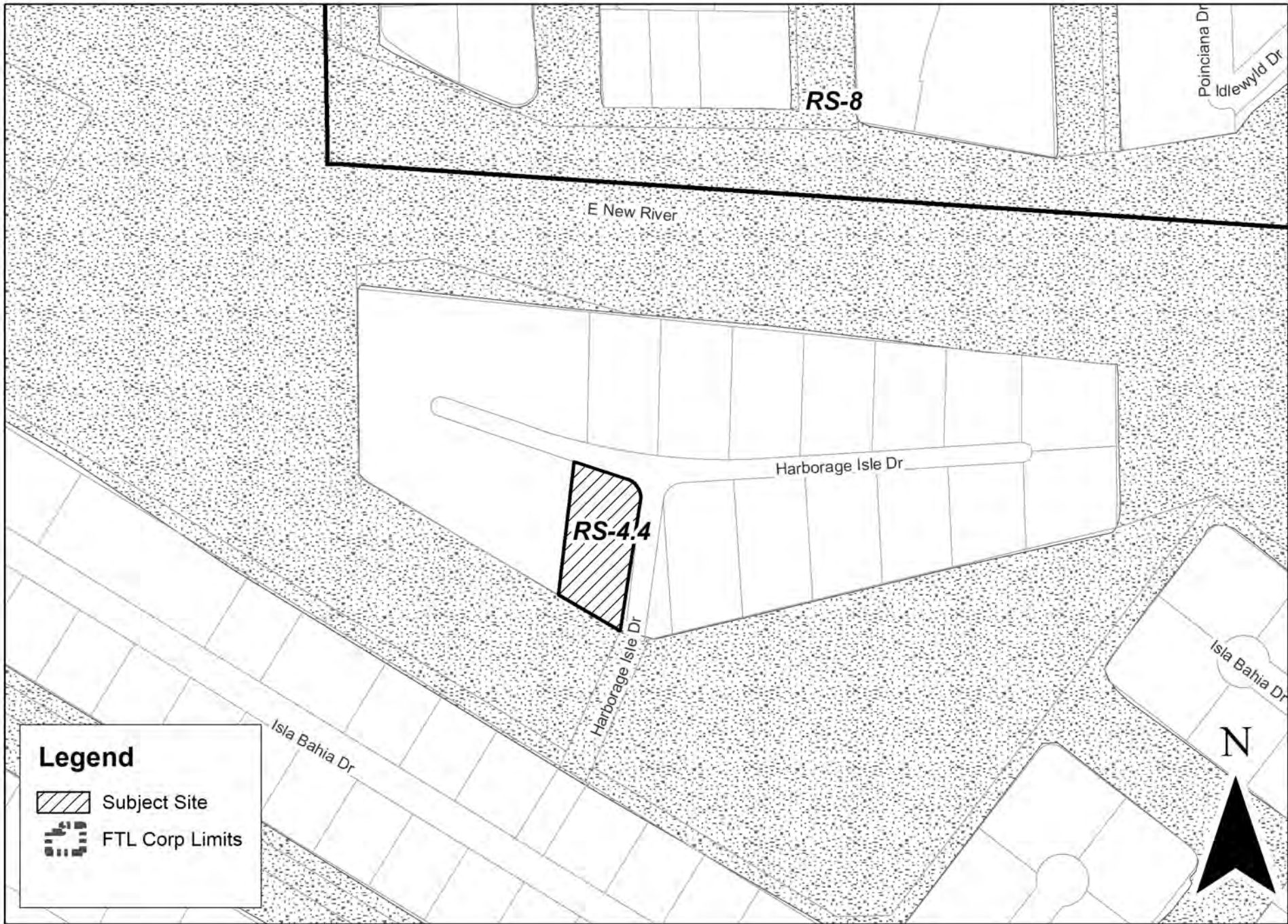
If you have any questions, please feel free to contact me directly at 954-828-6342.

**MOHAMMED MALIK**  
**ZONING ADMINISTRATOR**

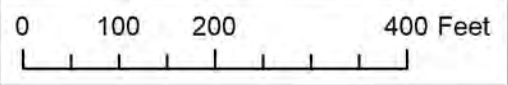
Florida Statutes, Sec. 286.0105

NOTE: If any person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.





# PLN-BOA-21070005



Graphic Scale



CITY OF FORT LAUDERDALE  
**PUBLIC NOTICE**

# BOARD OF ADJUSTMENTS MEETING

DATE: AUGUST 11, 2021

TIME: 6:00 PM

CASE: PLN-BOA-21070005

REQUESTING: Sec. 47-5.30 Table of dimensional requirements for the RS-4.4 district. (Note A).

- Requesting a variance to reduce the minimum corner yard setback from 25 feet to 10 feet. A total setback reduction of fifteen(15) feet.
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**LOCATION: CITY COMMISSION CHAMBERS  
CITY HALL, 100 N ANDREWS AVENUE**

**INFORMATION: Contact (954) 828-6506  
<http://www.fortlauderdale.gov>**

This Notice is the property of the City of Fort Lauderdale. In accordance with City Code Section 16-29, It shall be unlawful for any person to injure, cut, break or destroy in any manner any building or other thing belonging to or under the control of the City. Persons marring or removing the Notice may be subject to fine and/or imprisonment.

In accordance with City Code Section 47-27.2A. H The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearing by another body. The sign information shall be changed as provided in subsection A.3.a



**DATE: 08/11/2021**

**AGENDA ITEM: 5**

**CASE: 5**

**PLN-BOA-21070005**



# SUSTAINABLE DEVELOPMENT – URBAN DESIGN & PLANNING

## BOARD OF ADJUSTMENT (BOA) APPLICATION

Rev: 2 | Revision Date: 10/2/2020 | Print Date: 10/2/2020  
I.D. Number: Z&L-BOA

### BOARD OF ADJUSTMENT (BOA) Application

<b>Cover:</b>	Deadline, Notes, and Fees
<b>Page 1:</b>	Applicant Information Sheet
<b>Page 2:</b>	Variance Request Criteria
<b>Page 3:</b>	Required Documentation & Mail Notice Requirements
<b>Page 4:</b>	Sign Notice Requirements & Affidavit
<b>Page 5:</b>	Technical Specifications

**DEADLINE:** Submittals must be received prior to 4:00 PM each business day. Pursuant to Section 47-24.12, the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via e-mail, if plans do not meet the submittal requirements and if changes are required.

**NOTES:** Prior to formal submittal of applications, applicants are encouraged to schedule an appointment with Urban Design & Planning Division staff to obtain feedback regarding proposals. The meetings provide an opportunity for applicants to obtain feedback and general direction, prior to expending significant effort on preparation of submittal documents.

**FEES:** All applications for development permits are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit.

- Variance/Special Exception/Interpretation: Before \$2,200
- Variance/Special Exception/Interpretation: After \$2800
- Parking Variance (per space) \$2600
- Variance/Special Exception/Interpretation Before- Residential Homesteaded Only- Accessory Structures & Existing Non-Conforming Structures \$650
- Variance/Special Exception/Interpretation After- Residential Homesteaded Only- Accessory Structures & Existing Non-Conforming Structures \$850
- Request for Continuance \$900
- Rehearing before the Board \$1150
- Request for Rehearing \$300

## Page 1: BOA - Applicant Information Sheet

**INSTRUCTIONS:** The following information is requested pursuant to the City's Unified Land Development Regulations (ULDR). While the information requested in this application is the minimum required to proceed please be aware additional information may be required to fully address the variance requested. The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.

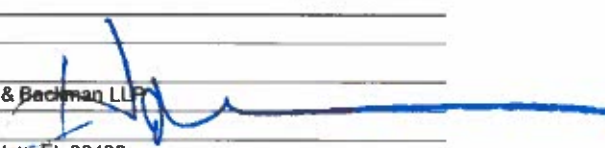
**NOTE:** To be filled out by Department

Case Number	
Date of complete submittal	

**NOTE:** For purpose of identification, the PROPERTY OWNER is the APPLICANT

Property Owner's Name	1 Harborage Investments LLC
Property Owner's Signature	If a signed agent letter is provided, no signature is required on the application by the owner
Address, City, State, Zip	5531 N. University Drive, Suite 103, Coral Springs, FL 33067
E-mail Address	Please contact agent.
Phone Number	Please contact agent.
Proof of Ownership	<input checked="" type="checkbox"/> Warranty Deed <input type="checkbox"/> or <input type="checkbox"/> Tax Record

**NOTE:** If AGENT is to represent OWNER, notarized letter of consent is required

Applicant / Agent's Name	Hope Calhoun, Esq., Dunay, Miskel & Backman LLP
Applicant / Agent's Signature	
Address, City, State, Zip	14 SE 4th Street, Suite 36, Boca Raton, FL 33432
E-mail Address	hcalhoun@dmbblaw.com
Phone Number	561-405-3324
Letter of Consent Submitted	Yes

Development / Project Name	One Harborage
Existing / New	<input type="checkbox"/> Existing <input type="checkbox"/> Single Family Residential <input checked="" type="checkbox"/> New <input type="checkbox"/> Single Family Residential
Project Address	Address: 1 Harborage Isle Drive, Fort Lauderdale, FL 33316
Legal Description	Please see attached.
Tax ID Folio Numbers (For all parcels in development)	504212290010
Request / Description of Project	Please see attached.
Applicable ULDR Sections	Sec 47-5.30

Current Land Use Designation	Low 4.4
Current Zoning Designation	RS-4.4
Current Use of Property	Single Family Residential
Site Adjacent to Waterway	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Setbacks (indicate direction N S E W)	Required	Proposed
Front [ N ]	25'	30'
Side [ E ]	25'	10'
Side [ W ]	13'	10'
Rear [ S ]	25'	25'

## Page 2: Board of Adjustment (BOA) Criteria for Variance Request

This page must be filled in. An attached narrative may be included if additional space is required.

**SPECIFIC REQUEST:** State the specific request according to the ULDR or other provisions of the Code.

**CRITERIA:** Applicant must demonstrate a unique hardship attributable to the land by proving by a preponderance of the evidence for all of the following criteria. Please answer the following criteria completely. While some criteria may seem duplicative the response should be tailored specifically to each. Per section 47-24.12.A.4,

- a. Special conditions and circumstances affect the property at issue which prevent the reasonable use of such property; and
- b. Circumstances which cause the special conditions are peculiar to the property at issue, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district; and
- c. Literal application of the provisions of the ULDR would deprive the applicant of a substantial property right that is enjoyed by other property owners in the same zoning district. (It shall be of no importance to this criterion that a denial of the variance sought might deny to the owner a more profitable use of the property, provided the provisions of the ULDR still allow a reasonable use of the property; and
- d. The unique hardship is not self-created by the applicant or his predecessors, nor is it the result of mere disregard for, or ignorance of, the provisions of the ULDR or antecedent zoning regulations; and
- e. The variance is the minimum variance that will make possible a reasonable use of the property and that the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or the surrounding neighborhood or otherwise detrimental to the public welfare.

