



CITY OF FORT LAUDERDALE

DRAFT
MEETING MINUTES
CITY OF FORT LAUDERDALE
MARINE ADVISORY BOARD
CITY COMMISSION CONFERENCE ROOM – EIGHTH FLOOR
CITY HALL

THURSDAY, JULY 1, 2021 – 6:00 P.M.

Cumulative Attendance
May 2021 – April 2022

Grant Henderson, Chair	P	3	0
Ed Strobel, Vice Chair	P	3	0
Deirdre Boling-Lewis	P	2	1
Robyn Chiarelli	A	1	2
Bob Denison	P	2	0
Barry Flanigan	P	2	1
Richard Graves	A	1	2
James Harrison	P	3	0
Rose Ann Lovell	A	2	1
Kitty McGowan	A	2	1
Norbert McLaughlin	P	3	0
Ted Morley	A	2	1
Christopher Rotella	P	3	0
Bill Walker	P	3	0
Steve Witten	P	3	0

As of this date, there are 15 appointed members to the Board, which means 8 would constitute a quorum.

Staff

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

Communications to City Commission

Motion made by Vice Chair Strobel, seconded by Mr. Harrison, to send the following communication to the City Commission:

The seawall adjacent to The Wharf is in desperate need of repair and is a major liability to the City. The area is still being used by the public. The Winterfest Boat Parade has been informed it is not safe to be used to stage for the 50th anniversary parade in December. Repair should be a priority before an accident happens.

Signs have been erected multiple times to prohibit docking, which have been removed and ignored. We recommend putting a physical barrier up to block access to the unsafe condition that exists and prioritizing this repair to be done as soon as possible.

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

I. Call to Order / Roll Call

Chair Henderson called the meeting to order at 6:00 p.m. and roll was called.

II. Approval of Minutes – June 3, 2021

Motion made by Mr. Walker, seconded by Mr. Witten, to approve the minutes of the June 3 meeting. In a voice vote, the **motion** passed unanimously.

III. Statement of Quorum

It was noted a quorum was present at the meeting.

IV. Introduction of New Member – Bob Denison

New Board member Bob Denison was introduced at this time.

V. Waterway Crime & Boating Safety Report

Sergeant Todd Mills of the Fort Lauderdale Police Department's Marine Unit reported the following activity from June 2021:

- 38 citations
- 96 warnings
- 8 safety inspections
- 6 accidents
- 12 incidents

Sgt. Mills advised that of the 38 citations, 18 were issued to individuals on jet skis. Similarly, 39 of the 96 warnings were issued to jet ski riders. The Marine Unit did not deal with any derelict vessels during June, although one such vessel remains underwater in Lake Sylvia and two others are still going through the derelict process.

Sgt. Mills continued that most of the incidents addressed by the Marine Unit were boating accidents that were resolved by the complainants themselves. There was also a report of floating narcotics near Port Everglades. He added that the Marine Unit has applied for a Florida Inland Navigational District (FIND) grant for roughly \$40,000 to purchase new engines for their boats.

Sgt. Mills concluded that fireworks are planned for the Fourth of July.

Mr. Harrison requested clarification of whether sunken derelict boats make the documentation process easier. Sgt. Mills explained that sometimes it can take more time to have sunken vessels classified as derelict and remove them. The City typically seeks reimbursement for the cost of raising a sunken boat from the boat's owner. It was noted that the Florida Legislature recently passed Bill 1086, which streamlines the derelict vessel process by allowing some boats to be labeled "at-risk" before they sink.

VI. Dock Waiver – 435 Bayshore Drive – Unit 402 / Stephen Farrell

This Item was withdrawn at the request of the applicant.

VII. Discussion Item – Water Quality Initiative

Mr. Luscomb advised that he is working with the City's water quality initiative and is tasked with finding ways to increase the availability of pump-out service to vessels. The federal government provides funds to assist states in purchasing pump-out stations or vessels. These grants cover 75% of these costs to the City. When this funding is used, however, the City may not charge more than \$5 per pump-out for the first five years, which does not cover operational costs.

Mr. Luscomb continued that one option used in Martin County is a vessel that can be called to respond to an owner's home to pump out vessels. Their costs are absorbed by the county and the boat removes approximately 165,000 gallons per year. Monroe County issues requests for proposal (RFPs) for boats to cover different zones in the Florida Keys with pump-out service. Owners must register their vessels to receive free pump-out service and are required to pump out vessels at least once per month. These vendors charge roughly \$52 per pump-out to the county, which includes the cost of fuel.

Mr. Luscomb stated that of the 27 marinas within Fort Lauderdale city limits, 12 are classified as clean marinas. He noted that the state is now applying to the Department of Environmental Protection (DEP) to become a No Discharge Zone. On July 1, 2021, all aquatic preserves in the state are automatically considered No Discharge Zones. Broward County does not have any aquatic preserves at present.

Fort Lauderdale has three private sector businesses that provide pump-out service. Mr. Luscomb emphasized that it is not the City's intent to impinge upon any of these businesses: it is hoped that the City can develop a public/private effort that incorporates these entities in the process.

Mr. Luscomb noted that the City could partner with businesses that provide mobile pump-outs throughout Fort Lauderdale. Another option could be to determine locations where free or inexpensive pump-out service could be provided. It was noted that pump-out systems are reasonably inexpensive. One difficult aspect of using grant funds for

pump-outs could be tracking the information required by grant agencies, such as the owners of serviced vessels and whether they are from in- or outside the state. He concluded that it can be difficult for a pump-out business to be profitable, as cost and convenience can both serve as deterrents to this service.

VIII. Old / New Business

Mr. Luscomb also provided an update on three areas in the City that required mitigation following sewage spills, including George English Park. He noted that this job has been delayed while awaiting computer hardware required for the process. The process is expected to begin the second or third week of July. This will be followed by projects on the Tarpon River and in the Himmarshee area.

Vice Chair Strobel reported that the seawall in front of The Wharf Fort Lauderdale cannot be used as a staging area for the Winterfest Boat Parade in 2021, as it has been determined to be unsafe. There are no funds in the budget at this time to make repairs to this portion of the seawall. He pointed out that boats are docked at this location every day, and expressed concern with the possibility of concrete failure and injury. He suggested that the Board send a communication to the City Commission recommending that these repairs be prioritized for safety reasons.

Mr. Harrison recalled that this area may have been discussed previously by the City Commission, as The Wharf had sought permission to use it as a private facility. Mr. Cuba clarified that no formal action has been taken on this area. Mr. Walker added that the Board has expressed concern to the City Commission in past communications about other unsafe areas. It was noted that once a seawall collapses, it is significantly more expensive to repair or replace.

Mr. McLaughlin commented that the City has a maintenance agreement with a marine contractor, which could be called in to address the safety issue. Mr. Harrison observed that repairs to the north seawall have been an ongoing issue, with the City seeking funds from the County to help with this expense. He also noted that the dock in question is a commercial dock, which The Wharf had seemed to want to turn into a non-commercial facility. He felt strongly that the dock should remain commercial. He also asked if the dock has signage or fencing that indicates it is unsafe.

Mr. Cuba advised that the dock is divided into three zones: a commercial zone, a drop-off area for the Water Taxi, and a transient zone. Up until roughly three months ago, the City was charging vessels to stay at the location; however, they have since been instructed not to charge vessels for staying there, and to place signage on the property indicating that the dock was out of order. The signage was implemented, and it was suggested that the area be barricaded. The signage has since been removed and replaced.

Mr. Luscomb noted that sections of the seawall may be eligible for grant funding.

Motion made by Vice Chair Strobel to send this:

The seawall adjacent to The Wharf is in desperate need of repair and is a major liability to the City. The area is still being used by the public. The Winterfest Boat Parade has been informed it is not safe to be used to stage for the 50th anniversary parade in December. Repair should be a priority before an accident happens.

Mr. Harrison recommended that the proposed communication to the City Commission also include the following:

Signs have been erected multiple times to prohibit docking, which have been removed and ignored. We recommend putting a physical barrier up to block access to the unsafe condition that exists and prioritizing this repair to be done as soon as possible.

Mr. Harrison **seconded** the **motion**. In a voice vote, the **motion** passed unanimously.

Mr. Cuba encouraged the Board members to attend the City Commission meeting at which this communication would be discussed. Mr. McLaughlin suggested that they may also wish to bring photos of the area.

IX. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 7:00 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. 21-19

DATE: August 13, 2021

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities Manager

RE: September 2, 2021 MAB Meeting - Dock Waiver of Distance Limitations – Enrico Scarda, Manager of RA FLL, LLC / 501 Middle River Drive

Attached for your review is an application from Enrico Scarda, 501 Middle River Drive.

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for installation of a floating dock and three (3) triple pile clusters extending a maximum of +/-53.2' into the adjacent Middle River. The distances these structures extend from the property line into the waterway are shown in the survey and summarized in Table 1 below:

TABLE 1

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	AMOUNT OF DISTANCE REQUIRING WAIVER
Floating Dock	+/-50.8'	25'	+/-25.8'
Triple Pile Clusters (3)	+/-53.2'	25'	+/-28.2'

The City's Unified Land and Development Regulations (UDLR) Sec. 47-19.3.C limits the maximum distance of mooring structures to 25' or 25% of the width of the waterway, whichever is less and Sec. D. limits mooring piles to 25' or 30% of the width of the waterway, whichever is less. Section 47-19.3.E authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances. The applicant indicates that the proposed floating dock and triple pile clusters are necessary for safely mooring resident's vessels due to frequent boat activity generating large wakes, as well as during high winds and severe weather.

PROPERTY LOCATION AND ZONING

The property is located within the Sunrise Plat RS-4.4 Residential Single Family/Low Density District. It is situated on the eastern shore of the Middle River where the width of the waterway from wetface to wetface is +/- 500 feet, according to the Summary Description provided in **Exhibit 1**.

DOCK PLAN AND BOATING SAFETY

Marine Facilities' records reflect there has been four (4) Waivers of Limitation approved by the City Commission within close proximity to 501 Middle River Drive (**Table 2**).

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
April 2013	785 Middle River Drive	Pilings – 40'
January 2015	773 Middle River Drive	Pilings – 60'
November 2017	801 Middle River Drive	Pilings – 52'
April 2019	797 Middle River Drive	Pier – 54.5'

RECOMMENDATIONS

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

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers.
2. As a general condition of approval and in order to review for final consistency with construction of facilities in accord with this application and City building permits the applicant is required to provide the City's Supervisor of Marine Facilities with copies of "As Built" drawings from a certified and licensed contractor.
3. The applicant is required to install and affix reflector tape to the proposed mooring piling clusters in accord with Section 47.19.3.E of the Unified Land and Development Regulations (ULDR).

AC
Attachment

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



501 MIDDLE RIVER DRIVE APPLICATION FOR WATERWAY WAIVER

714 East McNab Road. Pompano Beach, FL 33060 *tel.* 954.782.1908 *fax.* 954.782.1108 www.thechappellgroup.com

Environmental Consultants | Marina & Wetland Permitting | Mitigation Design & Monitoring | T & E Species Surveys | Tree Surveys/Appraisals

**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: **Enrico Scarda, Manager of RA FLL, LLC.**

TELEPHONE NO: _____ 631-582-4800 _____ EMAIL: e.scarda@crestorg.com
(home) (business)

2. APPLICANT'S ADDRESS (if different than the site address): **1201 Route 112 Suite 900 Port Jefferson Station, NY 11776**

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:
The applicant requests a waiver for the proposed construction of a finger pier and mooring piles beyond 25 feet from the property line.

4. SITE ADDRESS: **501 Middle River Drive Fort Lauderdale, FL 33304** ZONING: **RS-4.4**

LEGAL DESCRIPTION AND FOLIO NUMBER:
**SUNRISE 28-42 B LOT 24 BLK 6
Folio No. 504201320970**

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

Applicant's Signature

Date 6/24/2021

=====

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

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

Marine Advisory Board Action
Formal Action taken on _____

Commission Action
Formal Action taken on _____

Recommendation _____
Action _____

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EXHIBIT II SUMMARY DESCRIPTION

Summary Description

501 Middle River Drive

TCG Project No. 21-0072

The project site is located along the Middle River at 501 Middle River Drive, in Section 01, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida.

The property is located along the Middle River, 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 Middle River, the incoming tidal waters (flood) at the site move to the west and the outgoing waters (ebb) move to the east.

The project site consists of an existing ± 150 ln. ft. coral rock wall, a ± 390 sq. ft. wood dock, and a boat lift. The proposed project includes the installation of a 41'x7' floating dock (287 sq. ft.) and three (3) triple pile clusters. As measured from the property line, the proposed floating dock and triple pile clusters encroach more than 25' from the property line into the Middle River. As this distance is over the allowable 25' distance into the waterway from the property line, the proposed floating dock and triple pile clusters 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 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 from wetface to wetface ($\pm 500'$), the proposed project will not impede navigation within the Middle River.
3. The proposed structures are necessary for safely mooring resident's vessels, especially during high wind events and severe weather.
4. The proposed structures are also necessary to protect the resident's vessels from large wakes generated by frequent boat activity along the Middle River as this is not a no-wake zone.

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	Floating Dock	50.8'	25'	25.8'
B	Triple Pile Clusters (3)	53.2'	25'	28.2'

EXHIBIT III WARRANTY DEED

Prepared by:

William P. Blade, Esq.
Blade & Blade, P.A.
515 South Federal Highway
Deerfield Beach, FL 33441
(954) 429-1200
File Number: R-201105L

Return to:

Equity Settlement Services, Inc.
444 Route 111
Smithtown, NY 11787

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 20 day of April, 2021 between James E. Pearl, a married man, David S. Pearl, II, a married man, and Douglas B. Pearl, a married man whose post office addresses are below, grantor, and RA FLL, LLC, a Florida limited liability company, whose post office address is 1201 Route 112, Suite 900, Port Jefferson Station, NY 11776, grantee:

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

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

Lot 24, Block 6, of SUNRISE, a Subdivision in Fort Lauderdale, Florida, according to the Plat thereof, recorded in Plat Book 28, Page 42, of the Public Records of Broward County, Florida.

Parcel Identification Number: 50-42-01-32-0970

Subject to conditions, restrictions, limitations, and easements of record, if any.

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2020.

The property herein conveyed DOES NOT constitute the HOMESTEAD property of the Grantors. James E. Pearl resides at 1604 Federal Point Drive, Salt Lake City, UT 84103. David S. Pearl, II resides at 608 4th Key Drive, Fort Lauderdale, FL 33304 and Douglas B. Pearl resides at 6051 N. Ocean Drive, Unit 1705, Hollywood, FL 33019.

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:

② Rebekah Guest Mell

Witness Name: Rebekah Guest Mell

③ Michelle Trader

Witness Name: Michelle Trader

① James E. Pearl
James E. Pearl

STATE OF UTAH
COUNTY OF SALT LAKE

The foregoing instrument was acknowledged before me by means of () physical presence or () online notarization this 20 day of April, 2021, by James E. Pearl.

④ Anna Beckstrom

Signature of Notary Public
Print, Type/Stamp Name of Notary

⑤

Personally Known: OR Produced Identification: _____
Type of Identification
Produced: DL



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:

(2) Verna Chang Alvey
Witness Name: VERNA CHANG ALVEY

(1) David S. Pearl, II
David S. Pearl, II

(3) Sally Lumpuy
Witness Name: SALLY LUMPUY

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of (X) physical presence or () online notarization this 20 day of April, 2021, by David S. Pearl, II.

(4) [Signature]
Signature of Notary Public
Print, Type/Stamp Name of Notary

(5)

Personally Known: OR Produced Identification: _____
Type of Identification _____
Produced: _____

 KAREN L. ALFORD
Commission # GG 173411
Expires January 20, 2022
Bonded Thru Budget Notary Services

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:

(1) Verna Chang Alloy
Witness Name: VERNA CHANG ALLOY

(1) Douglas B. Pearl
Douglas B. Pearl

(2) [Signature]
Witness Name: Sally Lumpuy

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of physical presence or () online notarization this 30 day of April, 2021, by Douglas B. Pearl.

(4) [Signature]
Signature of Notary Public
Print, Type/Stamp Name of Notary

(5)

Personally Known: OR Produced Identification: _____
Type of Identification _____
Produced: _____

 KAREN L. ALFORD
Commission # GG 173411
Expires January 20, 2022
Bonded Thru Budget Notary Services

EXHIBIT IV OPERATING AGREEMENT



File #: MADEX-09379

1031 Exchange Operating Agreement of RA FLL, LLC

1. This agreement is made on April 20, 2021.
2. The terms of this 1031 Exchange Operating Agreement (this "Operating Agreement") supersede the terms of any prior operating agreement of **RA FLL, LLC** (the "Company").
3. **Madison EAT, L.L.C.** ("Madison"), a New Jersey limited liability company, is the sole member and owner of the Company. The person who formed or is about to form the company is Enrico Scarda ("Former"). He has signed the Operating Agreement to acknowledge that Madison EAT, L.L.C. is the sole member and owner of the Company and that Madison EAT has the authority to execute this document on behalf of the company.
4. Elliot S. Zaks and Lee David Medinets, Esq. are hereby appointed to act as Managers of the Company. They may act jointly or individually in that capacity, without the need to prove the consent or participation of the other. They may also appoint agents and/or attorneys in fact, from time to time, to act for, in the name of, or on behalf of the Company.
5. The business of the Company will be solely to own and to manage real estate described as follows:
501 Middle River Drive, Fort Lauderdale, FL 33304
(the "Replacement Property").
6. The Company has taken or will take title to the Replacement Property as a 1031 Exchange Accommodation Titleholder. While this Operating Agreement is in effect, the Company may not take any action that is inconsistent with its fiduciary obligations to act in that capacity. The Managers hereby appoint Crest HM LLC, ("Property Agent") as agent to manage the Replacement Property on behalf of the Company. The Property Agent is hereby authorized to collect rents and income from the Property on behalf of the Company; to care for, improve and oversee the property; and to disburse income from the property for the aforementioned purposes. The Property Agent, however, is *not* authorized to enter into any contract on behalf of the Company or to obligate the Company to pay money.
7. **Enrico Scarda** is hereby appointed as a non-member manager of the Company (the "Non-Member Manager") with the following powers: (a) To execute and to deliver on behalf of the Company every document necessary or proper in order for the Company to acquire the Replacement Property (b) to manage the day-to-day operations of the Replacement Property on behalf of the Company; (c) to collect rents and income from the Replacement Property on behalf of the Company; (d) to care for, improve and oversee the Replacement Property; (e) and to disburse income from the property for the aforementioned purposes. The foregoing notwithstanding, the Non-Member Manager is *not* authorized to enter into any contract or agreement on behalf of the Company other than those set forth herein or those explicitly authorized in writing by one of the Managers of the Company identified in Paragraph 4, above, or to enter into any agreement or undertaking, whatsoever, on behalf of



File #: MADEX-09379

the Company that could result in the personal liability of the Company's owners, principals, managers (other than the Non-Member Manager, himself) or agents.

- 8. The Property Agent has signed this Operating Agreement to acknowledge that he or she will faithfully discharge the duties of Property Agent in accordance with this agreement, as well as to acknowledge that Madison is the sole member and owner of the Company and that each party executing this Operating Agreement has the authority to do so. Elliot S. Zaks and Lee David Medinets have signed this Operating Agreement to acknowledge that they will faithfully discharge their duties as Manager of the Company in accordance with this agreement and in accordance with the §1031 Exchange agreements to which this Company is a party.
- 9. The current principal office for the Company is 1125 Ocean Avenue, Lakewood, NJ 08701.
- 10. The use of any particular gender or number is for convenience only. No inference is to be drawn there from. The correct gender and number is to be substituted freely throughout as the context may dictate.
- 11. Faxed Signatures on this document will be binding as originals.

Madison EAT, L.L.C.

By: Lee David Medinets, Manager

By: Elliot S. Zaks, Manager

Crest HM LLC, Property Agent

Crest HM LLC


By: 
Enrico Scarda, Manager

EXHIBIT V AGREEMENT WITH WEST NEIGHBOR

IRREVOCABLE DECLARATION OF RESTRICTIONS

KNOWN BY ALL MEN THESE PRESENTS, that the undersigned, Cullan Meathe and Jenny Meathe, husband and wife, being the owners of that certain property located at 505 Middle River Drive, Fort Lauderdale, Broward County, Florida 33304, being more particularly described as follows:

Lot 25, in Block 6, of SUNRISE, according to the Plat thereof, as recorded in Plat Book 28, at Page 42, of the Public Records of Broward County, Florida.

makes the following Irrevocable Declaration of Restrictions covering the above-described real property, specifying that this declaration shall constitute a covenant running with the land and that this declaration shall be binding upon the undersigned and upon all persons deraigning title through the undersigned. These restrictions, shall be for the benefit of an limitation upon all present and future owners of the real property.

1. No boat shall be moored so as to infringe into an area within twenty five (25) feet of the property line between 505 Middle River Drive, Fort Lauderdale, Broward County, Florida 33304 and 501 Middle River Drive, Fort Lauderdale, Florida 33304.
2. No boat lift shall be constructed within twenty five (25) feet of the property line between 505 Middle River Drive, Fort Lauderdale, Broward County, Florida 33304 and 501 Middle River Drive, Fort Lauderdale, Florida 33304.
3. No boat shall be on a lift so that any portion of said boat shall infringe into an area within twenty five (25) feet of the property line between 505 Middle River Drive, Fort Lauderdale, Broward County, Florida 33304 and 501 Middle River Drive, Fort Lauderdale, Florida 33304.
4. The current owner, and all subsequent owners, of the property located at 501 Middle River Drive, Fort Lauderdale, Florida 33304 shall have the right to construct a boat dock to the property line between 505 Middle River Drive, Fort Lauderdale, Broward County, Florida 33304 and 501 Middle River Drive, Fort Lauderdale, Florida 33304; however, the setbacks and easements otherwise applicable shall not be altered by this agreement.

IN WITNESS WHEREOF, I have set my hand and seal this 5th day of August, 2009.

WITNESSES:

Stephanie Valletta
James McWaller
Stephanie Valletta
James McWaller

Cullan Meathe

Cullan Meathe

Jenny Meathe

Jenny Meathe

STATE OF FLORIDA }
COUNTY OF BROWARD }:

I HEREBY CERTIFY that on this 5th day of August, 2009 before me personally appeared Cullan Meathe and Jenny Meathe, husband and wife, to me known.

WITNESS my hand and seal this 5th day of August, 2009.

Pamela Kottek

Notary Public

My Commission Expires:

This Instrument Prepared By: John M. Camillo
CAMILLO, SNOWDEN & DE ALMEIDA, P.A.
221 West Oakland Park Blvd.
Fort Lauderdale, Florida 33311
Telephone No.: (954) 565-3398



EXHIBIT VI ORIGINAL SURVEY

TREE TABLE

NUMBER	DIRECTION	DISTANCE
#1	MANGO	16"
#2	TREE	7"
#3	MANGO	8"
#4	TREE	4"
#5	SABAL PALM	13"
#6	TREE	14"
#7	SABAL PALM	10"
#8	SABAL PALM	16"
#9	SABAL PALM	16"
#10	SABAL PALM	16"
#11	MANGO	12"
#12	SABAL PALM	12"
#13	SABAL PALM	15"
#14	SABAL PALM	16"
#15	SABAL PALM	16"
#16	SABAL PALM	16"
#17	SEAGRAPE	36"
#18	MANGO	8"
#19	TREE	10"
#20	PALM	8"
#21	CHRISTMAS PALM	12"
#22	CHRISTMAS PALM	10"
#23	CHRISTMAS PALM	10"

- LEGEND**
- ☐ CABLE JUNCTION BOX
 - ☐ CATCH BASIN
 - CLEAN OUT
 - ⊗ CONTROL VALVE
 - ⊗ ELECTRIC SERVICE
 - ⊗ FIRE HYDRANT
 - ☐ FP&L PAD
 - GUY ANCHOR
 - ⊗ MANHOLE
 - ⊗ POOL EQUIPMENT
 - ⊗ POWER/LIGHT POLE
 - ⊗ SPRINKLER SYSTEM
 - ⊗ WATER METER
 - ⊗ WATER VALVE
 - ⊗ WELL

- ☐ BRICK PAVERS
- CENTERLINE
- ☐ CONCRETE/CHAT
- ☐ CONCRETE WALL
- 0.00 ELEVATION
- x—x— METAL FENCE
- · · · — OVERHEAD WIRES
- ☐ WOOD DECK/DOCK
- · · · — WOOD FENCE

SURVEYOR'S NOTES

1. BASIS OF BEARINGS AS INDICATED ON SKETCH.
2. LEGAL DESCRIPTION PROVIDED BY CLIENT.
3. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THIS OFFICE FOR EASEMENTS, RIGHT-OF-WAYS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD.
4. UNDERGROUND OR INTERIOR PORTIONS OF FOOTINGS, FOUNDATIONS, WALLS OR OTHER NON-VISIBLE IMPROVEMENTS WERE NOT LOCATED.
5. ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 UNLESS OTHERWISE SHOWN.
6. FENCE TIES ARE TO THE CENTER-LINE OF FENCE. WALL TIES ARE TO THE FACE OF WALL.
7. IN SOME INSTANCES GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE THE CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.
8. THE DIMENSIONS AND DIRECTIONS SHOWN HEREON ARE IN SUBSTANTIAL AGREEMENT WITH RECORD VALUES UNLESS OTHERWISE NOTED.
9. PARTY WALLS ARE CENTERED ON PROPERTY LINE AND ARE 0.7' WIDE UNLESS OTHERWISE NOTED.
10. EXISTING CORNERS FOUND OFF WITNESS PROPERTY CORNERS
11. OBSTRUCTED CORNERS ARE WITNESSED BY IMPROVEMENTS.
12. NO ATTEMPT WAS MADE TO LOCATE WRITTEN OR UNWRITTEN EASEMENTS OR RIGHTS-OF-WAY, OTHER THAN THOSE SHOWN HEREON.