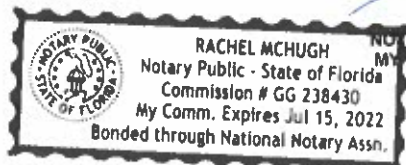
**AFFIDAVIT:** I, Hope W. Calhoun, ESQ. the Owner/Agent of said property ATTEST that I am aware of the following:

1. In order to be entitled to the relief requested in the application an affirmative vote of a majority plus one of the Board of Adjustment is required;
2. That in granting the relief requested, the Board of Adjustment is limited to the authority vested in the Board by the ULDR and that the Board may not grant the relief requested unless the applicant proves all the criteria specified in the ULDR have been met;
3. That the granting of relief by the Board does not exempt the applicant or owner of record from the responsibilities of obtaining all applicable permits or approvals as may be required by law for both new and existing structures;
4. That if the relief requested is granted by the Board, the applicant must secure a building permit to implement the relief requested within one hundred eighty (180) days of the entry of the final order or the Board, or within such lesser time as the Board may proscribe and that failure to procure the necessary permits within the time so proscribed shall render the variance or special exception null and void;
5. That if the Board denies the request for relief, then no additional application for the same or substantially the same relief may be entertained by the Board within two (2) years of the date of entry of the final order of denial.

(Signature)

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 12 day of July, 2021

(SEAL)



NOTARY PUBLIC  
MY COMMISSION EXPIRES:

### Page 3: Required Documentation & Mail Notice Requirements

One (1) original set, signed and sealed, with plans at 24" x 36"

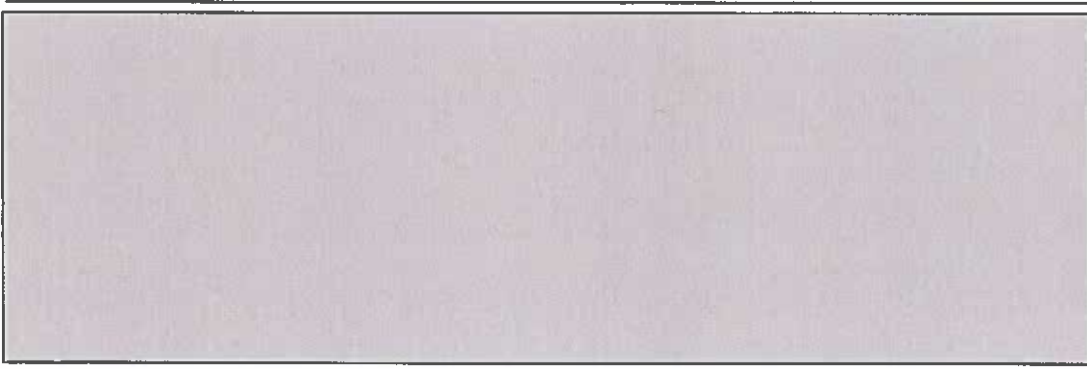
One (1) electronic version (CD or USB) of complete application and plans in PDF format

Fourteen (14) copy sets of each item below and plans at half-size scale 11" x 17"

- Completed application (all pages must be filled out where applicable)
- Mail notification documents (mail notification instructions at bottom of page)
- Proof of ownership (warranty deed or tax record), including corporation documents if applicable
- Property owners notarized signature and/or notarized agent letter signed by the property owner (if applicable).
- Color photographs of the entire property and all surrounding properties, dated and labeled and identified as to orientation.
- Narrative describing specific request and outlining ULDR sections that are applicable. Narratives must be on letterhead, dated, and with author indicated.
- Cover sheet on plan set to state project name and table of contents.
- Current survey(s) of property, signed and sealed, showing existing conditions; survey must be As-Built with Right-of-Way and Easement Vacations Excluded. The survey should consist of the proposed project site alone. Do not include adjacent properties or portions of lands not included in the proposed project unless specifically requested by the City. If the survey is not signed and sealed, a zoning affidavit is required and shall only be used for the structures listed in the affidavit.
- Aerial photo indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.
- Site Plan (a survey may be substituted if the requested variance is clearly indicated)
- Landscape Plan (if applicable)
- Elevations (if applicable)
- Additional plan details as needed

Note: All copy sets must be clear and legible.

Note: Plans must be folded to 8 1/2" x 11". All non-plan documents should be 8 1/2" x 11".



**MAIL NOTIFICATION:** Pursuant to Section 47-27.2 Types of Public Notice and 47-27.9 Variance, Special Exception, Temporary Non-Conforming Use, Interpretation requires the following notice:

- **MAIL NOTICE:** Mail notice shall be given to owners of land within three hundred (300) feet of the subject site ten (10) days prior to the date set for the public hearing.
  - **TAX MAP:** Applicant shall provide a tax map from the Broward County Property Appraiser of all property within a three hundred (300) foot radius, with each property clearly shown and delineated. Each property within the notice area must be numbered (by Folio ID) on the map to cross-reference with property owners notice list.
  - **PROPERTY OWNERS NOTICE LIST:** Applicant shall provide a property owners notice list with the names, property control numbers (Folio ID) and complete addresses for all property owners within the required three hundred (300) foot radius. The list shall also include all homeowners associations, condominium associations, municipalities and counties noticed, as indicated on the tax roll.
  - **ENVELOPES:** The applicant shall provide business size (#10) envelopes with first class postage attached (stamps only, metered mail will not be accepted). Envelopes must be addressed to all property owners within the required three hundred (300) foot radius, and mailing addresses must be typed or labeled; no handwritten addresses will be accepted. The return address shall be listed on all envelopes as follows:

City of Fort Lauderdale  
Urban Design & Development -BOA  
700 NW 19<sup>th</sup> Avenue, Fort Lauderdale, FL 33311.

- **DISTRIBUTION:** The City of Fort Lauderdale, Urban Design & Development will mail all notices prior to the public hearing meeting date, as outlined in Section 47-27.

## Page 4: Sign Notification Requirements and Affidavit

### SIGN NOTICE

Applicant must **POST SIGNS** (for Board of Adjustment) according to Sec. 47-27.2 Types of Public Notice and 47-27.9 Variance, Special Exception, Temporary Non-Conforming Use, Interpretation requires the following notice:

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time and place shall be stated on the sign or changed as applicable.
- The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
- The sign shall be visible from adjacent rights-of-way, including waterways, but excepting alleys.
- If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
- If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
- If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
- The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
- The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

### AFFIDAVIT OF POSTING SIGNS

STATE OF FLORIDA

BROWARD COUNTY

BOA CASE NO. \_\_\_\_\_

APPLICANT: \_\_\_\_\_

PROPERTY: \_\_\_\_\_

PUBLIC HEARING DATE: \_\_\_\_\_

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_, who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above cited City of Fort Lauderdale Board or Commission Case.
2. The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the Board or Commission.
3. That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least fifteen (15) days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.
4. Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the Board or Commission. Should the application be continued, deferred or re-heard, the sign shall be amended to reflect the new dates.
5. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Development five (5) calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
6. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefore.

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.2.] of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit \_\_\_\_\_ (Initial here)

\_\_\_\_\_  
Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

(SEAL)

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:

## Page 5: Technical Specifications

### A. SITE PLAN

1. Title Block including project name and design professional's address and phone number
2. Scale (1" = 30' min., must be engineer's scale)
3. North indicator
4. Location map showing relationship to major arterials
5. Drawing and revision dates, as applicable
6. Full legal description
7. Site Plan Data Table
  - Current use of property
  - Land Use designation
  - Zoning designation
  - Site area (sq. ft. and acres)
  - Setback table (required vs. provided)
  - Open space
8. Site Plan Features (graphically indicated)
  - Setbacks and building separations (dimensioned)
  - Project signage (if applicable)
  - Easements (as applicable)

(Please note additional site plan information may be necessary to fully address the requested variance)

### B. BUILDING ELEVATIONS (as applicable)

1. All building facades with directional labels (ie. North, South) and building names if more than one building
2. Dimensions, including height and width of all structures
3. Dimensions of setbacks and required setbacks from property lines
4. Dimension grade at crown of road, at curb, sidewalk, building entrance, and finished floor
5. Include proposed signage

1 Harborage Investments, LLC  
5531 N. University Drive, Suite 103  
Coral Springs, FL 33067

**Authorization and Letter of Representation**

1 Harborage Investments, LLC, hereby authorizes Hope W. Calhoun, Esq., and/or the law firm of DUNAY, MISKEL AND BACKMAN, LLP, to represent 1 Harborage Investments, LLC, before all officials, bodies, instrumentalities and at any meetings and public hearings necessary in connection with their matters with the City of Fort Lauderdale, Florida.

1 Harborage Investments, LLC

By:



\_\_\_\_\_  
Name and Title of Person Signing



## **Variance Justification Statement**

### **1 Harborage Isle Drive**

1 Harborage Investments LLC (“Applicant”) is the Owner of the +/- 0.60-acre property located at 1 Harborage Isle Drive (“Property”) (Folio: 504212290010) which is generally located on the southwest corner of Harborage Isle and Harborage Isle Drive in the City of Fort Lauderdale (“City”). The Property has a future land use designation of Low 4.4 and a zoning designation of RS-4.4, Residential Single Family/Low Density District. The Property is located in a neighborhood that is uniquely situated on an island, with only fifteen (15) residential lots. The neighborhood is ultra-exclusive and developed with large, high-value residences. The Property is currently developed with a one-story, single-family residential home. Applicant is proposing to demolish the existing structure and replace it with a new +/-11,858 square foot, single-family residential home (“Project”). Applicant has created a modern and architecturally innovative design for the Property in conformity with the neighborhood aesthetic. In order to execute the design plans, Applicant is seeking the following variances:

*Variance from Section 47-5.30 to reduce the minimum corner yard setback from 25 feet to 10 feet.*

*Variance from Section 47-5.30 to eliminate requirement to increase side yard setback by (1) additional foot per foot of building height above 22 feet, to reduce the required side yard setback from 13 feet to 10 feet.*

Section 47-5.30 of the City’s Unified Land Development Code (“Code”) provides the table of dimensional requirements for the RS-4.4 District. The table provides that the minimum corner yard setback is 25 feet when abutting a waterway. A corner yard is defined as a side yard abutting on a street or waterway. The Property is a corner lot bordered by Harborage Isle Drive to the north and east, as well as the intercoastal to the south. As such, Applicant is seeking relief from the corner yard setback requirement in order to provide a setback of 10 feet on the east side of the Property. Additionally, Section 47-5.30 provides that where a building exceeds 22 feet in height, that portion of the building shall be setback an additional 1 foot per foot of building height above 22 feet. The proposed height of the structure is 25 feet, which would require an additional setback of 3 feet. Applicant is seeking relief from this Code section in order to provide a setback of 10 feet on the west side of the Property. Applicant has reviewed the proposed site plans with the Harborage Homeowner’s Association (“HOA”) and has obtained approval from the HOA in relation to the proposed setbacks. Please find a copy of the HOA approval email attached hereto.

In accordance with the above outlined requests, Applicant will demonstrate that each variance request meets the following criteria enumerated in Section 47-24.12 (A)(4): (1) That special conditions and circumstances affect the property at issue which prevent the reasonable use of such property; and (2) that the circumstances which cause the special conditions are peculiar to the property at issue, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district; and (3) that the literal application of the provisions of the ULDR would deprive the

Applicant of a substantial property right that is enjoyed by other property owners in the same zoning district. It shall be of no importance to this criterion that a denial of the variance sought might deny to the owner a more profitable use of the property, provided the provisions of the ULDR still allow a reasonable use of the property; and (4) that the unique hardship is not self-created by the Applicant or his predecessors, nor is it the result of mere disregard for, or ignorance of, the provisions of the ULDR or antecedent zoning regulations; and (5) that the variance is the minimum variance that will make possible a reasonable use of the property and that the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or the surrounding neighborhood or otherwise detrimental to the public welfare.

Variance from Section 47-5.30 to reduce the minimum corner yard setback from 25 feet to 10 feet.