LEGAL DESCRIPTION
 LOT 24, BLOCK 6, SUNRISE, A SUBDIVISION IN FORT LAUDERDALE, FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 28, PAGE 42, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

CERTIFIED TO:
 PEARL, JAMES E & PEARL, DAVID S II ETAL

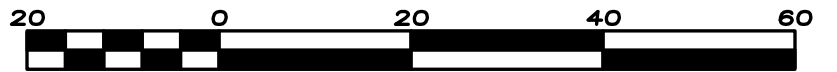
PROPERTY ADDRESS
 501 MIDDLE RIVER DRIVE
 FORT LAUDERDALE, FL 33304

BOUNDARY SURVEY
 INVOICE # 42948
 SURVEY DATE 03/05/21

FLOOD ZONE X/X0.2%/AE-5
 MAP DATE 08/18/14
 MAP NUMBER 125105 0388H

ABBREVIATIONS

- BC BUILDING CORNER
- BW BACK OF WALK
- C CALCULATED
- M MEASURED
- N.T.S. NOT TO SCALE
- OP OPEN PORCH
- ORB OFFICIAL RECORDS BOOK
- PC POINT OF CURVATURE
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- PG PAGE
- PRC POINT OF REVERSE CURVE
- PRM PERMANENT REFERENCE MONUMENT
- PT POINT OF TANGENCY
- E/F END OF FENCE
- EP EDGE OF PAVEMENT
- EW EDGE OF WATER
- F/C FENCE CORNER
- F/L FENCE LINE
- FIP FOUND IRON PIPE
- FIR FOUND IRON ROD
- FN FOUND NAIL
- FN&D FOUND NAIL & DISC
- FP&L FLORIDA POWER AND LIGHT RECORD
- R RADIAL
- SN&D SET NAIL & DISC # 5495
- SP SCREENED PORCH
- SP&C SET 1/2" PIN & CAP # 5495
- CNF CORNER NOT FOUND



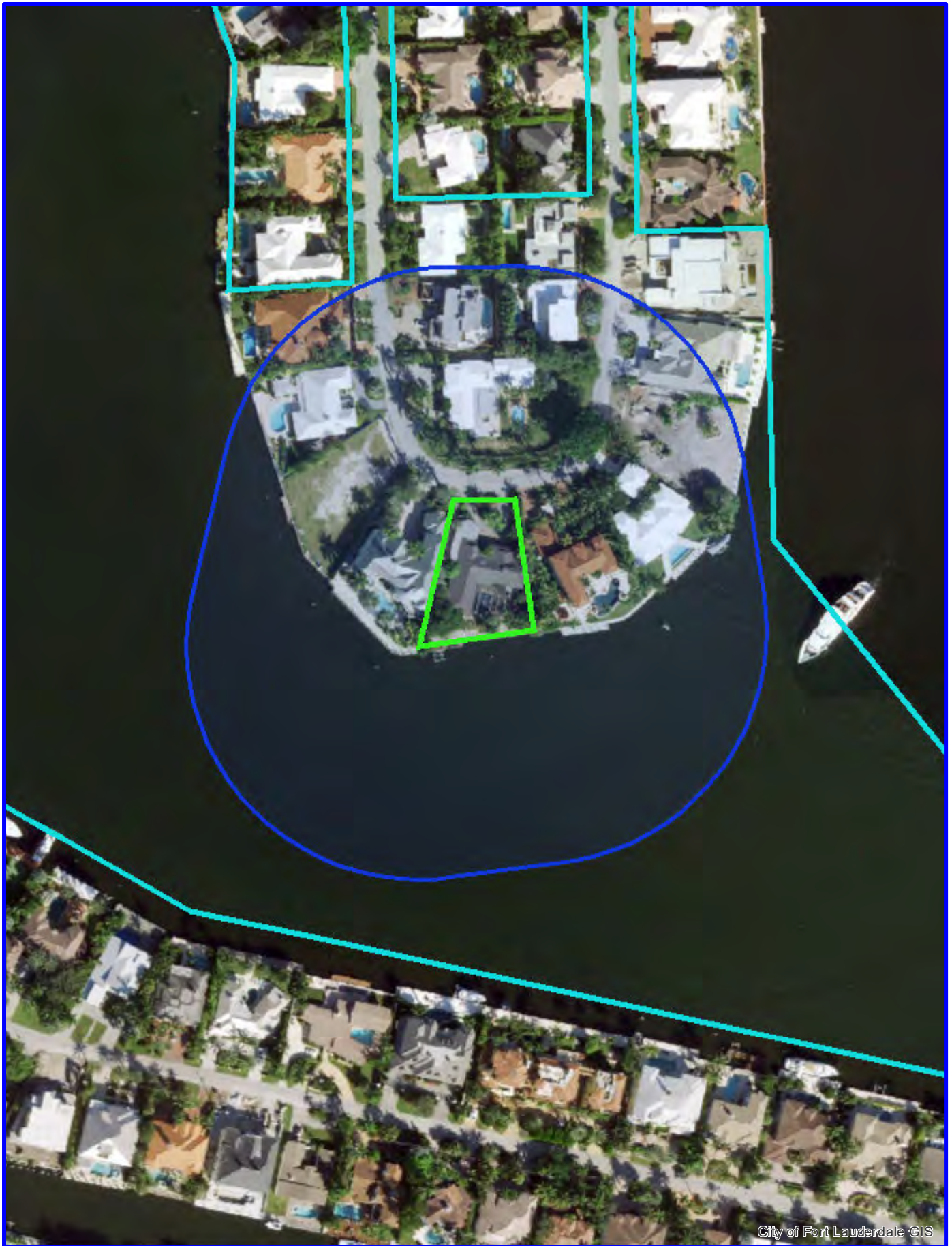
Scale 1" = 20'

ATLANTIC COAST
 SURVEYING INC.

Paul J. Stowell

PAUL J. STOWELL
 PROFESSIONAL LAND SURVEYOR
 FLORIDA CERTIFICATION NO. 5241
 ATLANTIC COAST SURVEYING, INC.
 6129 STIRLING RD SUITE 2 DAVIE, FLORIDA 33314
 OFFICE: 954.587.2100 FAX: 954.587.5418

**EXHIBIT VII
ZONING AERIAL**



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

501 Middle River Drive



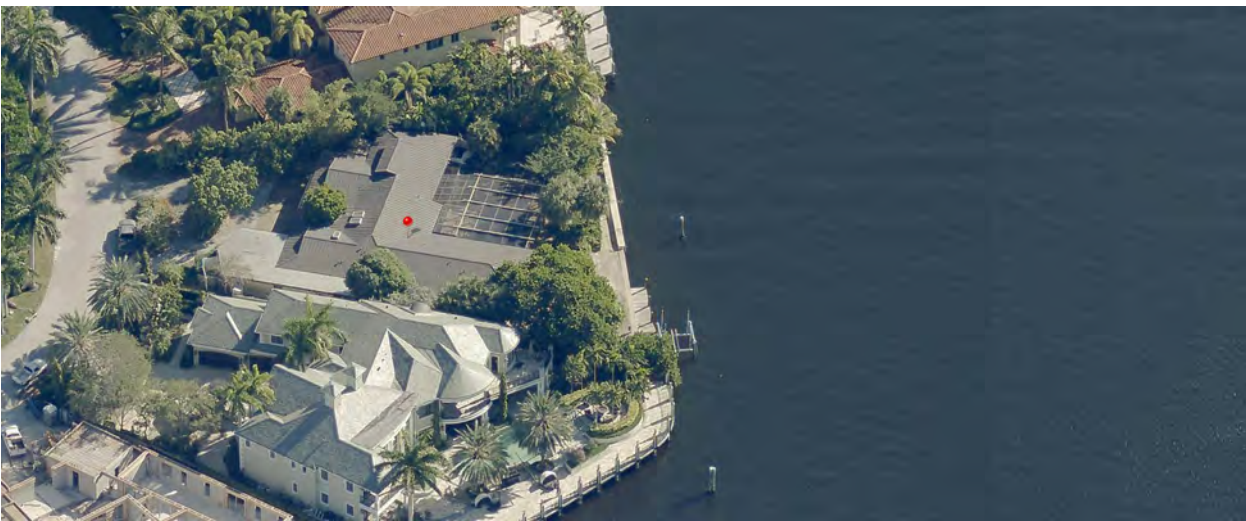
0 90 180 Feet

GIS
Fort Lauderdale

EXHIBIT VIII SITE PHOTOGRAPHS



1. Eastern portion of the subject site, facing west along the Middle River.

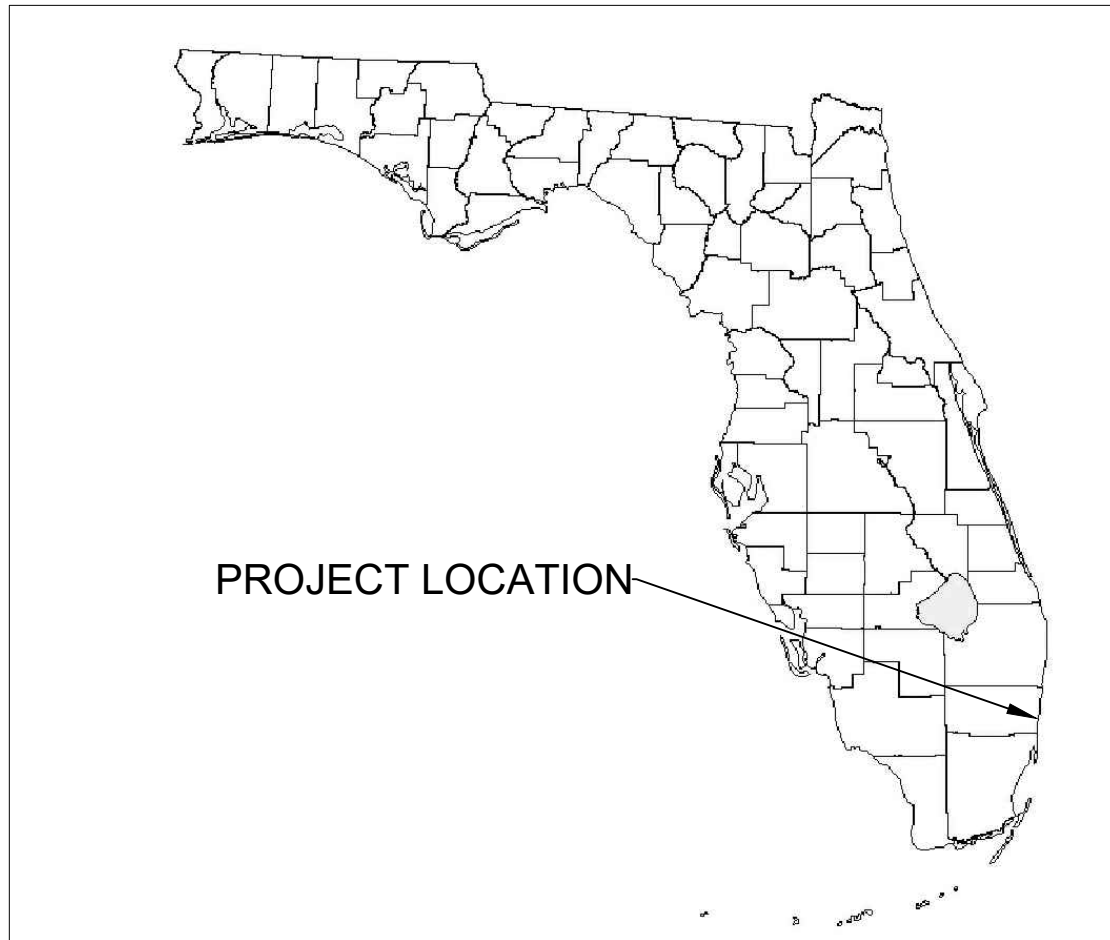


2. Western portion of the subject site, facing east along the Middle River.

EXHIBIT IX PROJECT PLANS

501 MIDDLE RIVER DRIVE

PLAN SET



LOCATION MAP (N.T.S.)

DRAWING INDEX

SHEET 1: COVER

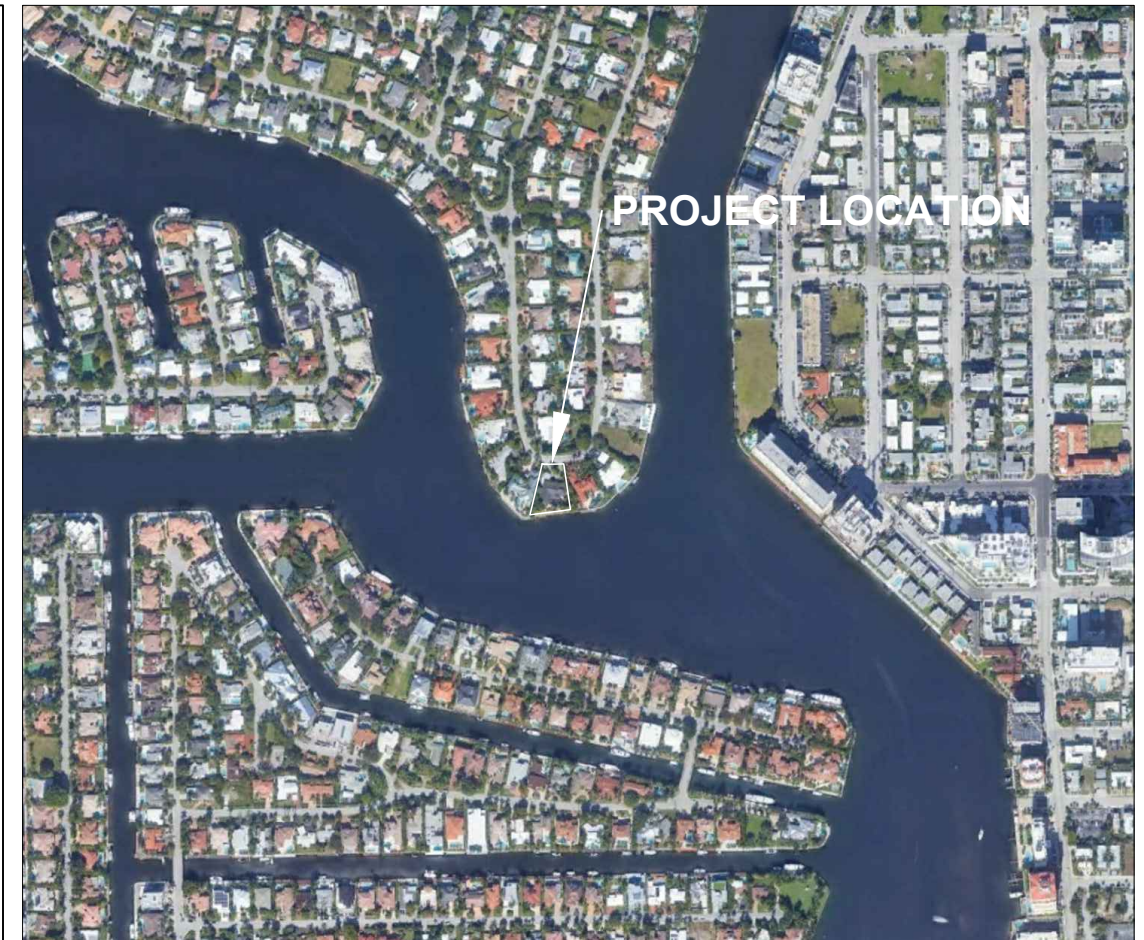
SHEET 2: EXISTING
CONDITIONS

SHEET 3: PROPOSED
CONDITIONS

SHEET 4: SECTIONS

SHEET 5: SECTIONS

SHEET 6: DETAILS



VICINITY AERIAL (N.T.S.)

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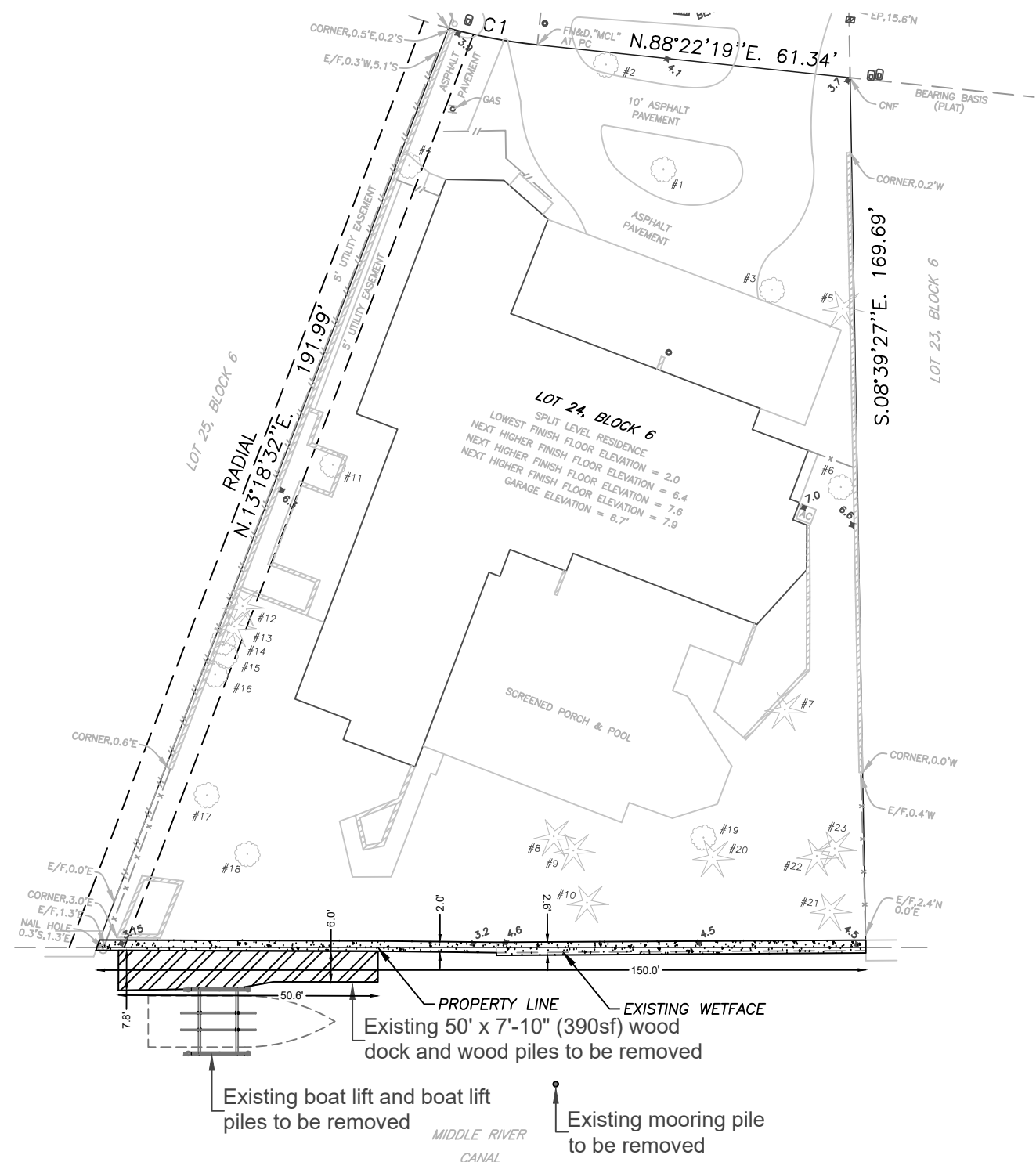
- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Tree Surveys/Appraisals

501 MIDDLE RIVER DRIVE

PREPARED FOR:
RA FLL, LLC.

COVER

Date: 8/16/2021	Sheet : 1	of : 6
Proj No.: 21-0072		



LEGEND

- SUBJECT SITE (0.46 AC)
- EXISTING CORAL ROCK WALL TO REMAIN (±150 SQ. LN. FT.)
- EXISTING WOOD DOCK TO BE REMOVED (±390 SQ. FT.)

M.H.W. = 0.25' NAVD88 M.L.W. = (-)2.13' NAVD88

NOTE: SURVEY INFORMATION PROVIDED BY ATLANTIC COAST SURVEYING, INC. & ADDITIONAL DRAWINGS PROVIDED BY MW ENGINEERING, INC. ELEVATIONS SHOWN AS NAVD88.

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501 MIDDLE RIVER DRIVE

PREPARED FOR:
RA FLL, LLC.

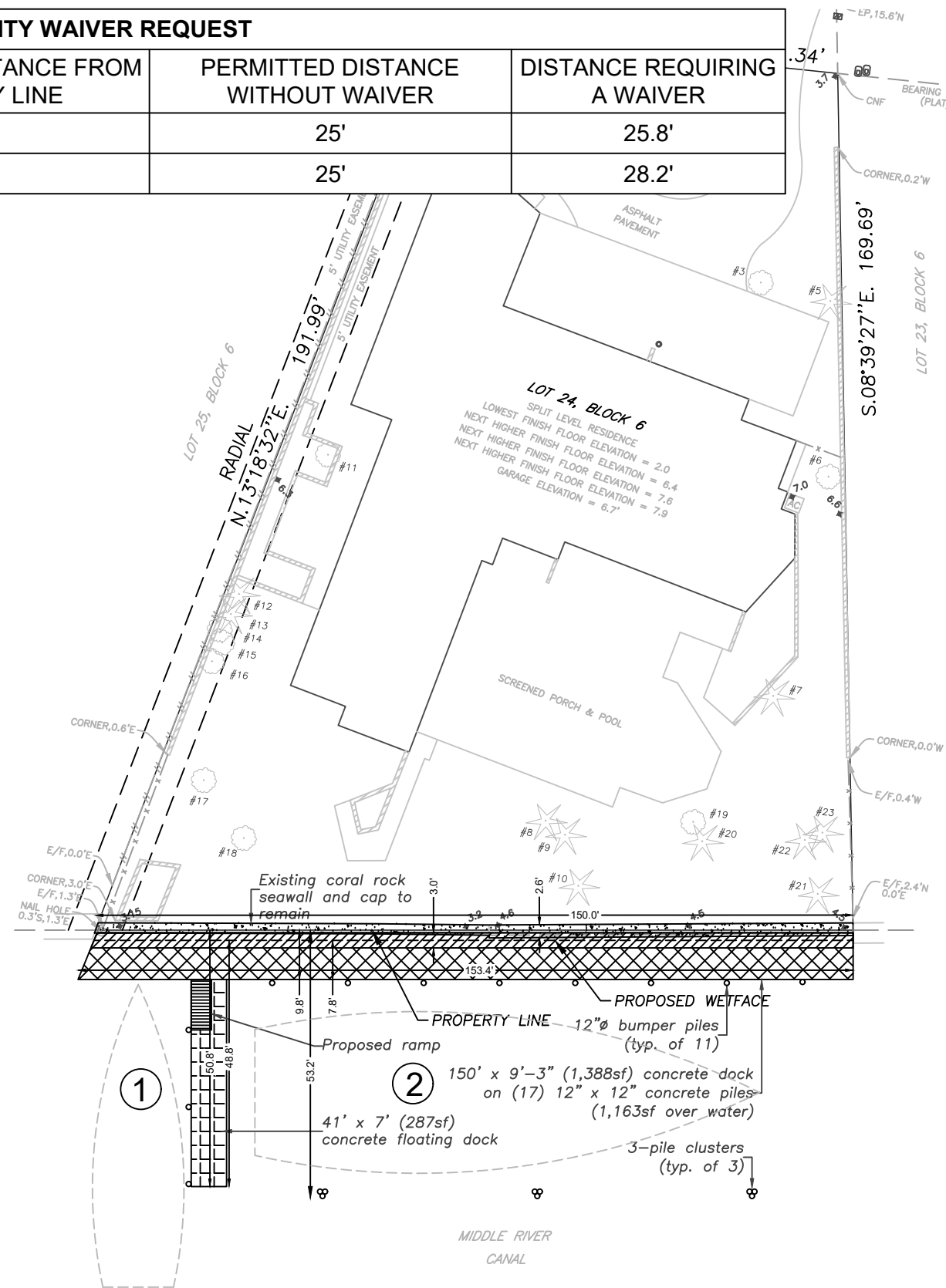
EXISTING CONDITIONS

Date: 8/16/2021	Sheet : 2	of : 6
Proj No.: 21-0072		

CITY WAIVER REQUEST

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
FLOATING DOCK	50.8'	25'	25.8'
TRIPLE PILE CLUSTERS (3)	53.2'	25'	28.2'

PROPOSED SLIP TABLE		
SLIP #	LENGTH	BEAM
1	60'	17'
2	100'	30'



LEGEND

- SUBJECT SITE (0.46 AC)
- EXISTING CORAL ROCK WALL TO REMAIN (±150 SQ. LN. FT.)
- PROPOSED CONCRETE PANEL SEAWALL (±150 LN. FT.; ±211 SQ. FT. OVERWATER)
- PROPOSED CONCRETE MARGINAL DOCK (±952 SQ. FT.)
- PROPOSED FLOATING DOCK (±287 SQ. FT.)
- PROPOSED SLIPS (2)

M.H.W. = 0.25' NAVD88 M.L.W. = (-)2.13' NAVD88
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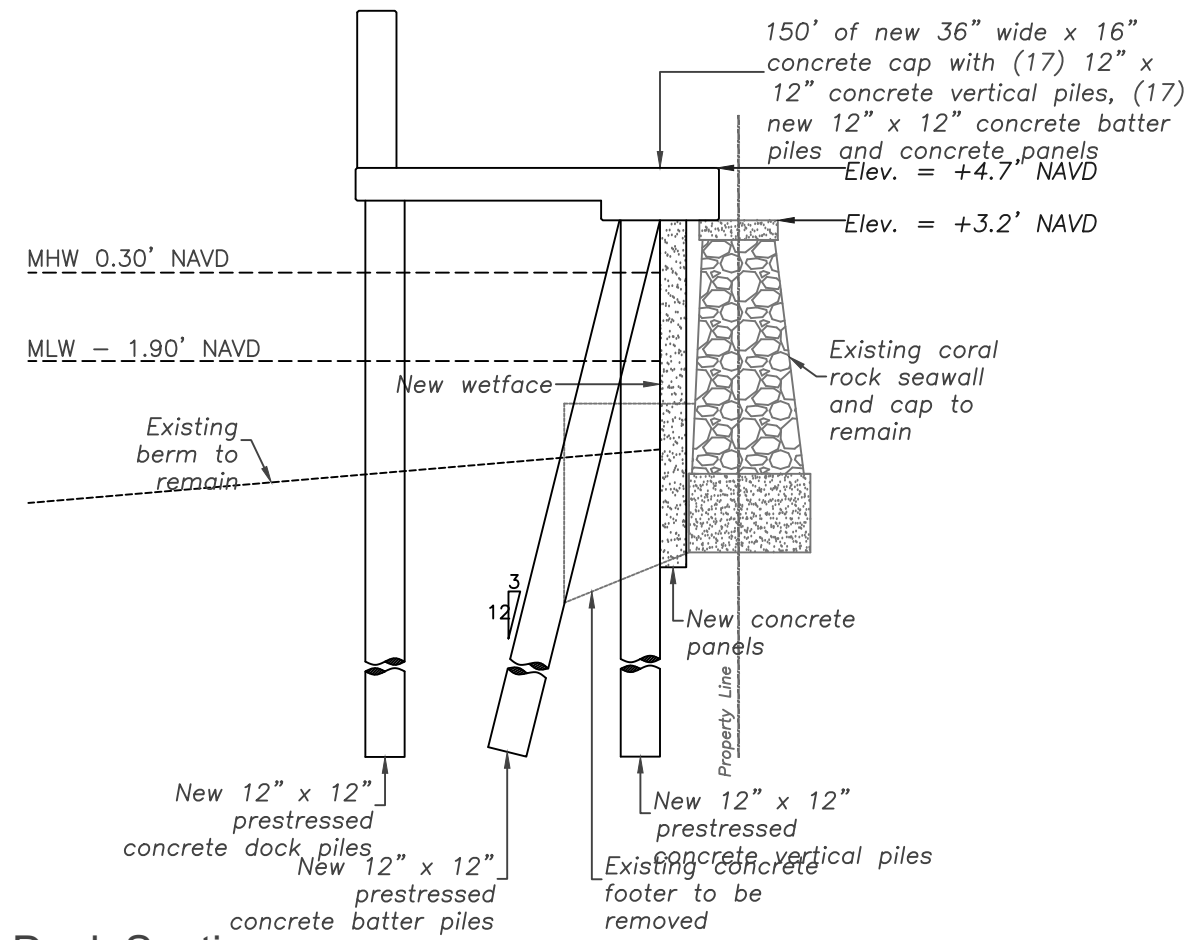
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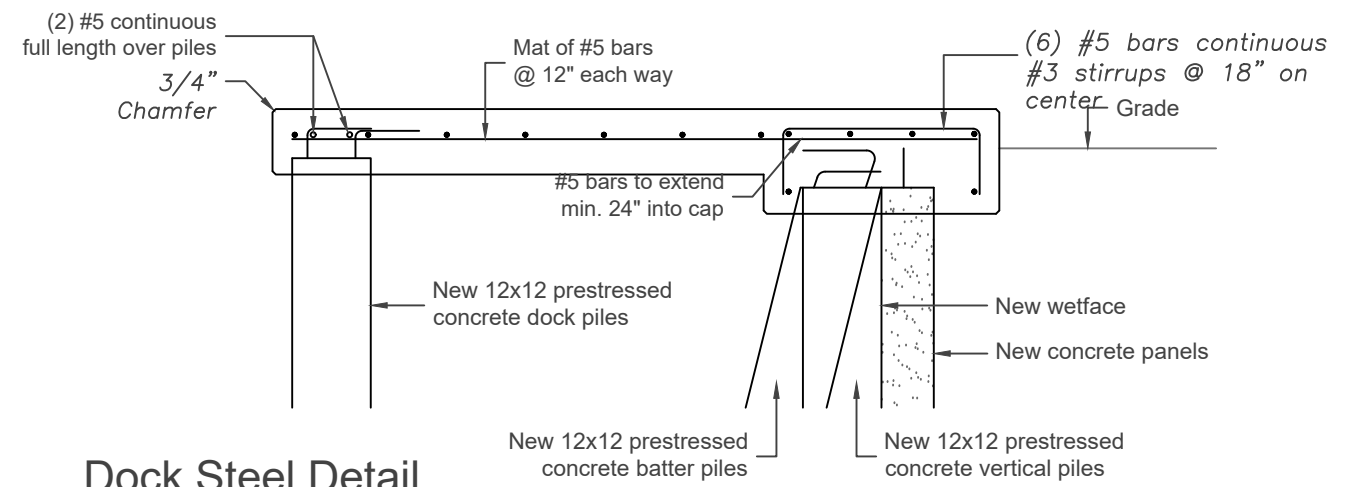
501 MIDDLE RIVER DRIVE

PREPARED FOR:
 RA FLL, LLC.