**1. That special conditions and circumstances affect the Property at issue which prevent the reasonable use of such Property.**

Special conditions and circumstances affect the Property at issue which prevent the reasonable use of such Property. As mentioned, the Property is a corner lot, bordered by Harborage Isle Drive to the north and east, as well as the intercoastal to the south. The Property is long and narrow, which significantly constrains the development of the site. As depicted on the site plan, if the Applicant provides the corner yard setback as required, the reasonable use of the Property would be greatly impacted. The exclusive character of this particular neighborhood has perpetuated a demand for homes with expansive floor areas and innovative design features. Applicant is seeking variance approval in order to develop the best and most desirable structure in conformity with the neighborhood aesthetic. Additionally, as shown on the survey attached, the setbacks for the existing home are consistent with this variance request. The setback on the east side of the home is +/- 10.4 feet, while the setback on the west side of the street is just under 10 feet, measuring at +/- 9.9 feet. The Harborage Association has reviewed the proposed plans for the site and has expressed their support of the Project as designed. Considering the foregoing, special conditions and circumstances affect the Property at issue which prevent the reasonable use of such Property. Doesn't the existing house (shown on the old survey) exist under the same setback conditions?

**2. That the circumstances which cause the special conditions are peculiar to the Property at issue, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district.**

The circumstances which caused the special conditions are peculiar to the Property at issue, or to such small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district. As mentioned, this Property is unique because it is a corner lot and one (1) of only fifteen (15) residential lots in the neighborhood. The orientation of the lots has resulted in only two (2) corner lots with side yards abutting a street. Neither of the homes on these corner lots currently appear to comply with the 25-foot corner yard setback requirement, including the existing home on the Property. Furthermore, because the east side of the Property is adjacent to a street, the reduced setback will not impact the property of any of the neighboring homeowners. The reduced setback will situate the home closer to the street,

rather than to a neighboring home. As such, the circumstances which caused the special conditions are peculiar to the Property and such a small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district.

- 3. That the literal application of the provisions of the ULDR would deprive the Applicant of a substantial property right that is enjoyed by other property owners in the same zoning district. It shall be of no importance to this criterion that a denial of the variance sought might deny to the owner a more profitable use of the property, provided the provisions of the ULDR still allow a reasonable use of the Property.**

The literal application of the provisions of the ULDR would deprive the Applicant of a substantial property right that is enjoyed by other property owners in the same zoning district. Due to the proximity to the ocean, many surrounding homes in this zoning district cover a large percentage of lot area and appear to have greatly reduced side setbacks. In some cases, homes in this zoning district appear to be constructed at or very close to the property line. In this case, Applicant is proposing to provide a corner yard setback of 10 feet in lieu of the required 25 feet. Considering the foregoing, the literal application of the provision of the ULDR would deprive the Applicant of a substantial property right that is enjoyed by other property owners in the same zoning district.

- 4. That the unique hardship is not self-created by the Applicant or his predecessors, nor is it the result of mere disregard for, or ignorance of, the provisions of the ULDR or antecedent zoning regulations.**

The unique hardship is not self-created by the Applicant or his predecessors, nor is it the result of mere disregard for, or ignorance of, the provisions of the ULDR or antecedent zoning regulations. As previously mentioned, the Property is long and narrow, which significantly constrains the development of the site. The previous developer was able to compensate for the narrow width of the Property by utilizing minimal side setbacks as shown on the attached survey. As such, the unique hardship is not self-created by the Applicant or his predecessors, nor is it the result of mere disregard for, or ignorance of the provisions of the ULDC. Applicant is proposing to provide a corner yard setback of 10 feet in order to develop the Property in a manner consistent with the neighborhood development pattern.

- 5. That the variance is the minimum variance that will make possible a reasonable use of the Property and that the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or the surrounding neighborhood or otherwise detrimental to the public welfare.**

The variance is the minimum variance that will make possible a reasonable use of the Property and the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or surrounding neighborhood or otherwise detrimental to the public welfare. Considering the narrow width of the Property, the 10-foot setback will allow the Applicant to make reasonable use of the Property. The variance is in harmony with the general purpose and intent of the ULDR because the Applicant is proposing

to provide a 10-foot corner yard setback, which is adequate considering the circumstances peculiar to the Property. The Property is adjacent to Harborage Isle Drive, which serves as the entrance to the neighborhood. As mentioned, the neighborhood is comprised of only fifteen (15) residential lots. Due to the size of the neighborhood, the volume of traffic on this road is minimal compared to other larger and more dense neighborhoods. As such, the proposed 10-foot corner yard setback is appropriate for this particular Property as opposed to corner lot located in a more dense neighborhood in this zoning district. The proposed ten (10) foot corner yard setback will provide adequate space between the building and Harborage Isle Drive in compliance with the intent of the Code.

Additionally, the use as varied will not be incompatible with adjoining properties or the surrounding neighborhood. As mentioned, there is no adjoining property owner located to the east of the Property. As such, the variance will not be incompatible with the adjoining properties. Furthermore, the Harborage Association has reviewed and approved the proposed plans, including the 10-foot setback. Considering the foregoing, the variance is the minimum variance that will make possible a reasonable use of the Property and the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or surrounding neighborhood or otherwise detrimental to the public welfare.

Variance from Section 47-5.30 to eliminate requirement to increase side yard setback by (1) additional foot per foot of building height above 22 feet, to reduce the required side yard setback from 13 feet to 10 feet.

**1. That special conditions and circumstances affect the Property at issue which prevent the reasonable use of such Property.**

Special conditions and circumstances affect the Property at issue which prevent the reasonable use of such Property. As mentioned, the Property is a corner lot, bordered by Harborage Isle Drive to the north and east, as well as the intercoastal to the south. The Property is long and narrow, which significantly constrains the development of the site. The proposed height of the project is 25 feet. Per Section 47-5.30, where a building exceeds 22 feet in height, that portion of the building shall be setback an addition 1 foot per foot of building height above 22 feet. This Code section would require an additional side setback of 3 feet. Given the narrow width of this Property and fact that it is located on a corner lot, any additional loss of space would render the lot undevelopable. Special consideration must be given to the nature of the neighborhood, which features large homes with expansive floor areas. The Applicant intends to develop the lot with an architecturally modern design that will compliment the design and scale of the existing homes in the neighborhood. As such, special conditions and circumstances affect the Property at issue which prevent the reasonable use of such Property.

**2. That the circumstances which cause the special conditions are peculiar to the Property at issue, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district.**

The circumstances which caused the special conditions are peculiar to the Property at issue, or to such small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district. As mentioned, this Property is unique because it is a corner lot and one (1) of only fifteen (15) residential lots in the neighborhood. The Harborage Association has reviewed the proposed plans for the site and has expressed their support of the project as designed. The support of the Project includes that of the neighboring property owner to the west, who would be most immediately affected by this variance request. As such, the circumstances which caused the special conditions are peculiar to the Property and such a small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district.

- 3. That the literal application of the provisions of the ULDR would deprive the Applicant of a substantial property right that is enjoyed by other property owners in the same zoning district. It shall be of no importance to this criterion that a denial of the variance sought might deny to the owner a more profitable use of the Property, provided the provisions of the ULDR still allow a reasonable use of the Property.**

The literal application of the provisions of the ULDR would deprive the Applicant of a substantial property right that is enjoyed by other property owners in the same zoning district. Due to the proximity to the ocean, many surrounding homes in this zoning district cover a large percentage of lot area and appear to have greatly reduced side setbacks. In some cases, homes in this zoning district appear to be constructed at or very close to the property line. In this case, Applicant is proposing to provide a side yard setback of 10 feet in lieu of the required 13 feet due to the height of the building. Considering the foregoing, the literal application of the provision of the ULDR would deprive the Applicant of a substantial property right that is enjoyed by other property owners in the same zoning district.

- 4. That the unique hardship is not self-created by the Applicant or his predecessors, nor is it the result of mere disregard for, or ignorance of, the provisions of the ULDR or antecedent zoning regulations.**

The unique hardship is not self-created by the Applicant or his predecessors, nor is it the result of mere disregard for, or ignorance of, the provisions of the ULDR or antecedent zoning regulations. As previously mentioned, the Property is a corner lot that is long and narrow, which significantly constrains the development of the site. Applicant is proposing to provide the 10-foot side setback as required by the Code for buildings up to 22 feet. However, Applicant is seeking relief from the additional height requirement, so that the additional 3 feet will not be required. Additionally, because the Property is uniquely located on a corner lot, only one neighbor will be impacted by the reduced setback. This particular neighbor has expressed support of the Project as designed. The increased height of the building will facilitate the architectural design of the home. Many design elements including the building's façade and structural design depend on the height of the structure. Applicant intends to contribute to the landscape of the neighborhood by developing the Property in the manner most suitable for the orientation and composition of the lot. Considering the foregoing, the unique hardship is not self-created by the Applicant or his

predecessors, nor is it the result of mere disregard for, or ignorance of, the provisions of the ULDR. Should we mention that only one neighbor is impacted by the setback encroachment, because there is no neighbor on the street side?

- 5. That the variance is the minimum variance that will make possible a reasonable use of the Property and that the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or the surrounding neighborhood or otherwise detrimental to the public welfare.**

The variance is the minimum variance that will make possible a reasonable use of the Property and that the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or the surrounding neighborhood or otherwise detrimental to the public. Applicant is requesting a 3-foot variance to reduce the required side setback from 13 feet to 10 feet. The 3-foot variance is the minimum variance that will make possible the reasonable use of the Property due to the narrow width of the Property. The 10-foot side setback will not be incompatible with adjoining properties because 10 feet is the minimum side setback required for buildings up to 22 feet. Furthermore, the variance will not have any physical impacts on the surrounding properties. As mentioned, The Harborage Association has reviewed the proposed plans for the site and has expressed their support of the project as designed. The support of the Project includes that of the neighboring property owner to the west, who would be most immediately affected by this variance request. Considering the foregoing, the variance is the minimum variance that will make possible a reasonable use of the Property and the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or surrounding neighborhood or otherwise detrimental to the public welfare.

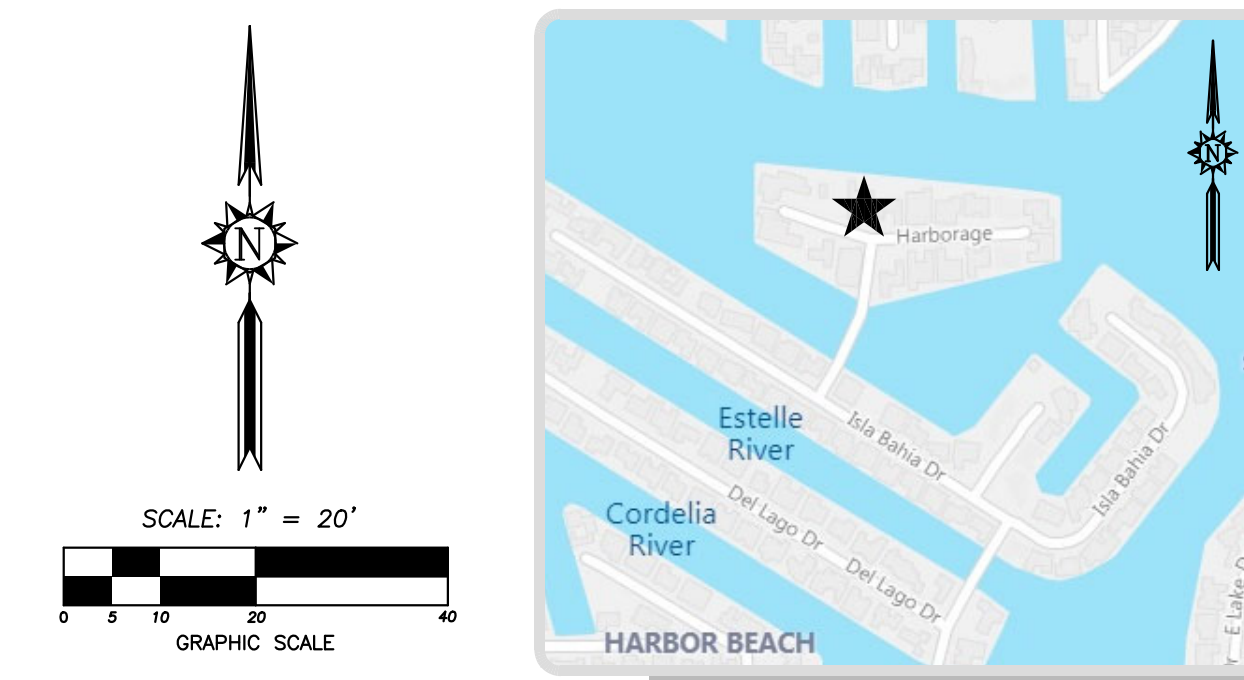
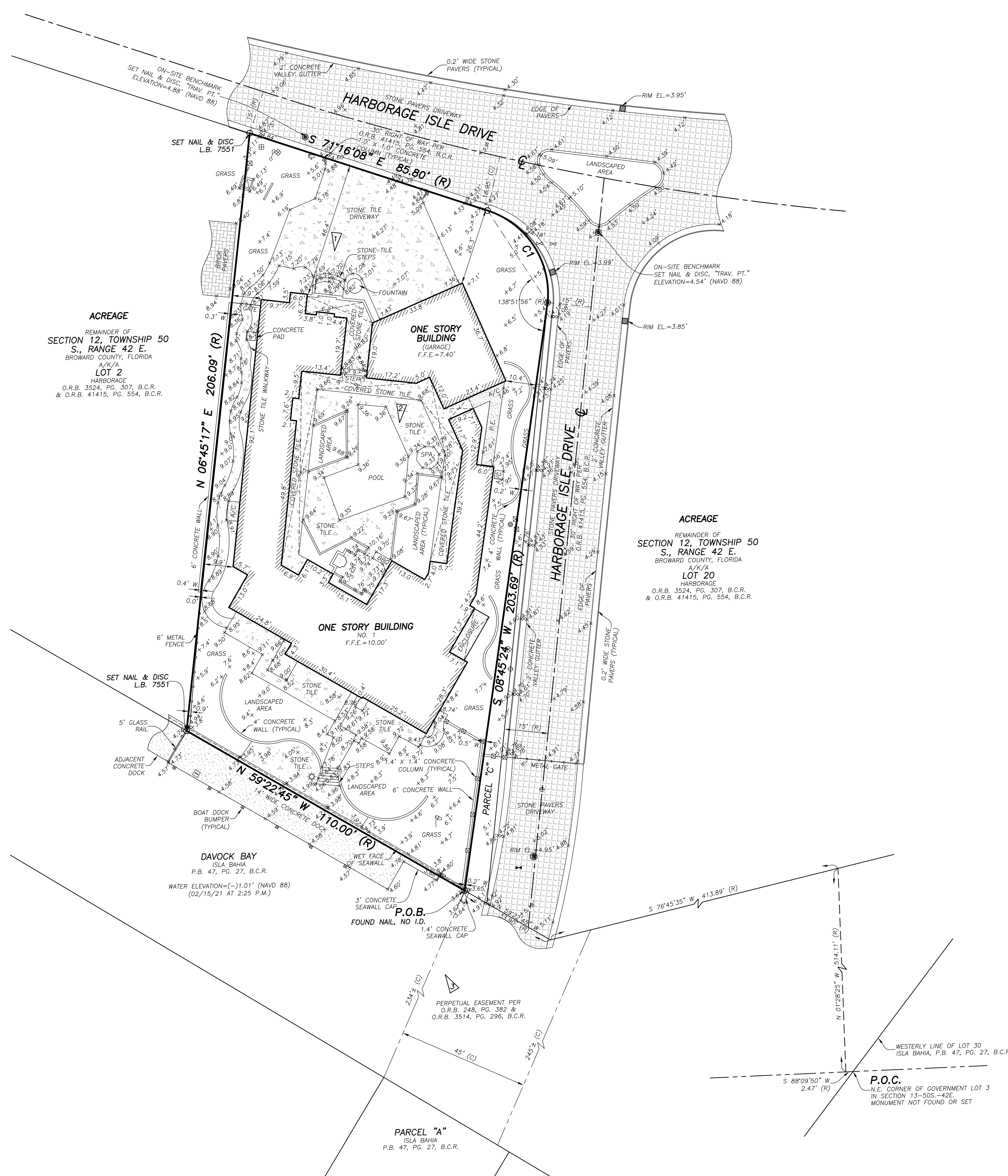
Accordingly, for the reasons stated above, the Applicant respectfully requests approval of the above-discussed variance requests from the Code.

# SKETCH OF BOUNDARY AND TOPOGRAPHIC SURVEY OF: 1 HARBORAGE ISLE DRIVE, FORT LAUDERDALE, FL.

- LEGEND:**
- B.C.R. .... BROWARD COUNTY RECORDS
  - L.B. .... LICENSED BUSINESS
  - P.B. .... PLAT BOOK
  - C1 .... CURVE No. 1 (SEE CURVE TABLE)
  - PG. .... PAGE
  - ID. .... IDENTIFICATION
  - O.R.B. .... OFFICIAL RECORDS BOOK
  - OHW- .... OVERHEAD WIRES
  - (C) .... CALCULATED
  - (R) .... DENOTES BEARING AND DISTANCE BASED ON RECORD INFORMATION
  - NAVD 88 .... NORTH AMERICAN VERTICAL DATUM OF 1988
  - TRAV. PT. .... TRAVERSE POINT
  - EL. .... ELEVATION
  - A/C .... AIR CONDITIONING UNIT(S)
  - P.E. .... POOL EQUIPMENT
  - F.F.E. .... FINISHED FLOOR ELEVATION
  - P.O.B. .... POINT OF BEGINNING
  - P.O.C. .... POINT OF COMMENCEMENT
  - CL ..... CENTERLINE
  - ..... METAL LIGHT POLE
  - ..... WATER VALVE
  - ..... SEWER VALVE
  - ..... YARD DRAIN
  - ..... WATER DISTRIBUTION PEDESTAL
  - ..... ELECTRIC RACK
  - ..... ELECTRIC TRANSFORMER
  - ..... MAILBOX
  - ..... CATCH BASIN
  - ..... WATER METER
  - ..... SANITARY SEWER MANHOLE
  - ..... WIRE PULL BOX
  - ..... TELEPHONE BOX
  - ..... CONCRETE LIGHT POLE
  - ..... BACKFLOW PREVENTER
  - ..... FLAG POLE
  - ..... BREAK IN SCALE
  - ..... VIEW 1
  - ..... SURFACE ELEVATION
  - ..... SET 5/8" IRON ROD & CAP, L.B. 7551 UNLESS OTHERWISE SPECIFIED
  - ..... SET NAIL & DISC, L.B. 7551 UNLESS OTHERWISE SPECIFIED

**CURVE TABLE (R)**

CURVE	ARC	LENGTH	RADIUS	DELTA	ANGLE
C1	40.73	130.09	177.46	56	



**LEGAL DESCRIPTION:**  
A PORTION OF SECTION 12, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHEAST CORNER OF GOVERNMENT LOT 3, SECTION 13, TOWNSHIP 50 SOUTH, RANGE 42, EAST BROWARD COUNTY, FLORIDA, THENCE SOUTH 88 DEGREES 09 MINUTES 38 SECONDS WEST, A DISTANCE OF 514.11 FEET; THENCE SOUTH 76 DEGREES 45 MINUTES 35 SECONDS WEST, A DISTANCE OF 413.89 FEET; THENCE NORTH 59 DEGREES 22 MINUTES 45 SECONDS WEST, A DISTANCE OF 33.90 FEET TO A POINT OF BEGINNING; THENCE CONTINUE NORTH 59 DEGREES 22 MINUTES 45 SECONDS WEST, A DISTANCE OF 110.00 FEET; THENCE NORTH 6 DEGREES 45 MINUTES 17 SECONDS EAST, A DISTANCE OF 206.09 FEET; THENCE SOUTH 71 DEGREES 16 MINUTES 08 SECONDS EAST, A DISTANCE OF 55.80 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 77 DEGREES 46 MINUTES 56 SECONDS FOR A FOR AN ARC DISTANCE OF 40.73 FEET; THENCE SOUTH 6 DEGREES 45 MINUTES 24 SECONDS WEST, ALONG A LINE WHICH FORMS AN INCLUDED ANGLE OF 138 DEGREES 51 MINUTES 56 SECONDS WITH THE CHORD OF LAST DESCRIBED CURVE, A DISTANCE OF 203.69 FEET TO THE POINT OF BEGINNING.  
A 1/4 A LOT 1, HARBORAGE AS DESCRIBED AND DEPICTED IN THE HARBORAGE AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 3524, PAGE 307, AS AMENDED AND SUPERSEDED BY THE REVISED DECLARATION RECORDED IN OFFICIAL RECORDS BOOK 41415, PAGE 554 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.  
TOGETHER WITH A PERMANENT AND PERPETUAL EASEMENT, WITH OTHERS, ON, OVER, UPON, ACROSS, THROUGH AND IN PARCEL "A" OF "ISLA BAHIA", ACCORDING TO THE PLAT THEREOF, ESTABLISHED IN PLAT BOOK 47, PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AS ESTABLISHED BY THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 248, PAGE 392, AND RECORDED, MODIFIED AND CLARIFIED BY THAT CERTAIN AGREEMENT MADE BETWEEN COMPANY SIX-C, INC., A FLORIDA CORPORATION, AND ISLAND TWENTY, INC. A FLORIDA CORPORATION, DATED MARCH 28, 1967, AND RECORDED IN OFFICIAL RECORDS BOOK 3514, PAGE 296, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