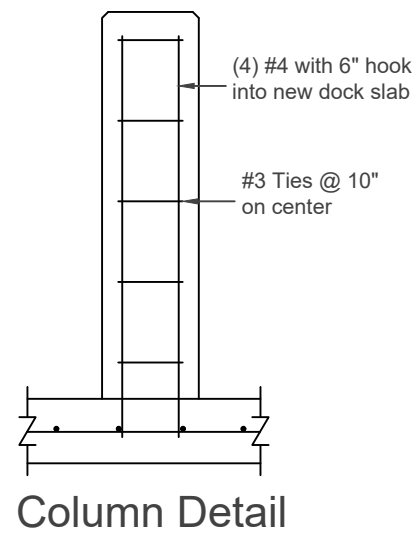
PROPOSED CONDITIONS		
Date: 8/16/2021	Sheet : 3	of : 6
Proj No.: 21-0072		



Dock Section



Dock Steel Detail



Column Detail

NOTE: STRUCTURAL DRAWINGS PROVIDED BY MW ENGINEERING, INC.

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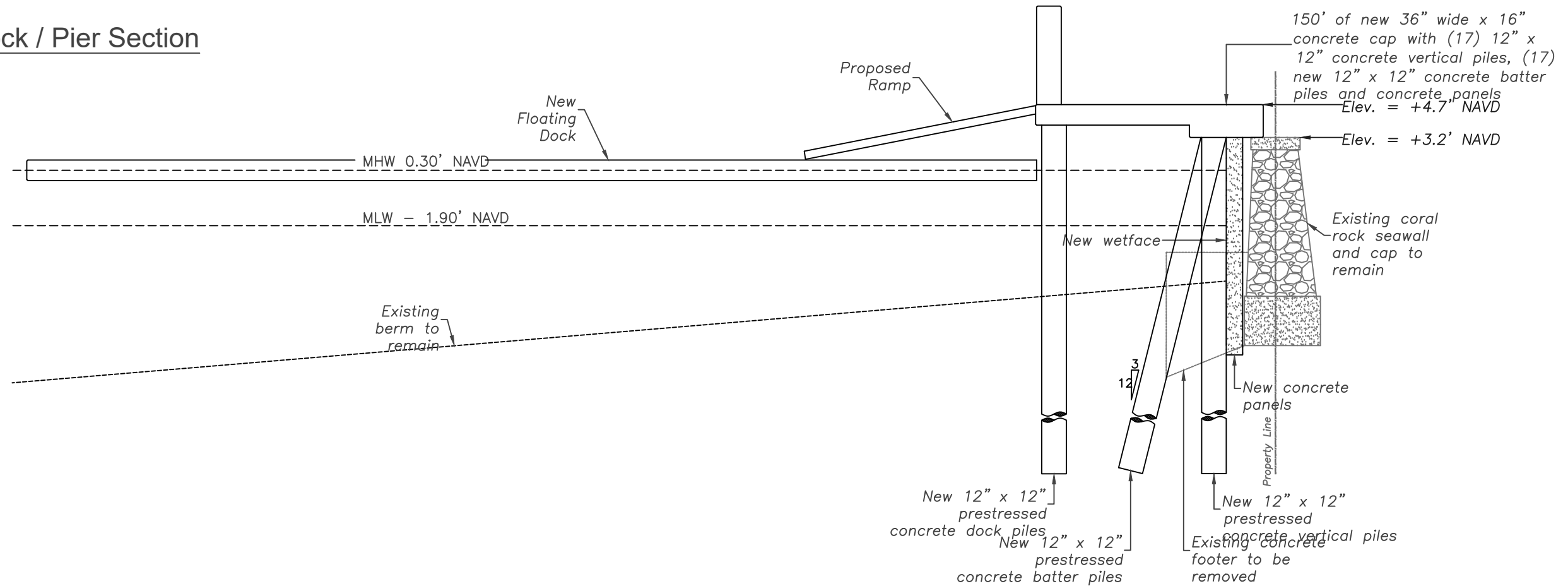
501 MIDDLE RIVER DRIVE

PREPARED FOR:
RA FLL, LLC.

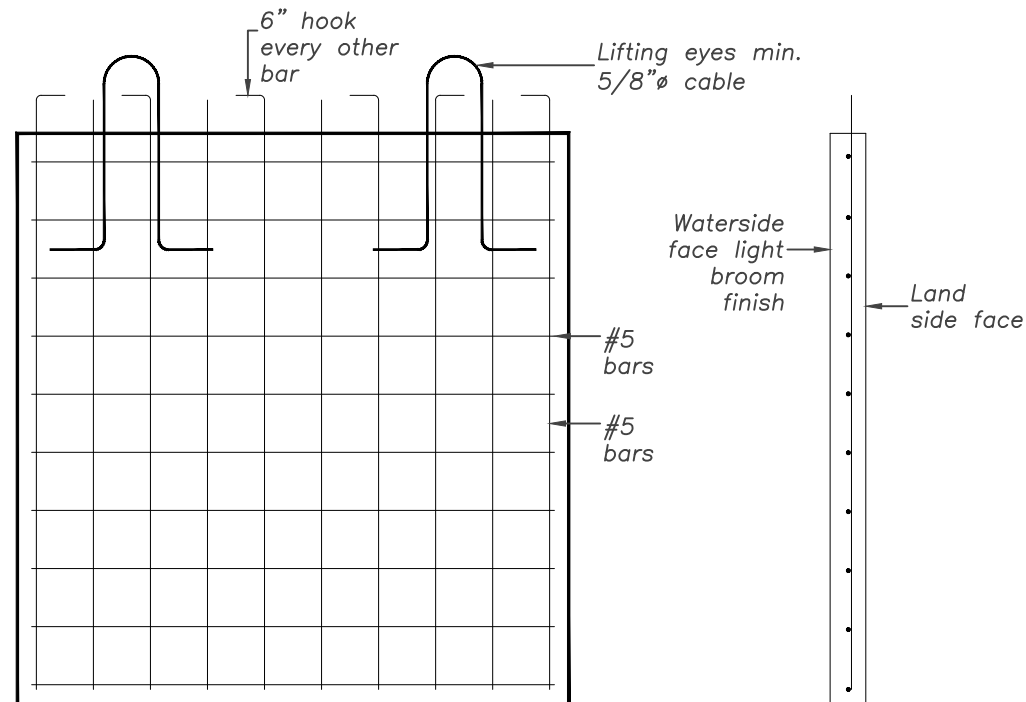
SECTIONS

Date: 8/16/2021	Sheet : 4	of : 6
Proj No.: 21-0072		

Dock / Pier Section



PANEL DETAIL



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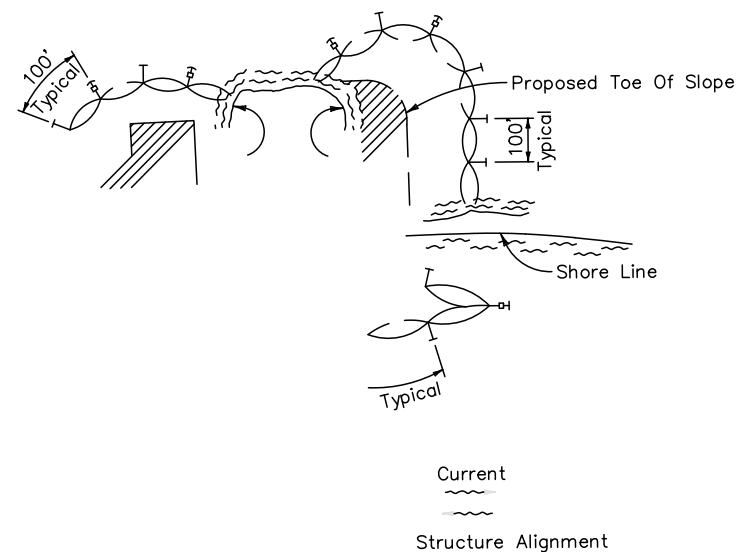
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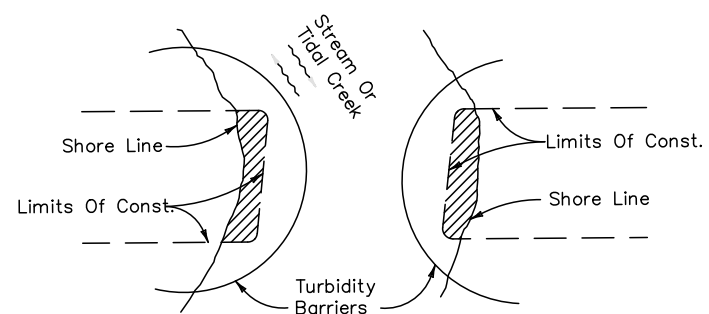
SECTIONS

Date: 8/16/2021	Sheet : 5	of : 6
Proj No.: 21-0072		



LEGEND

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

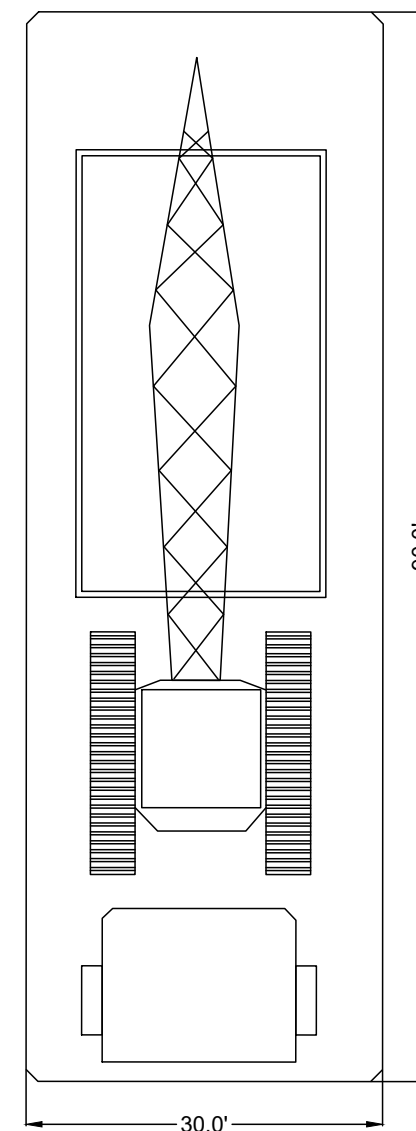


Note:
Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractors option unless otherwise specified in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

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

TURBIDITY BARRIER APPLICATIONS

CONSTRUCTION BARGE (TYP.)



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501 MIDDLE RIVER DRIVE

PREPARED FOR:
RA FLL, LLC.

DETAILS

Date: 8/16/2021	Sheet : 6	of : 6
Proj No.: 21-0072		

**EXHIBIT X
DISTANCE EXHIBIT**



LEGEND

- SUBJECT SITE (0.46 AC)
- EXISTING CORAL ROCK WALL TO REMAIN (±150 SQ LN. FT.)
- EXISTING WOOD DOCK TO BE REMOVED (±390 SQ. FT.)

M.H.W. = 0.25' NAVD88 M.L.W. = (-)2.13' NAVD88
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501 MIDDLE RIVER DRIVE

PREPARED FOR:
 RA FLL, LLC.