- SURVEY NOTES:**
1. THIS SURVEY REPRESENTS A BOUNDARY AND TOPOGRAPHIC SURVEY AS DEFINED BY STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING, CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
  2. THE BEARINGS SHOWN HEREON ARE BASED ON A RECORD BEARING OF  $N06^{\circ}45'17''E$ , ALONG WEST LINE OF LOT 1, OF THE HARBORAGE AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 3524, PAGE 307, AS AMENDED AND SUPERSEDED BY THE REVISED DECLARATION RECORDED IN OFFICIAL RECORDS BOOK 41415, PAGE 554 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND AS DESCRIBED IN WARRANTY DEED RECORDED IN INSTRUMENT #116955877, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
  3. THE PROPERTY SHOWN HEREON LIES WITHIN FLOODS ZONE X, AS SHOWN IN FLOOD INSURANCE RATE MAP NUMBER 12011C 0576 H, COMMUNITY NUMBER 125105, CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, MAP REVISED DATE: AUGUST 18, 2014.
  4. THE SYMBOLS REFLECTED IN THE LEGEND AND ON THIS SURVEY MAY HAVE BEEN ENLARGED FOR CLARITY. THE SYMBOLS HAVE BEEN PLOTTED AT THE CENTER OF THE FIELD LOCATION AND MAY NOT REPRESENT THE ACTUAL SHAPE OR SIZE OF THE FEATURE.
  5. THE INFORMATION DEPICTED ON THIS SURVEY REPRESENTS THE RESULTS OF A FIELD SURVEY ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS A REPRESENTATION OF THE GENERAL CONDITIONS EXISTING AT THAT TIME.
  6. THE SURVEYOR DID NOT INSPECT THE PROPERTY SHOWN HEREON FOR ENVIRONMENTAL HAZARDS.
  7. OWNERSHIP OF WALLS OR FENCES WAS NOT DETERMINED.
  8. THE INFORMATION CONTAINED IN THIS DOCUMENT WAS PREPARED BY ECS LAND SURVEYORS, INC. ECS HAS TAKEN ALL REASONABLE STEPS TO ENSURE THE ACCURACY OF THIS DOCUMENT. WE CANNOT GUARANTEE THAT ALTERATIONS AND/OR MODIFICATIONS WILL NOT BE MADE BY OTHERS AFTER IT LEAVES OUR POSSESSION. THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY (WHICH BEARS THE RAISED SURVEYOR'S CERTIFICATION SEAL IF APPLICABLE) TO ENSURE THE ACCURACY OF THE INFORMATION CONTAINED HEREON AND TO FURTHER ENSURE THAT ALTERATIONS AND/OR MODIFICATIONS HAVE NOT BEEN MADE. ECS MAKES NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACCURACY OF THE INFORMATION CONTAINED IN THIS OR ANY DOCUMENT TRANSMITTED OR REVIEWED BY COMPUTER OR OTHER ELECTRONIC MEANS. CONTACT ECS DIRECTLY FOR VERIFICATION OF ACCURACY.
  9. BUILDING DIMENSIONS WERE MEASURED AT GROUND LEVEL AND ARE OVERALL. ARCHITECTURAL DETAILS MAY NOT BE SHOWN.
  10. SUBSURFACE UTILITIES, FOUNDATIONS AND ENCROACHMENTS WERE NOT LOCATED AND ARE NOT SHOWN HEREON. THIS SITE COULD HAVE UNDERGROUND INSTALLATIONS THAT ARE NOT SHOWN HEREON. BEFORE DESIGN, CONSTRUCTION OR EXCAVATION, CONTACT SUNSHINE STATE ONE CALL OF FLORIDA (1-800-432-4370) AND THE APPROPRIATE UTILITY COMPANIES FOR FIELD VERIFICATION OF UTILITIES. THIS SURVEY IS LIMITED TO ABOVEGROUND FEATURES ONLY.
  11. THE PROPERTY SHOWN HEREON CONTAINS 0.60 ACRES (26,199 SQUARE FEET), MORE OR LESS.
  12. TREES, HEDGES, ORNAMENTAL PLANTS, IRRIGATION LINES, WELLS AND SPRINKLERS HEADS (IF ANY), NOT LOCATED OR SHOWN HEREON.
  13. ECS LAND SURVEYORS, INC., DID NOT SEARCH THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS AFFECTING THE PROPERTY BEING SURVEYED. THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
  14. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
  15. THE ELEVATIONS SHOWN HEREON ARE BASED ON A CITY OF FORT LAUDERDALE BENCHMARK "SE 403" AND REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88). THE MARK IS A MAG NAIL IN BRASS DISC STAMPED CITY OF FT LAUD. BM SE 403 SET ON TOP FACE OF CONCRETE WALKWAY AND IS LOCATED AT THE SOUTHWEST CORNER OF ISLE OF BAHIA DRIVE BRIDGE #857771 W LAKE DRIVE. ELEVATION = 5.216'. THE BENCHMARK ELEVATION SHOWN HEREON WAS CONVERTED FROM NGVD 29 TO NAVD 88 BY SUBTRACTING A FACTOR OF 1.59' UTILIZING THE U.S. ARMY CORPS OF ENGINEERS SOFTWARE.

**THIS SURVEY IS CERTIFIED TO:**  
MILIC NOVOMIC.

**CERTIFICATE:**  
THIS IS TO CERTIFY THAT THIS BOUNDARY AND TOPOGRAPHIC SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JAVIER DE LA ROCHA  
PROFESSIONAL SURVEYOR AND MAPPER NO. 6080  
STATE OF FLORIDA  
ECS LAND SURVEYORS, INC. L.B. 7551  
EMAIL: JAVIER@ECSLANDSURVEYORS.COM



**VIEW 1**  
NOT TO SCALE



**VIEW 2**  
NOT TO SCALE



**VIEW 3**  
NOT TO SCALE

TELEPHONE NO. 561-314-0768 FAX NO. 561-314-0770  
**ECS LAND SURVEYORS, INC.**  
3460 FAIRLANE FARMS ROAD, SUITE 6, WELLINGTON, FL. 33414

SEAL  
NOT VALID UNLESS  
SEALED HERE  
WITH  
AN EMBOSSED  
SURVEYOR'S SEAL

**SKETCH OF BOUNDARY AND TOPOGRAPHIC SURVEY**  
A PORTION OF SECTION 12-50S.-42E.  
A 1/4 A LOT 1  
HARBORAGE  
OFFICIAL RECORDS BOOK 3524, PAGE 307, B.C.R.  
1 HARBORAGE ISLE DRIVE, FORT LAUDERDALE, FL. 33316

CLIENT: MILIC NOVOMIC  
DATE: 02/28/21  
DRAWN BY: J.E.C.  
CHKD BY: JDLR  
LAST FIELD DATE: 02/15/21  
REVISIONS:  
JOB NO: **ECS2465**  
SHEET NO: 01 OF 01

<[newcha@aol.com](mailto:newcha@aol.com)>, Nader Amini <[namini@nsmkm.com](mailto:namini@nsmkm.com)>, Maryam Amini <[maryam@bayharborrugs.com](mailto:maryam@bayharborrugs.com)>, Lance Lehmann <[llehmann@hbosc.com](mailto:llehmann@hbosc.com)>, Liliana R Lehmann <[LRLehmann@axismb.com](mailto:LRLehmann@axismb.com)>, Gib Cline <[gdcftl@gmail.com](mailto:gdcftl@gmail.com)>, Sigrun Cline <[sigruncline@yahoo.com](mailto:sigruncline@yahoo.com)>, Jim Riley <[Jim@theharborage.net](mailto:Jim@theharborage.net)>, Jenny Riley <[jennyriley@me.com](mailto:jennyriley@me.com)>, Leland Hirsch <[lelandhirsch@yahoo.com](mailto:lelandhirsch@yahoo.com)>, Yazmin Gonzalez <[ygonzalez@celebluxury.com](mailto:ygonzalez@celebluxury.com)>, Ernest Guido <[Fred@scross.com](mailto:Fred@scross.com)>, Colleen Guido <[Colleen17Guido@gmail.com](mailto:Colleen17Guido@gmail.com)>, [DBSN@aol.com](mailto:DBSN@aol.com), Suzanne Huntington <[Suzanne.huntington@yahoo.com](mailto:Suzanne.huntington@yahoo.com)>, Marshall Watson <[marshallcwatson@yahoo.com](mailto:marshallcwatson@yahoo.com)>, [earl.congdon@odfl.com](mailto:earl.congdon@odfl.com)

**Emne: Harborage - New Construction Lot No 1**

To all Residents,

Mr. Sussman, The Harborage Association's President, wants to share the below email with all of you regarding the construction of 1 Harborage.

See below.

Best regards,

Louise Albert  
[Louise@theharborage.net](mailto:Louise@theharborage.net)  
Cell: 954-494-9671

The Harborage Association, Inc.  
Guardhouse  
21 Harborage  
Fort Lauderdale, FL 33316

Begin forwarded message:

**From:** [donald@donaldsussman.com](mailto:donald@donaldsussman.com)  
**Subject:** New Construction Lot No 1  
**Date:** May 10, 2021 at 11:34:22 AM EDT  
**To:** Louise Albert <[louise@theharborage.net](mailto:louise@theharborage.net)>  
**Reply-To:** [donald@donaldsussman.com](mailto:donald@donaldsussman.com)

The building aesthetic committee comprised of Nader Amini, Jim Riley and myself have approved a final plan for our new neighbor.

We raised several objections, in particular, no driveway access on the short road to the gate house and substantial plantings not dissimilar from existing.

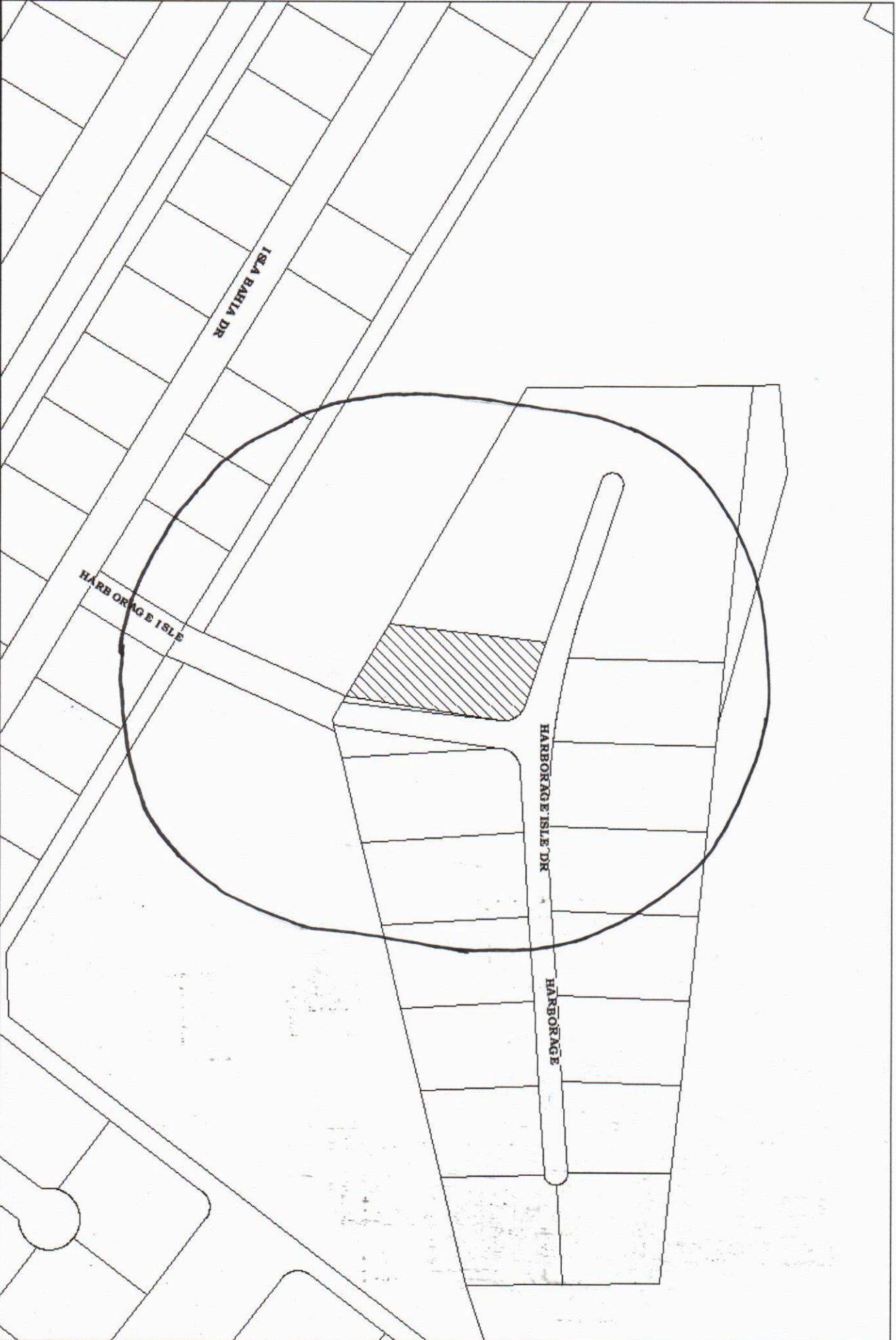
Millic has been completely cooperative and understanding of our various comments and we look forward to his prompt completion of the project.

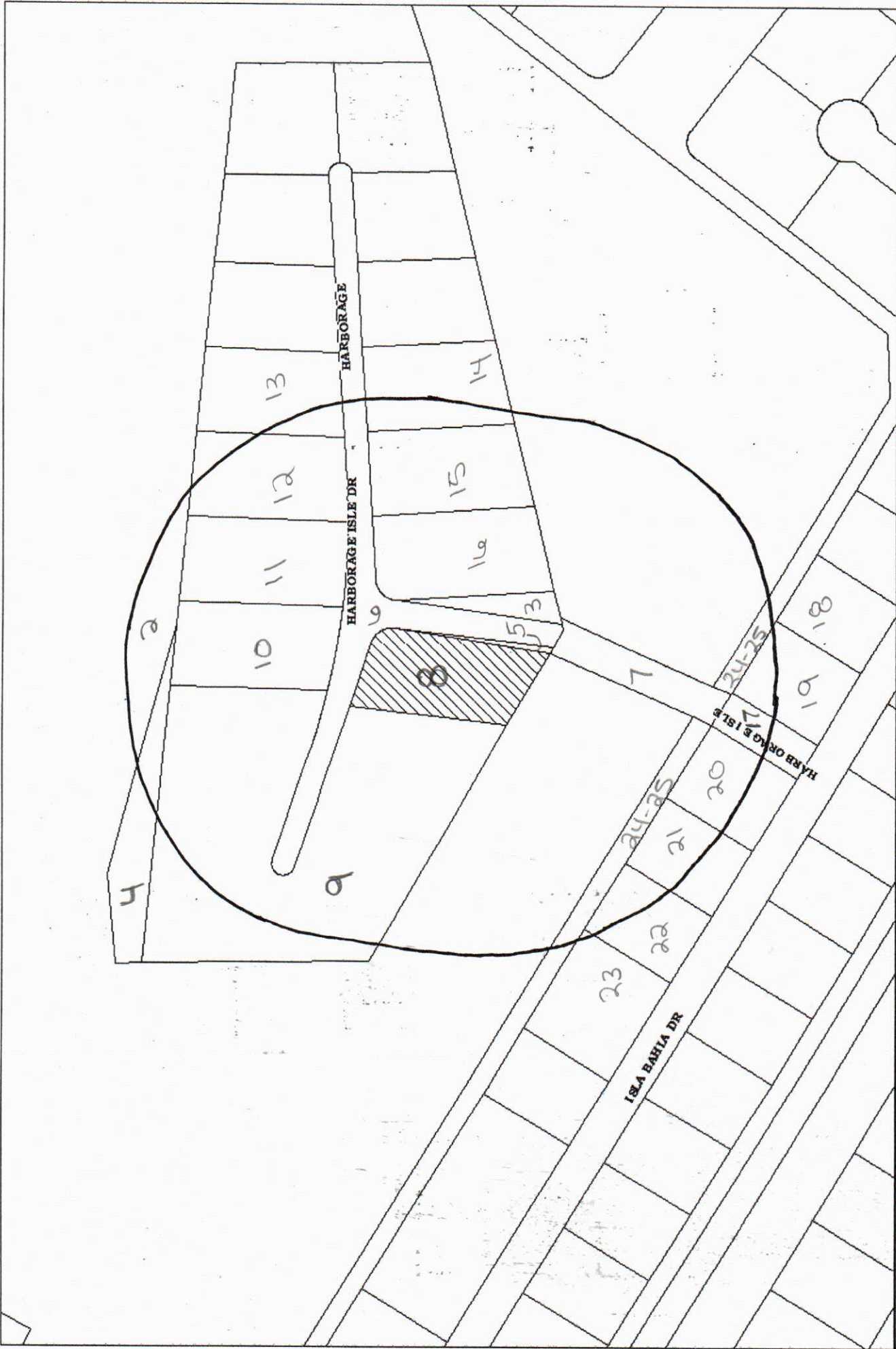
0 37.5 75 150 225 300  
Feet

MARTY KIAR  
BROWARD COUNTY PROPERTY APPRAISER



1 HARBORAGE ISLE  
DATE OF PRINT: 07/13/2021





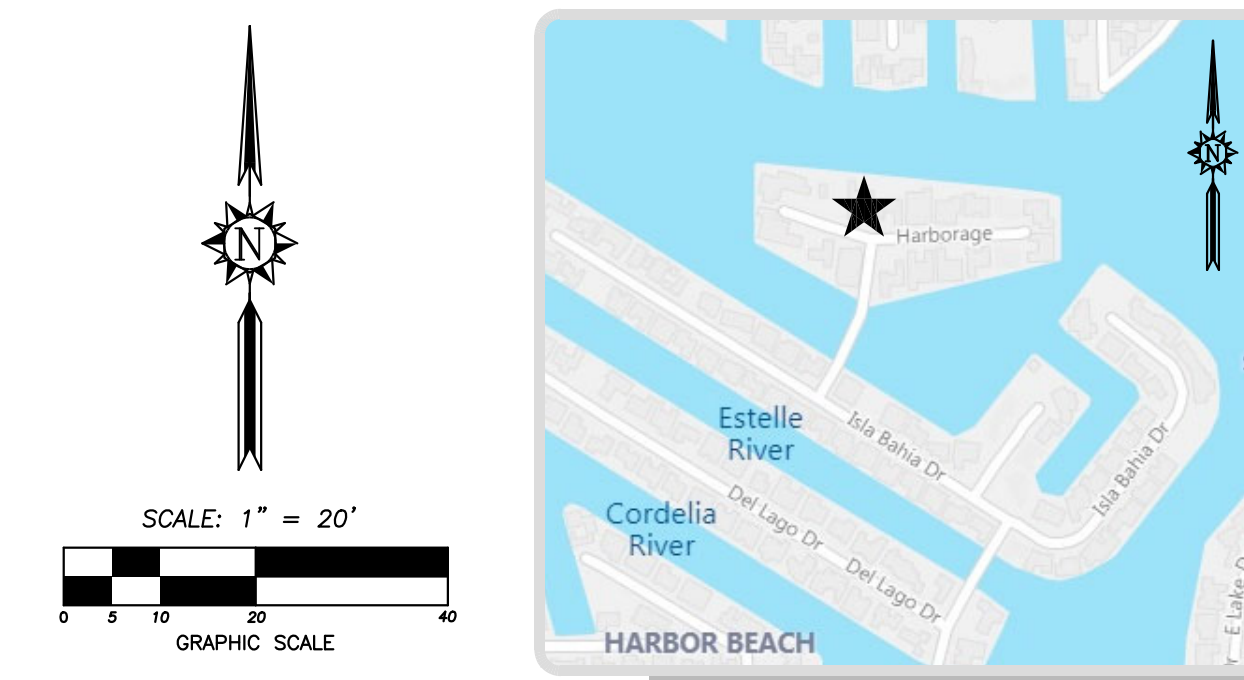
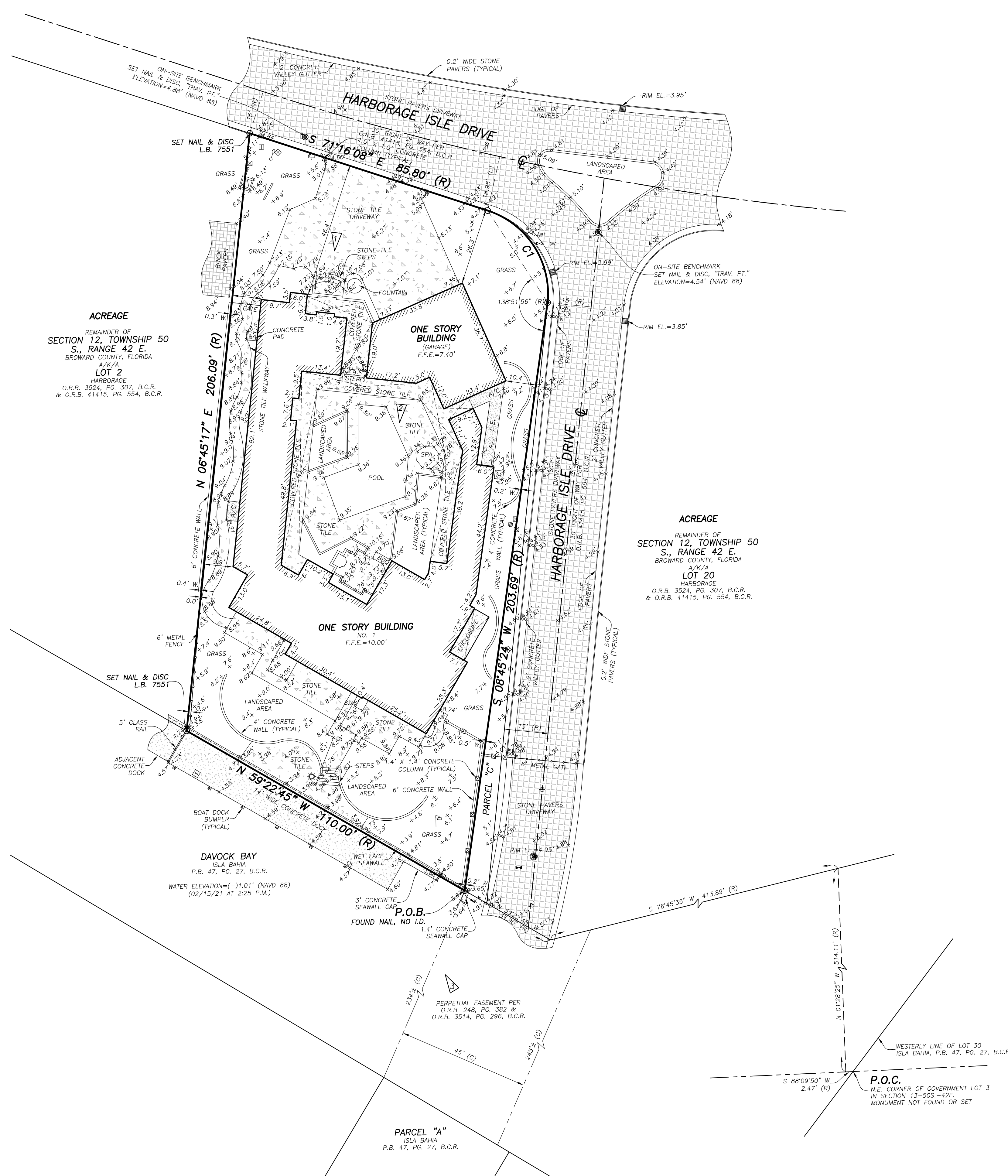
1 HARBORAGE ISLE  
 DATE OF PRINT: 07/13/2021  
 MARTY KIAR  
 BROWARD COUNTY PROPERTY APPRAISER  
 0 37.5 75 150 225 300 Feet