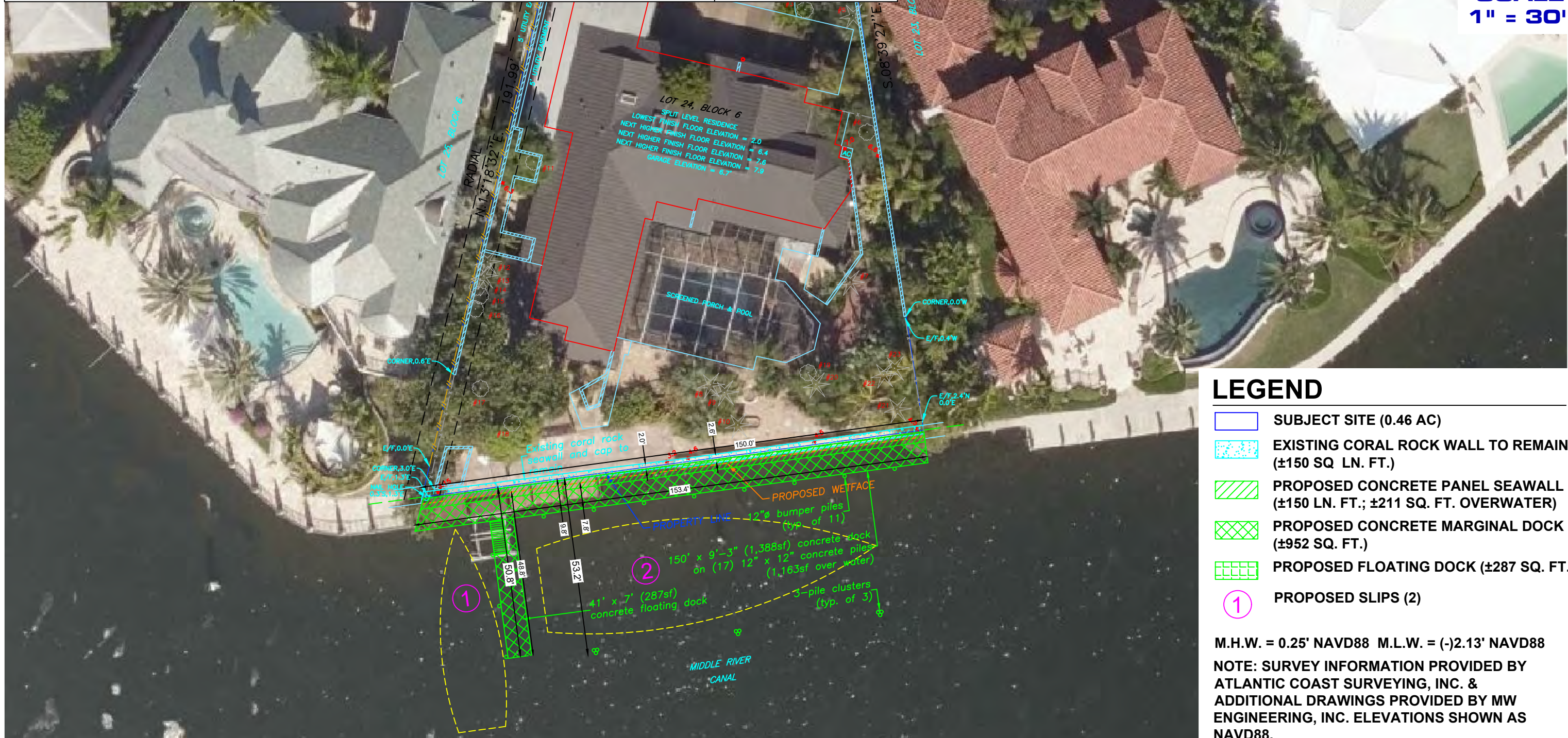
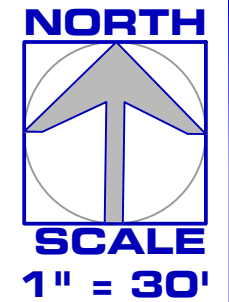
DISTANCE EXHIBIT - EXISTING		
Date: 8/16/2021	Sheet : 1	of : 3
Proj No.: 21-0072		

CITY WAIVER REQUEST

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
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TRIPLE PILE CLUSTERS (3)	53.2'	25'	28.2'

PROPOSED SLIP TABLE

SLIP #	LENGTH	BEAM
1	60'	17'
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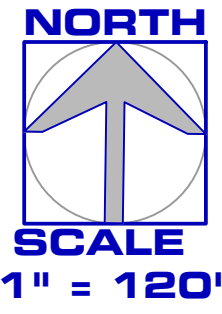
PREPARED FOR:
 RA FLL, LLC.

DISTANCE EXHIBIT - PROPOSED

Date: 8/16/2021	Sheet : 2	of : 3
Proj No.: 21-0072		

CITY WAIVER REQUEST			
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- 1 PROPOSED SLIPS (2)

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501 MIDDLE RIVER DRIVE

PREPARED FOR:
RA FLL, LLC.

DISTANCE EXHIBIT - PROPOSED

Date: 8/16/2021	Sheet : 3	of : 3
Proj No.: 21-0072		

EXHIBIT XI EXISTING WAIVERS IN THE VICINITY

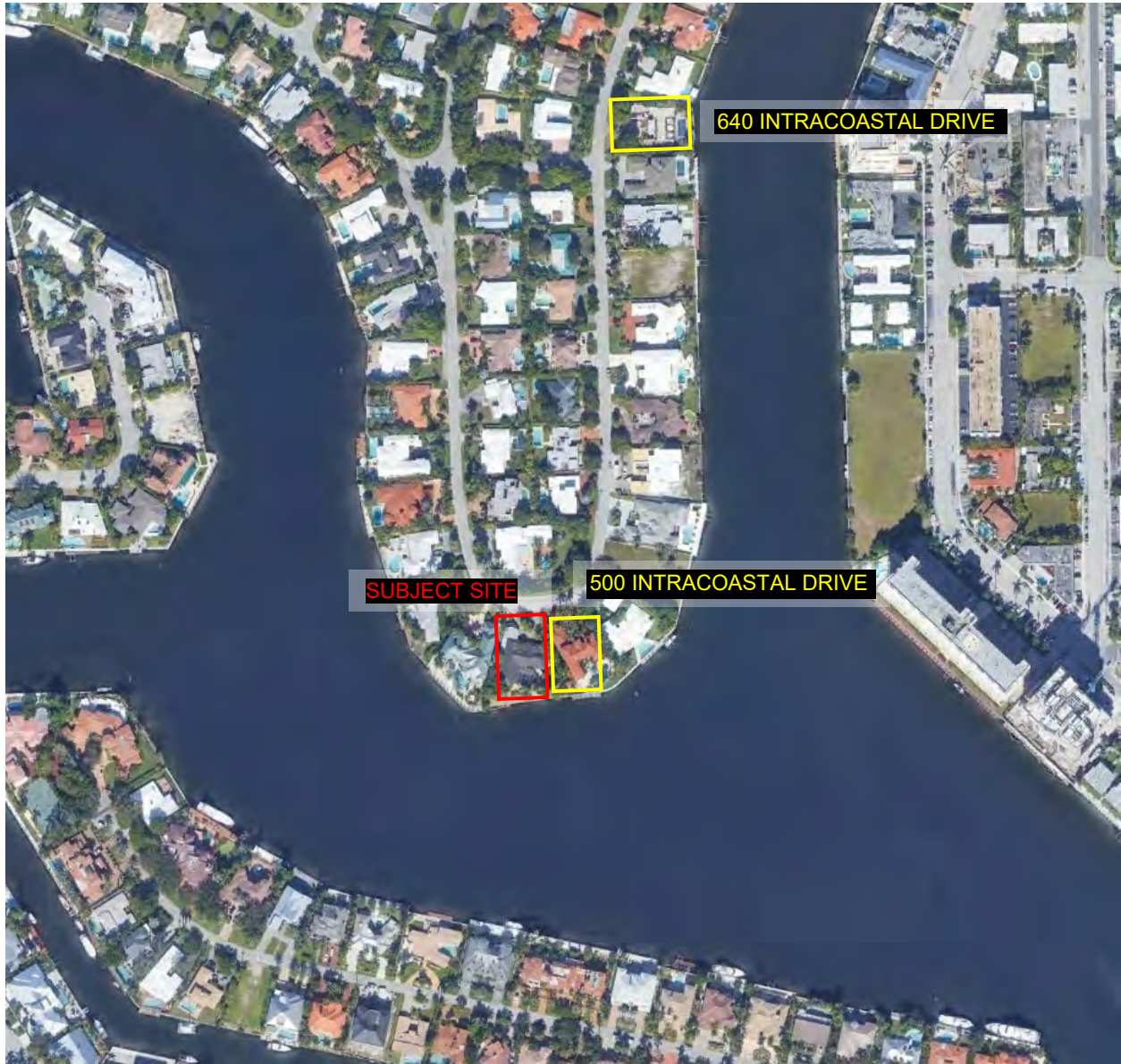
EXISTING WAIVERS IN THE VICINITY



ADDRESS	MAXIMUM DISTANCE
773 Middle River Drive	60'
785 Middle River Drive	40'
797 Middle River Drive	54.5'
801 Middle River Drive	52'
704 NE 20 th Avenue	125'
714 NE 20 th Avenue	108'
720 NE 20 th Avenue	80'
726 NE 20 th Avenue	125'
738 NE 20 th Avenue	75'
808 NE 20 th Avenue	124.4'
816 NE 20 th Avenue	112.4'
824 NE 20 th Avenue	106.3'
834 NE 20 th Avenue	45'
840 NE 20 th Avenue	48'
2407 Aqua Vista Blvd	34.5'
435 Bayshore Drive	48.5'
321 N Birch Rd	75'
215 N Birch Rd	47.5'
209 Grand Birch, Slips 3&4	39.3', 45.5'
Subject Site	53.2'

EXHIBIT XII LETTERS OF SUPPORT

LETTERS OF SUPPORT



ADDRESS	OWNER
500 Intracoastal Drive	Vincent & Caterina Esposito
640 Intracoastal Drive	Palm Meadow Holdings LLC

June 22, 2021

Enrico Scarda
Manager, RA FLL, LLC
1201 Route 112 Suite 900
Port Jefferson Station, NY 11776

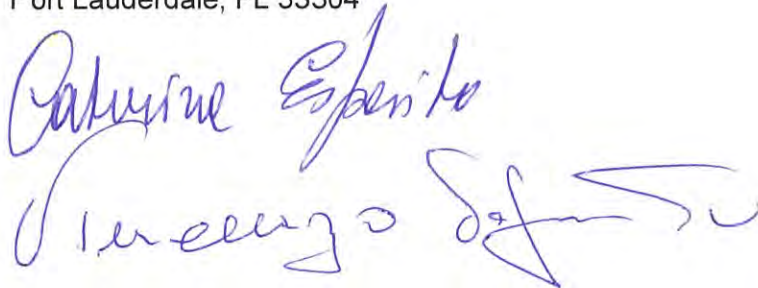
RE: 501 Middle River Drive
City of Fort Lauderdale Waiver Request

Dear Mr. Enrico Scarda,

I have reviewed the attached plans (Attachment A), for the proposed project to install a finger pier and mooring piles beyond 25 feet from the property line into the Middle River. 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 500 Intracoastal Drive, and support the project as proposed.

Sincerely,

Vincent & Caterina Esposito
500 Intracoastal Drive
Fort Lauderdale, FL 33304



Caterina Esposito
Vincent Esposito

June 22, 2021

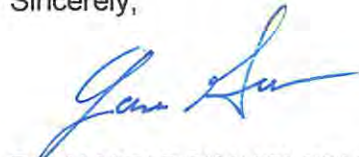
Enrico Scarda
Manager, RA FLL, LLC
1201 Route 112 Suite 900
Port Jefferson Station, NY 11776

RE: 501 Middle River Drive
City of Fort Lauderdale Waiver Request

Dear Mr. Enrico Scarda,

I have reviewed the attached plans (Attachment A), for the proposed project to install a finger pier and mooring piles beyond 25 feet from the property line into the Middle River. 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 640 Intracoastal Drive, Fort Lauderdale, FL 33304, and support the project as proposed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gene Lee".

PALM MEADOW HOLDINGS LLC
c/o ROCKRIDGE CAPITAL HOLDINGS LLC
500 E. Broward Blvd, #2300
Fort Lauderdale, FL 33394

ITEM VII

MEMORANDUM MF NO. 21-18

DATE: July 8, 2021

TO: Marine Advisory Board

FROM: Andrew Cuba, Manager of Marine Facilities

RE: September 2, 2021 MAB - Dock Waiver of Distance Limitations
Stephen Farrell / 435 Bayshore Drive #402 / Slip #6

Attached for your review is an application from Stephen Farrell / 435 Bayshore Drive #402 / Slip #6 (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for the installation of one (1) 24,000 pound four (4) post boatlift extending a maximum distance of +/- 40.0 ' from the property line into the Intracoastal Waterway (ICWW). The distances these 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
Boat Lift	+/-40.0'	25'	+/-15'

Section 47-19.3 C limits the maximum distance of mooring structures, including boat lifts, to 25 feet or 25% of the width of the waterway, whichever is less. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has indicated that the boat lift is necessary for safely mooring resident's vessels, especially during high wind events, severe weather and within boat traffic (property is not located in 'No Wake' zone).

PROPERTY LOCATION AND ZONING

The property is located within the IOA/Intracoastal Overlook Area Zoning District. It is situated on the ICW where the width of the waterway to the closest structure is approximately +/-600', according to the Summary Description provided in **Exhibit 1**.

DOCK PLAN AND BOATING SAFETY

Records reflect that there have been six (6) waivers of dockage 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 mooring structures extending into the ICWW:

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
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'
2017	435 Bayshore Drive	61'
2019	435 Bayshore Drive	48.5'

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 appropriate City staff with copies of "As Built" drawings from a certified and licensed contractor.
3. The applicant is required to install and affix reflector tape to the proposed boat lift's pilings/guide poles as required Section 47.19.3.E of the Unified Land and Development Regulations (ULDR).

AC
Attachment

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

EXHIBIT I
APPLICATION FOR WATERWAY WAIVER

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

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

APPLICATION FORM
(Must be in Typewritten Form Only)

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

NAME: Stephen Farrell

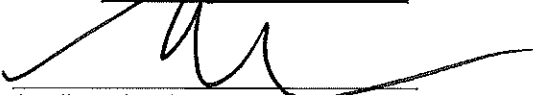
TELEPHONE NO: (781) 710-3203
(Home)

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

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: The applicant requests a wavier for the proposed construction of a four (4) post boat lift that extends beyond 25ft from the property line in slip #6.

4. SITE ADDRESS: 435 Bayshore Dr. #402 Fort Lauderdale, FL, 33304
ZONING: IOA
LEGAL DESCRIPTION: ADAGIO FORT LAUDERDALE BEACH CONDO UNIT 402
PER CDO CIN# 116023734

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).
Warranty Deed, Project Plans, Site Aerial, Summary Description, HOA Letter of Recommendation, Assignment of Use Rights to Boat Slip, Site Photographs, Sovereignty Submerged Land Lease


Applicant's Signature

8/16/21
Date

Applicant's Signature

Date

=====
The sum of \$ 1,500.00 was paid by the above-named applicant on the _____ of _____, 2021 Received by: _____

City of Fort Lauderdale

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

Marine Advisory Board Action

Formal Action taken on _____

Commission Action

Formal Action taken on _____

Recommendation _____

Action _____

EXHIBIT II
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OF USE RIGHTS TO BOAT SLIP SITE	6
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SOVEREIGNTY SUBMERGED LAND LEASE	8

**EXHIBIT III
WARRANTY DEED**

This Instrument Prepared By and Return to:
EQUITY LAND TITLE, LLC
CityPlace Tower
525 Okeechobee Blvd., Suite 900
West Palm Beach, Florida 33401

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 03rd day of October, 2020, between **Costa Bahia LLC, a Florida limited liability company**, 1650 SE 17th Street, Ft. Lauderdale, FL. 33316, in the State of Florida, PARTY OF THE FIRST PART, and **Stephen C. Farrell** whose post office address is: 435 Bayshore Dr Fort Lauderdale, FL 33304, PARTY OF THE SECOND PART.