# SKETCH OF BOUNDARY AND TOPOGRAPHIC SURVEY OF: 1 HARBORAGE ISLE DRIVE, FORT LAUDERDALE, FL.

## LEGEND:

B.C.R.	BROWARD COUNTY RECORDS
L.B.	LICENSED BUSINESS
P.B.	PLAT BOOK
C1	CURVE No. 1 (SEE CURVE TABLE)
PG.	PAGE
ID.	IDENTIFICATION
O.R.B.	OFFICIAL RECORDS BOOK
-OHW-	OVERHEAD WIRES
(C)	CALCULATED
(R)	DENOTES BEARING AND DISTANCE BASED ON RECORD INFORMATION
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TRAV. PT.	TRAVERSE POINT
EL.	ELEVATION
A/C	AIR CONDITIONING UNIT(S)
P.E.	POOL EQUIPMENT
F.F.E.	FINISHED FLOOR ELEVATION
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
CL	CENTERLINE
☉	METAL LIGHT POLE
⊕	WATER VALVE
⊕	SEWER VALVE
⊕	YARD DRAIN
⊕	WATER DISTRIBUTION PEDESTAL
⊕	ELECTRIC RACK
⊕	ELECTRIC TRANSFORMER
⊕	MAILBOX
⊕	CATCH BASIN
⊕	WATER METER
⊕	SANITARY SEWER MANHOLE
⊕	WIRE PULL BOX
⊕	TELEPHONE BOX
⊕	CONCRETE LIGHT POLE
⊕	BACKFLOW PREVENTER
⊕	FLAG POLE
⊕	BREAK IN SCALE
⊕	VIEW 1
⊕	SURFACE ELEVATION
⊕	SET 5/8" IRON ROD & CAP, L.B. 7551 UNLESS OTHERWISE SPECIFIED
⊕	SET NAIL & DISC, L.B. 7551 UNLESS OTHERWISE SPECIFIED

CURVE TABLE (R)				
CURVE	ARC	LENGTH	RADIUS	DELTA ANGLE
C1	40.73	130.09	177.46	56



**LEGAL DESCRIPTION:**  
A PORTION OF SECTION 12, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:  
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A 1/4 A LOT 1, HARBORAGE AS DESCRIBED AND DEPICTED IN THE HARBORAGE AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 3524, PAGE 307, AS AMENDED AND SUPERSEDED BY THE REVISED DECLARATION RECORDED IN OFFICIAL RECORDS BOOK 41415, PAGE 554 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH A PERMANENT AND PERPETUAL EASEMENT, WITH OTHERS, ON, OVER, UPON, ACROSS, THROUGH AND IN PARCEL "A" OF "ISLA BAHIA", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 47, PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AS ESTABLISHED BY THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 248, PAGE 392, AND DESCRIBED IN MODIFIED AND CLARIFIED BY THAT CERTAIN AGREEMENT MADE BETWEEN COMPANY SIX-C, INC., A FLORIDA CORPORATION, AND ISLAND TWENTY, INC. A FLORIDA CORPORATION, DATED MARCH 28, 1967, AND RECORDED IN OFFICIAL RECORDS BOOK 3514, PAGE 296, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

- SURVEY NOTES:**
- THIS SURVEY REPRESENTS A BOUNDARY AND TOPOGRAPHIC SURVEY AS DEFINED BY STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING, CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
  - THE BEARINGS SHOWN HEREON ARE BASED ON A RECORD BEARING OF N06°45'17"E., ALONG WEST LINE OF LOT 1, OF THE HARBORAGE AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 3524, PAGE 307, AS AMENDED AND SUPERSEDED BY THE REVISED DECLARATION RECORDED IN OFFICIAL RECORDS BOOK 41415, PAGE 554 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND AS DESCRIBED IN WARRANTY DEED RECORDED IN INSTRUMENT #116955877, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
  - THE PROPERTY SHOWN HEREON LIES WITHIN FLOODS ZONE X, AS SHOWN IN FLOOD INSURANCE RATE MAP NUMBER 12011C 0576 H, COMMUNITY NUMBER 125105, CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, MAP REVISED DATE: AUGUST 18, 2014.
  - THE SYMBOLS REFLECTED IN THE LEGEND AND ON THIS SURVEY MAY HAVE BEEN ENLARGED FOR CLARITY. THE SYMBOLS HAVE BEEN PLOTTED AT THE CENTER OF THE FIELD LOCATION AND MAY NOT REPRESENT THE ACTUAL SHAPE OR SIZE OF THE FEATURE.
  - THE INFORMATION DEPICTED ON THIS SURVEY REPRESENTS THE RESULTS OF A FIELD SURVEY ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS A REPRESENTATION OF THE GENERAL CONDITIONS EXISTING AT THAT TIME.
  - THE SURVEYOR DID NOT INSPECT THE PROPERTY SHOWN HEREON FOR ENVIRONMENTAL HAZARDS.
  - OWNERSHIP OF WALLS OR FENCES WAS NOT DETERMINED.
  - THE INFORMATION CONTAINED IN THIS DOCUMENT WAS PREPARED BY ECS LAND SURVEYORS, INC. ECS HAS TAKEN ALL REASONABLE STEPS TO ENSURE THE ACCURACY OF THIS DOCUMENT. WE CANNOT GUARANTEE THAT ALTERATIONS AND/OR MODIFICATIONS WILL NOT BE MADE BY OTHERS AFTER IT LEAVES OUR POSSESSION. THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY (WHICH BEARS THE RAISED SURVEYOR'S CERTIFICATION SEAL IF APPLICABLE) TO ENSURE THE ACCURACY OF THE INFORMATION CONTAINED HEREON AND TO FURTHER ENSURE THAT ALTERATIONS AND/OR MODIFICATIONS HAVE NOT BEEN MADE. ECS MAKES NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACCURACY OF THE INFORMATION CONTAINED IN THIS OR ANY DOCUMENT TRANSMITTED OR REVIEWED BY COMPUTER OR OTHER ELECTRONIC MEANS. CONTACT ECS DIRECTLY FOR VERIFICATION OF ACCURACY.
  - BUILDING DIMENSIONS WERE MEASURED AT GROUND LEVEL AND ARE OVERALL. ARCHITECTURAL DETAILS MAY NOT BE SHOWN.
  - SUBSURFACE UTILITIES, FOUNDATIONS AND ENCROACHMENTS WERE NOT LOCATED AND ARE NOT SHOWN HEREON. THIS SITE COULD HAVE UNDERGROUND INSTALLATIONS THAT ARE NOT SHOWN HEREON. BEFORE DESIGN, CONSTRUCTION OR EXCAVATION, CONTACT SUNSHINE STATE ONE CALL OF FLORIDA (1-800-432-4370) AND THE APPROPRIATE UTILITY COMPANIES FOR FIELD VERIFICATION OF UTILITIES. THIS SURVEY IS LIMITED TO ABOVEGROUND FEATURES ONLY.
  - THE PROPERTY SHOWN HEREON CONTAINS 0.60 ACRES (26,199 SQUARE FEET), MORE OR LESS.
  - TREES, HEDGES, ORNAMENTAL PLANTS, IRRIGATION LINES, WELLS AND SPRINKLERS HEADS (IF ANY), NOT LOCATED OR SHOWN HEREON.
  - ECS LAND SURVEYORS, INC., DID NOT SEARCH THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS AFFECTING THE PROPERTY BEING SURVEYED. THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
  - ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
  - THE ELEVATIONS SHOWN HEREON ARE BASED ON A CITY OF FORT LAUDERDALE BENCHMARK "SE 403" AND REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88). THE MARK IS A MAG NAIL IN BRASS DISC STAMPED CITY OF FT LAUD. BM SE 403 SET ON TOP FACE OF CONCRETE WALKWAY AND IS LOCATED AT THE SOUTHWEST CORNER OF ISLE OF BAHIA DRIVE BRIDGE #85771 W LAKE DRIVE. ELEVATION= 5.216'. THE BENCHMARK ELEVATION SHOWN HEREON WAS CONVERTED FROM NGVD 29 TO NAVD 88 BY SUBTRACTING A FACTOR OF 1.59' UTILIZING THE U.S. ARMY CORPS OF ENGINEERS SOFTWARE.

**THIS SURVEY IS CERTIFIED TO:**  
MILIC NOVOMIC.

**CERTIFICATE:**  
THIS IS TO CERTIFY THAT THIS BOUNDARY AND TOPOGRAPHIC SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Digitally signed by  
**Javier De La Rocha**  
Date: 2021.02.26  
15:08:49 -05'00'

JAVIER DE LA ROCHA  
PROFESSIONAL SURVEYOR AND MAPPER NO. 6080  
STATE OF FLORIDA

ECS LAND SURVEYORS, INC. L.B. 7551  
EMAIL: JAVIER@ECSLANDSURVEYORS.COM



TELEPHONE NO. 561-314-0768 FAX NO. 561-314-0770  
**ECS**  
LAND SURVEYORS, INC.  
U.S. MAIL  
3460 FAIRLANE FARMS ROAD, SUITE 6, WELLINGTON, FL. 33414

SEAL  
NOT VALID UNLESS  
SEALED HERE  
WITH  
AN EMBOSSED  
SURVEYOR'S SEAL

**SKETCH OF BOUNDARY AND TOPOGRAPHIC SURVEY**  
A PORTION OF SECTION 12-50S.-42E.  
A 1/4 A LOT 1  
HARBORAGE  
OFFICIAL RECORDS BOOK 3524, PAGE 307, B.C.R.  
1 HARBORAGE ISLE DRIVE, FORT LAUDERDALE, FL. 33316

CLIENT: MILIC NOVOMIC  
DATE: 02/26/21  
DRAWN BY: J.E.C.  
CHKD BY: JDLR  
LAST FIELD DATE: 02/15/21  
REVISIONS:  
JOB NO:  
**ECS2465**  
SHEET NO:  
01 OF  
01

SITE DATA :	
OCCUPANCY:	GROUP R3
ZONING:	RS-4.4 - SINGLE-FAMILY
TOTAL SITE AREA:	26,199 S.F. (0.60 ACRES)
LOT COVERAGE (40% MAX.):	8,742 S.F. / 26,199 S.F. = 33.4%
PROPOSED RESIDENCE:	
FIRST FLOOR (A/C):	5,338 S.F.
SECOND FLOOR (A/C):	6,520 S.F.
TOTAL (A/C):	11,858 S.F.
CABANA:	112 S.F.
GARAGES:	1,312 S.F.
FIRST FLOOR (LOGGIAS):	1,980 S.F.
SECOND FLOOR (BALCONIES):	970 S.F.
TOTAL (NON A/C):	4,374 S.F.
TOTAL GROSS:	16,232 S.F.

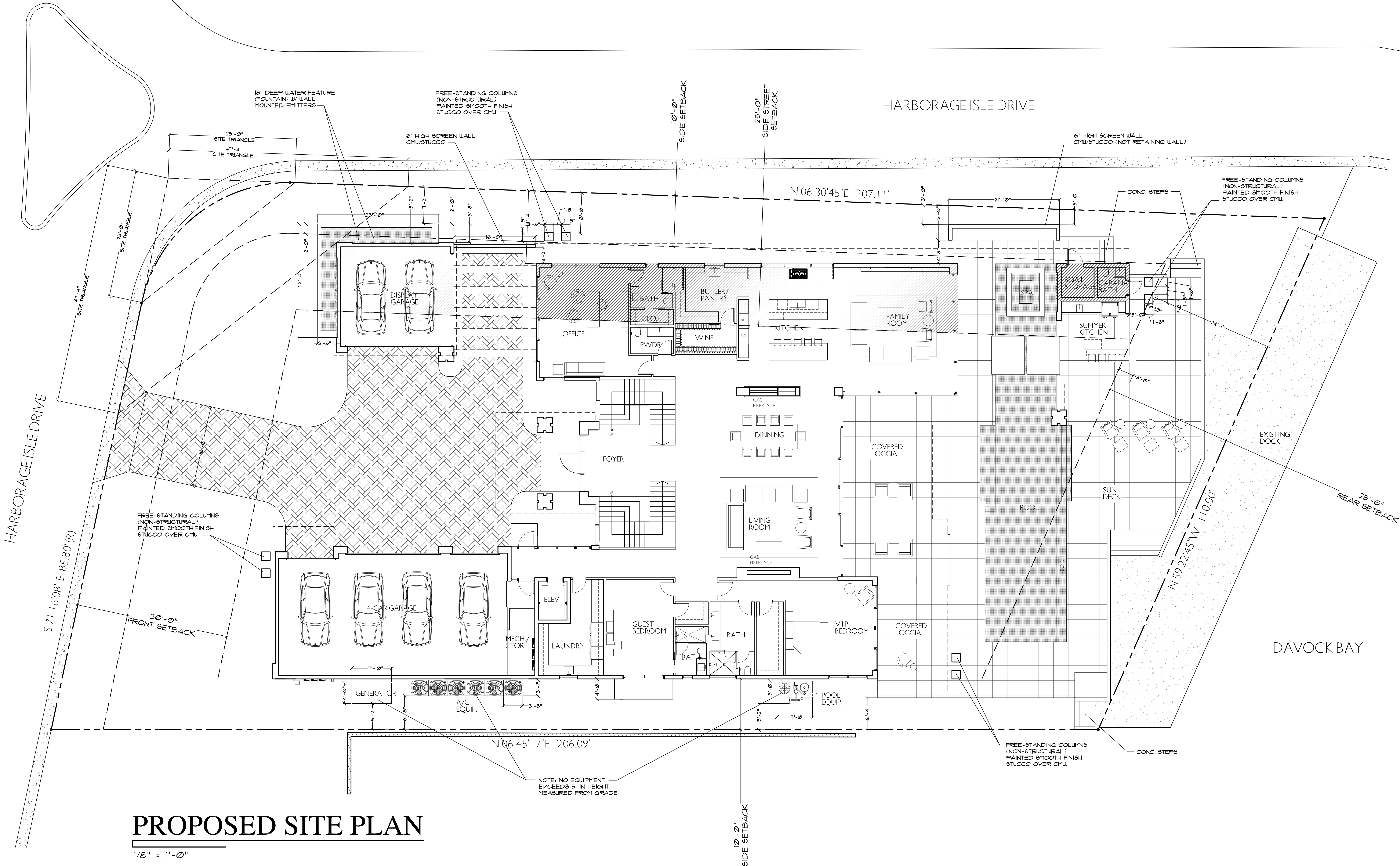
**LEGAL DESCRIPTION:**

A PORTION OF SECTION 12, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF GOVERNMENT LOT 3, SECTION 13, TOWNSHIP 50 SOUTH, RANGE 42, EAST BROWARD COUNTY, FLORIDA, THENCE SOUTH 88 DEGREES 09 MINUTES 58 SECONDS WEST A DISTANCE OF 2.47 FEET; THENCE NORTH 1 DEGREE 28 MINUTES 25 SECONDS WEST, A DISTANCE OF 514.11 FEET; THENCE SOUTH 76 DEGREES 45 MINUTES 35 SECONDS WEST, A DISTANCE OF 413.89 FEET; THENCE NORTH 59 DEGREES 22 MINUTES 45 SECONDS WEST, A DISTANCE OF 33.90 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 59 DEGREES 22 MINUTES 45 SECONDS WEST, A DISTANCE OF 110.00 FEET; THENCE NORTH 6 DEGREES 45 MINUTES 17 SECONDS EAST, A DISTANCE OF 206.09 FEET; THENCE SOUTH 71 DEGREES 16 MINUTES 08 SECONDS EAST, A DISTANCE OF 85.80 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 77 DEGREES 46 MINUTES 56 SECONDS FOR A FOR AN ARC DISTANCE OF 40.73 FEET; THENCE SOUTH 8 DEGREES 45 MINUTES 24 SECONDS WEST, ALONG A LINE WHICH FORMS AN INCLUDED ANGLE OF 138 DEGREES 51 MINUTES 56 SECONDS WITH THE CHORD OF LAST DESCRIBED CURVE, A DISTANCE OF 203.69 FEET TO THE POINT OF BEGINNING.

A/K/A LOT 1, HARBORAGE AS DESCRIBED AND DEPICTED IN THE HARBORAGE AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 3524, PAGE 307, AS AMENDED AND SUPERSEDED BY THE REVISED DECLARATION RECORDED IN OFFICIAL RECORDS BOOK 41415, PAGE 554 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH A PERMANENT AND PERPETUAL EASEMENT, WITH OTHERS, ON, OVER, UPON, ACROSS, THROUGH AND IN PARCEL "A" OF "ISLA BAHIA", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 47, PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AS ESTABLISHED BY THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 248, PAGE 382, AND REAFFIRMED, MODIFIED AND CLARIFIED BY THAT CERTAIN AGREEMENT MADE BETWEEN COMPANY SIX-C, INC., A FLORIDA CORPORATION, AND ISLAND TWENTY, INC., A FLORIDA CORPORATION, DATED MARCH 28, 1987, AND RECORDED IN OFFICIAL RECORDS BOOK 3514, PAGE 296, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.



**PROPOSED SITE PLAN**

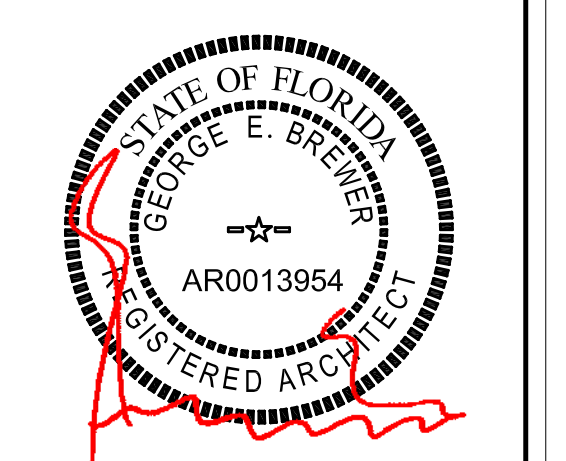
1/8" = 1'-0"



85 SE 4TH AVENUE  
 DELRAY BCH, FL 33483  
 PHONE 561.272.7301  
 FAX 561.272.3722  
 BREWERARCHITECTURE.COM

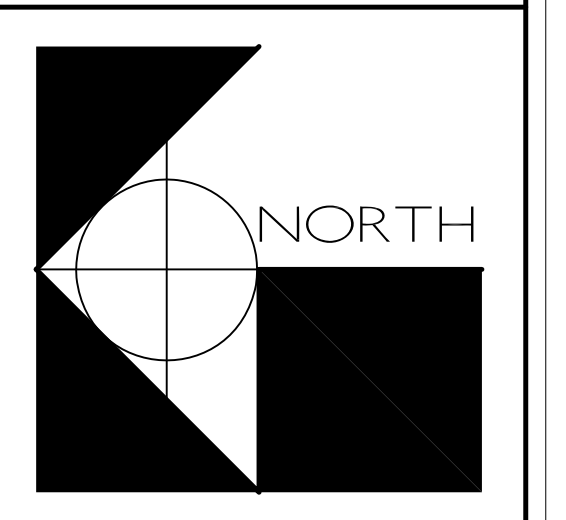
**ONE HARBORAGE**  
 NEW SINGLE-FAMILY  
 ONE HARBORAGE ISLE DRIVE  
 FT. LAUDERDALE, FL

AR0013954



DATE: 07-09-2021

PERMIT NO. REVISIONS:



Color Photographs  
1 Harborage Isle Drive  
February 1, 2021



North - Front of existing home.



South – Rear of existing home, including gate to the east.



West – side yard



East – side yard (along Harborage Isle Drive)



East – Existing house along Harborage Isle Drive

**Sec. 47-5.30 Table of dimensional requirements for the RS-4.4 district. (Note A).**

- Requesting a variance to reduce the minimum corner yard setback from 25 feet to 10 feet. A total setback reduction of fifteen(15) feet.
- Requesting a variance to eliminate the requirement to increase the side yard setback by one(1) foot for every additional foot of building height above 22 feet, from thirteen(13) feet to ten(10) feet, a total reduction of three(3) feet, per the shaded area on plan sheet A4.



<b>Site Address</b>	<b>1 HARBORAGE ISLE DRIVE, FORT LAUDERDALE FL 33316</b>	<b>ID #</b>	5042 12 29 0010
<b>Property Owner</b>	1 HARBORAGE INVESTMENTS LLC	<b>Millage</b>	0312
<b>Mailing Address</b>	5531 N UNIVERSITY DR #103 CORAL SPRINGS FL 33067	<b>Use</b>	01
<b>Abbr Legal Description</b>	12-50-42 COMM AT NE COR GOV LOT 3 OF SEC 13-50-42, W 2.47, N 514.11, SWLY 413.89,NWLY 33.90 TO POB, CONT NWLY 110,NELY 206.09, SE 85.80 TO PT OF CUR,SLY ARC DIST 40.73,SW 203.69 TO POB, AS DESC IN OR 3895/204 AKA LOT 1 THE HARBORAGE		

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.

Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
<b>2021*</b>	\$2,041,740	\$2,323,260	\$4,365,000	\$4,365,000	
<b>2020</b>	\$2,041,740	\$1,163,630	\$3,205,370	\$3,205,370	\$59,708.01
<b>2019</b>	\$2,041,740	\$1,136,090	\$3,177,830	\$3,177,830	\$59,370.04

2021* Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
<b>Just Value</b>	\$4,365,000	\$4,365,000	\$4,365,000	\$4,365,000
<b>Portability</b>	0	0	0	0
<b>Assessed/SOH</b>	\$4,365,000	\$4,365,000	\$4,365,000	\$4,365,000
<b>Homestead</b>	0	0	0	0
<b>Add. Homestead</b>	0	0	0	0
<b>Wid/Vet/Dis</b>	0	0	0	0
<b>Senior</b>	0	0	0	0
<b>Exempt Type</b>	0	0	0	0
<b>Taxable</b>	\$4,365,000	\$4,365,000	\$4,365,000	\$4,365,000

Sales History			
Date	Type	Price	Book/Page or CIN
12/21/2020	WD-Q	\$4,850,000	116955877
6/5/2018	WD-Q	\$4,100,000	115122878
9/30/2008	SWD-Q	\$3,075,000	45725 / 1736
7/8/2008	CET-T	\$100	45584 / 553
3/28/2006	QCD	\$100	41793 / 284

Land Calculations		
Price	Factor	Type
\$90.00	22,686	SF
<b>Adj. Bldg. S.F. (Card, Sketch)</b>		6557
<b>Units</b>		1
<b>Eff./Act. Year Built: 1984/1969</b>		

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