WITNESSETH

That the said party of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars, to it in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, has granted, bargained and sold to the said party of the second part, his heirs and assigns forever, the following described land, situate and being in the County of Broward, State of FL., to wit:

Units 402, of ADAGIO FORT LAUDERDALE BEACH, a Condominium, according to the Declaration of Condominium thereof recorded in Instrument # 116023734, of the Public Records of Broward County, Florida.

Property Address: 435 Bayshore Drive, Fort Lauderdale, FL, 33304

TOGETHER WITH all of the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

THIS CONVEYANCE IS SUBJECT TO: Zoning and/or restrictions imposed by governmental authority; Restrictions, easements and other matters according to the plat and/or common to the subdivision: Declaration of Condominium for Adagio Fort Lauderdale Beach a Condominium filed on August 29, 2019 in Instrument #116023734, in Official Records of Broward County, Florida, as referenced above, together with all amendments thereto; and taxes and assessments for the year 2019 and all subsequent years.

AND THE SAID PARTY OF THE FIRST PART does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons claiming by, through or under party of the first part. Party of the second part, by acceptance and recordation of this Deed, thereby accepts, approves, covenants and agrees to be bound by and to assume performance of all applicable provisions set forth in the above described Declaration of Condominium, and all exhibits, amendments and supplements thereto.



[Copy Link](#) [New Search](#)

[< Prev Parcel](#)

Tax Year

[Next Parcel >](#)

Property Summary

Property Id: 504201CF0060

Property Owner/s: FARRELL, STEPHEN C

Mailing Address: 435 BAYSHORE DR FORT LAUDERDALE, FL 33304

[click here to update mailing address](#)

Physical Address: 435 BAYSHORE DRIVE # 402 FORT LAUDERDALE, 33304

Neighborhood:

Property Use: 04 - Condominium

Millage Code: 0312

Adj. Bldg. S.F.: 2759 Card

Bldg Under Air S.F.:

Effective Year: 2020

Year Built: 2019

Units/Beds/Baths: 1 / 3 / 3.5

Abbr. Legal Des.: ADAGIO FORT LAUDERDALE BEACH CONDO UNIT 402 PER CDO CIN# 116023734

Owner Alert: This property is currently registered for BCPA's Owner Alert Notification. The owner(s) will be notified if a document is received by BCPA changing the ownership of this property.



[Previous](#) [Next](#)

Deputy Appraiser: Condo Department

Appraisers Number: 954-357-6832

Email: condoinfo@bcpa.net



CITY OF FORT LAUDERDALE

DEPARTMENT OF SUSTAINABLE DEVELOPMENT • BUILDING SERVICES DIVISION

ADDRESS VERIFICATION

CONTACT: Devon Anderson
Phone: 954-828-5233
Email: DAnderson@fortlauderdale.gov

PROJECT ADDRESS: 435 BAYSHORE DR #402, 33304

PREVIOUS ADDRESS: 435 BAYSHORE DR #402, 33304

NOTES: SITE PLAN LEVEL II

ZONING: IOA

FOLIO #: 504201CF0060

LEGAL DESCRIPTION: ADAGIO FORT LAUDERDALE BEACH CONDO UNIT 402 PER
CDO CIN# 116023734

DRC #: _____

AUTHORIZED SIGNATURE:  _____

DATE: 06/17/2021

**EXHIBIT IV
PROJECT PLANS**

PROJECT NAME:
FARREL - SLIP#6 - ADAGIO

GENERAL SITE INFORMATION:

ADDRESS: 435 BAYSHORE DR #402
 FT. LAUDERDALE FL, 33304

SECTION: 01
 TOWNSHIP: 50S
 RANGE: 42E

SLIP #: 6

STATE TAX PARCEL ID: 504201CFO060

LATITUDE: N° 26.12836
 LONGITUDE: W° -80.10803

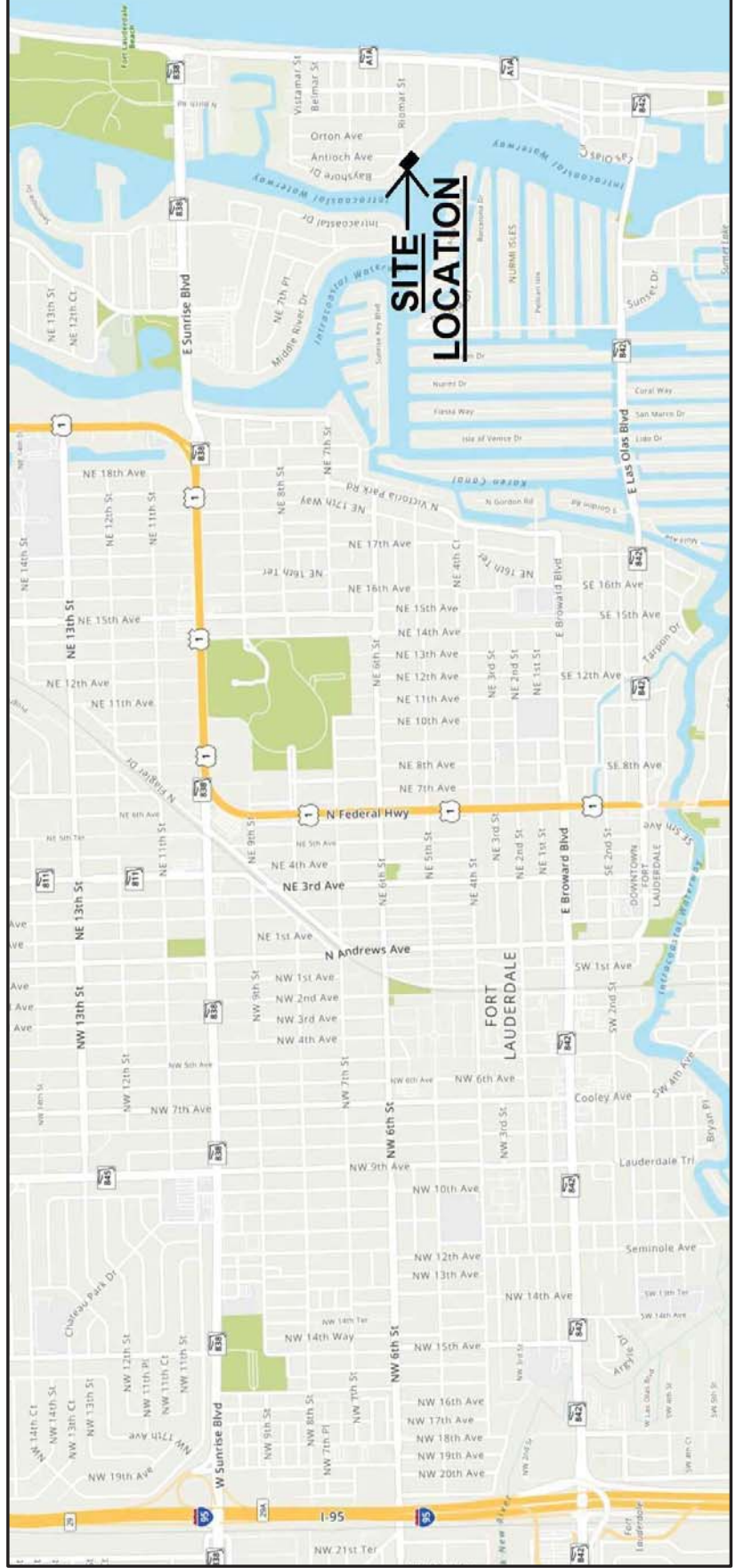


FIGURE 1
TITLE SHEET
 FARREL - SLIP #6 - ADAGIO

ENVIRON CARE
 Environmental Solutions
 International, Inc.
 830 N. WILSON AVENUE, SUITE 100
 WILMINGTON, MASSACHUSETTS 01890
 P: 978.720.7777
 F: 978.720.7773

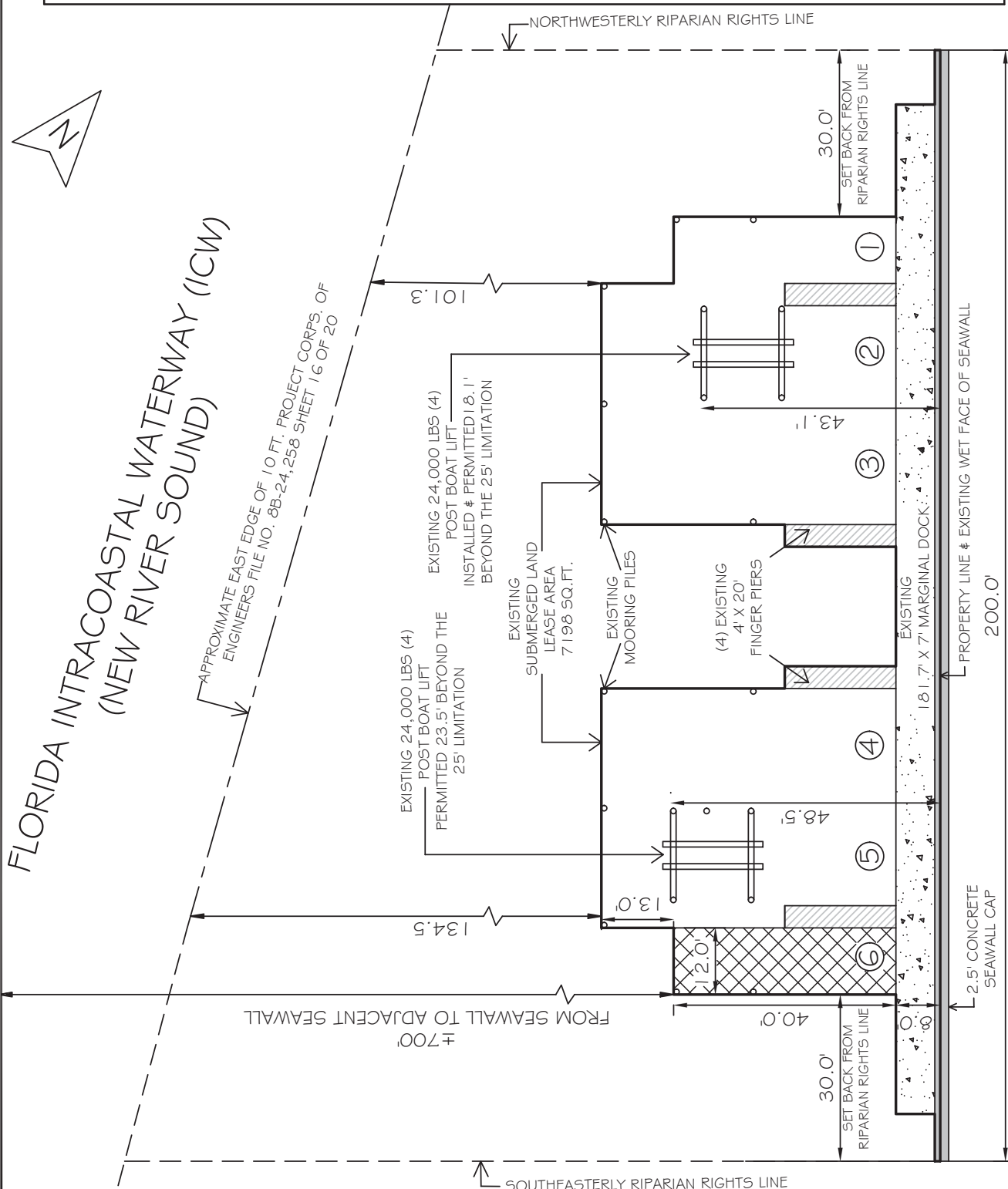
Sheet: **1**

PREPARED FOR:
 STEPHEN FARRELL
 435 BAYSHORE DRIVE #402
 FT. LAUDERDALE FL, 33304

CARI G. FORBES PE
 1839 SOUTH DIME HIGHWAY
 POPANO BEACH, FL 33060
 STATE OF FLORIDA LICENSE #20000
 DATE OF REGISTRATION: 01/15/2011
 PHONE: 904-881-0891 FAX: 904-881-0294

FLORIDA INTRACOASTAL WATERWAY (ICW)
(NEW RIVER SOUND)

APPROXIMATE EAST EDGE OF 10 FT. PROJECT CORPS. OF ENGINEERS FILE NO. 8B-24,258 SHEET 16 OF 20



LEGEND

EXISTING MARGINAL DOCK (18.1' X 7')

EXISTING FINGER PIER (4' X 20')

EXISTING SEAWALL CAP ±2.5'

FOOT PRINT OF SLIP #6 (12' X 40')

EXISTING MOORING PILE


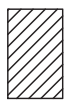




EXISTING SUBMERGED LAND LEASE (SLL)

GENERAL NOTES

M.H.W. = 0.3' NAVD
M.L.W. (-) 2.1' NAVD

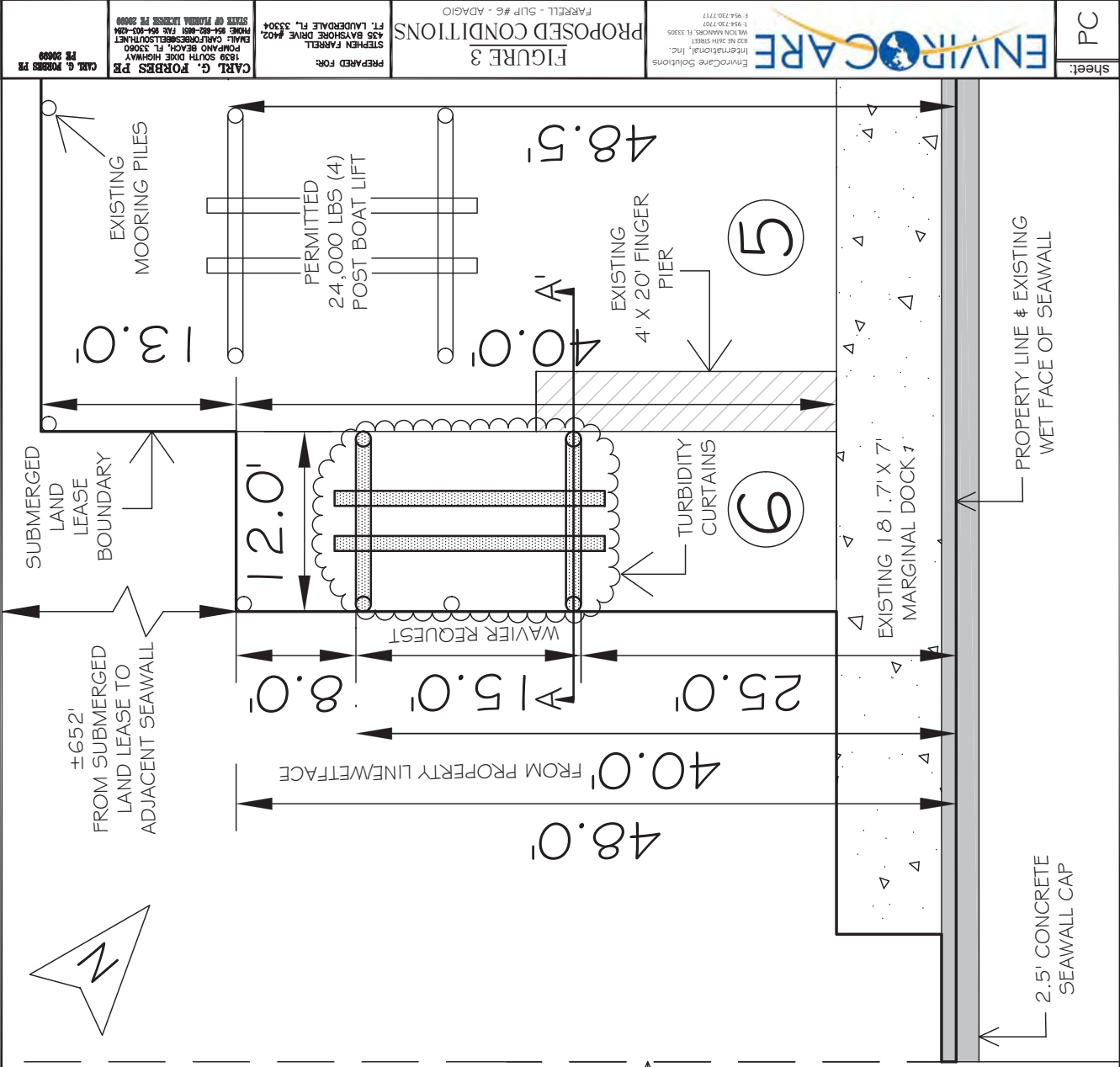
- EXISTING STRUCTURES PREVIOUSLY AUTHORIZED BY CITY OF FORT LAUDERDALE (RESOLUTION NO. 17-175 & 19-237)
- EXISTING STRUCTURES PREVIOUSLY AUTHORIZED BY BROWARD COUNTY (DF 16-1044)
- EXISTING STRUCTURES PREVIOUSLY AUTHORIZED BY FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (06-0342158-002-EM & 06-0342158-003-EE)
- EXISTING STRUCTURES PREVIOUSLY AUTHORIZED BY ARMY CORPS. OF ENGINEERS (SAI-2004-02383-KAE)
- BOUNDARY SURVEY PROVIDED BY POLICE LAND SURVEYORS, INC.
- THE BOUNDARY OF THE PROPOSED WORK IS WITHIN SLIP #6 (40' X 12')
- THE WIDTH OF THE INTRACOASTAL WATERWAY (ICW) FROM THE SEAWALL IN SLIP #6 TO THE ADJACENT SEAWALL IS ±700 FEET.

LEGEND

-  EXISTING MARGINAL DOCK (18.17 X 7')
-  EXISTING FINGER PIER (4' x 20')
-  EXISTING SEAWALL CAP ±2.5'
-  PROPOSED 24,000 LBS (4) POST BOAT LIFT ON (4) NEW 12" WOODEN PILES (±12' X ±15')
-  EXISTING MOORING PILE
-  EXISTING SUBMERGED LAND LEASE (SSL)

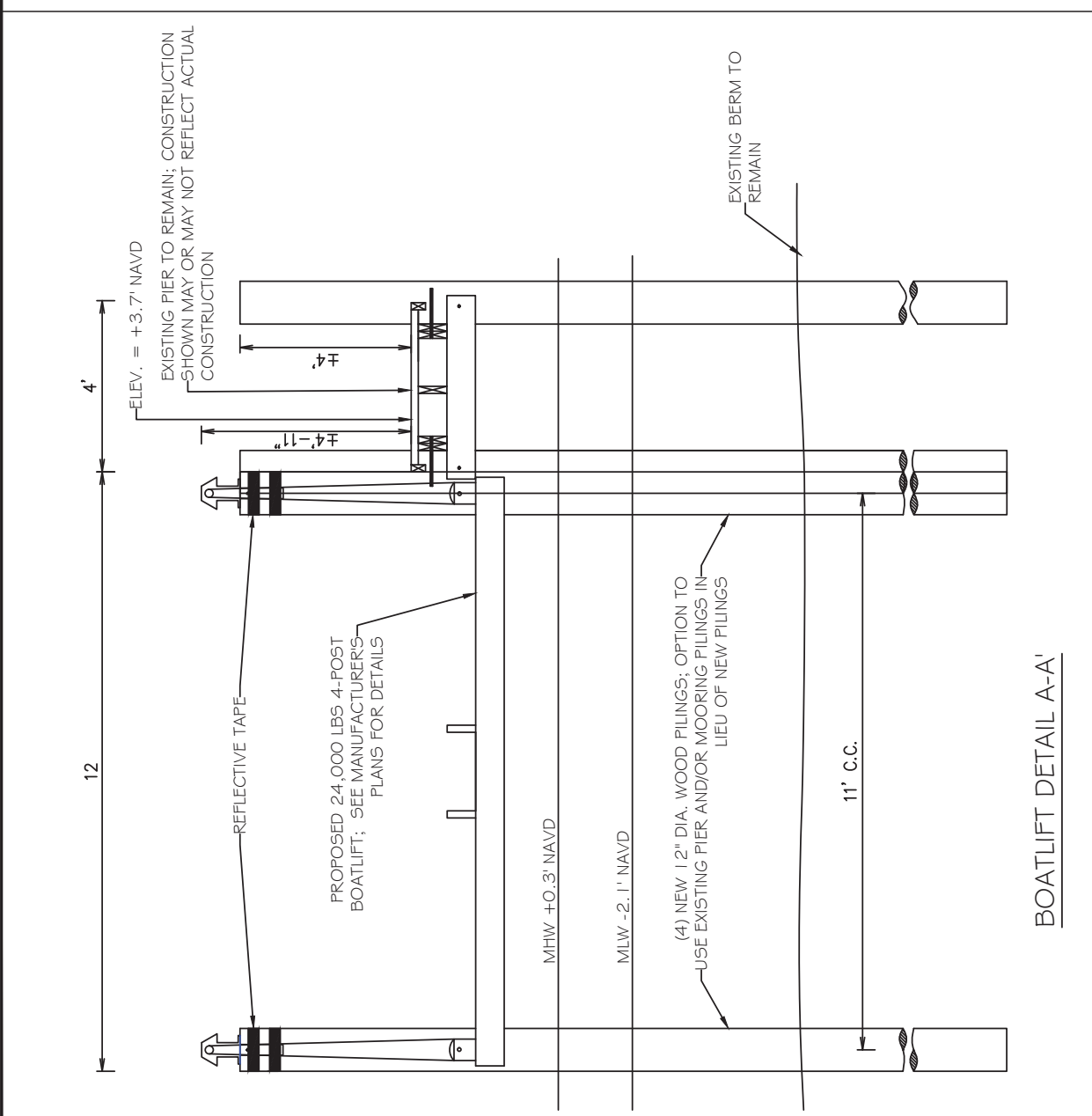
GENERAL NOTES

- M.H.W. = 0.3' NAVD
M.L.W. (-) 2.1' NAVD
- 1. THE WIDTH OF THE INTRACOASTAL WATERWAY (ICW) FROM THE SSL BOUNDARY IN SLIP #6 TO THE ADJACENT SEAWALL IS ±652 FEET.
- 2. THE WIDTH OF THE ICW FROM THE MOST WATERWARD STRUCTURE OF THE BOAT LIFT IS ±660 FEET
- 3. SLIP #6 DIMENSIONS: 40' x 12'. FROM OUTSIDE OF PILE TO OUTSIDE OF PILE THE BOAT LIFT IS 12' W X 15' L
- 4. NO VESSEL OR STRUCTURE IS TO ENCROACH BEYOND THE SSL BOUNDARY
- 5. PROPERTY WIDTH IS: 200 LF



General Notes:

- All framing materials to be pressure treated, Southern Yellow Pine, Grade 2 or better, min. fb = 975 PSI or better.
- All hardware to be galvanized or stainless steel.
- Turbidity barriers are to surround all in water construction areas during piling and/or panel installation activities.
- Elevations shown are based on the North American Vertical Datum of 1988.
- Design in accordance with 2020 7th Edition of the Florida Building Code.
- Construction methods, procedures, and sequences are the responsibility of the Contractor. The Contractor shall take the necessary means to maintain and protect the structural integrity and serviceability of the construction at all times.
- Construction methods, procedures, and sequences are the responsibility of the Contractor. The Contractor shall take the necessary means to maintain and protect the structural integrity and serviceability of the construction at all times.
- Any discrepancies found for any circumstance between the structural plans and the existing conditions found on site and/or any conditions that were omitted on the plans will be the responsibility of the Contractor to immediately bring to the attention of the Engineer of Record.
- Existing conditions are unknown, therefore, worst case conditions have been approximated. All existing conditions are assumed and must be confirmed by the gc after permitting.
- Engineer's Limitations of Responsibility. The Engineer shall not be responsible for the quality or composition of materials, fabrications, construction inspection, supervision, or review, special inspection, or the quality and correctness of construction unless the appropriate submissions, reports, approvals, inspections, site visit, construction review, or special inspections are performed by the Engineer or his representative as required herein, and then only such responsibility as is associated with the specific work performed as is commonly assigned a structural engineer in relation to other engineering and construction disciplines associated with the project. The Engineer shall not be responsible for site and construction safety and/or the safety of construction workers. Site and construction safety is the responsibility of the Contractor. The Contractor shall be responsible for the safety of his employees and the safety of the employee of all subcontractors to the project.
- Engineer's Statement of Compliance: To the best of the Engineer's knowledge, the structural plans and specifications presented herein comply with the applicable minimum building codes, standards, and practices.



BOATLIFT DETAIL A-A'

**EXHIBIT V
SITE AERIAL**



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

435 Bayshore Drive



0 90 180 Feet

GIS
Fort Lauderdale

**EXHIBIT VI
SUMMARY DESCRIPTION**

Summary
Description
435 Bayshore Drive
#402 - Slip #6

The project site is located along the Intracoastal Waterway (ICW) at 435 Bayshore Drive, in Section 01, Township 50, Range 42E, in the City of Fort Lauderdale, Broward County, Florida

The property is located along the ICW, which is a tidal waterbody. The nearest direct connection to the Atlantic Ocean is about 2.4 miles to the south at the Port Everglades Inlet. As the project site is located along the ICW, 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 2.5 feet seawall cap, ± 1,272 sq. ft. concrete marginal dock, four (4) ±80 sq. ft. finger piers, and fourteen (14) mooring piles. The proposed project includes the installation of a 24,000 lb four (4) post boat lift in slip #6 at the Adagio Fort Lauderdale Beach on the ICW. As measured from the property line, all four (4) boat lift wooden piles and boat lift structure encroach more than 25' from the property line. The maximum distance the structure will be installed from the property line is 40 feet or 15 feet beyond the 25-foot limitation. The boat lift is setback 8 feet from the western Sovereignty Submerged Land Lease boundary to provide enough area for a vessel to moor within the lease area.

The boat lift structure is over the allowable 25 foot distance into the waterway from the property line and therefore requiring a variance waiver for the proposed boat lift. The boat lift's (4) wooden piles will serve as guide poles and reflective tape will be placed on these piles to ensure safety and compliance with city code: 8-91(d).

On the "Form of Assignment of Use Rights to Boat Slip" provided by the Adagio HOA, Mr. Farrell's boat slip number is incorrect. According to the SSSL, his assigned slip number is #6 instead of #1 as provided in the HOA document. His slip is the furthest southern slip available on the property. The HOA is working diligently to resolve this conflict and to provide Mr. Farrell a revised document.

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

At this site there is +/- 200 linear feet of shoreline and two (2) existing boatlifts that have been approved by the MAB for encroaching beyond 25 feet (23.5' and 18.1').

The applicant is requesting to add a boat lift to his boat slip. This request will bring a total of three (3) boat lifts to the property. The site only allows two (2) boat lifts under the code without obtaining a DRC Site Plan Level II approval. A DRC Site Plan Level II application has been submitted, comments have been addressed and upon receipt of MAB board minutes the DRC reviewer can proceed with the application process.

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 (± 600), the proposed project will not impede navigation within the ICW.
3. The boatlifts are necessary for safely mooring resident's vessels, especially during high wind events, severe weather, and boat traffic (not in no wake zone).
4. The proposed structure is consistent with the previously approved lifts at this location which requested a larger variance request.
5. The proposed structure is within the sovereignty submerged land lease area issued by the State of Florida Department of Environmental Protection and is consistent with the adjacent neighbors' variance approvals in the area.

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

Environmental permits have been received from Broward County Environmental Protection & Growth Management Department and Florida Department of Environmental Protection to install the boat lift. An application has been submitted to the US Army Corps of Engineers.

PROPOSED STRUCTURE	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
24,000lb 4-post boat lift: beyond 25' require wavier	$\pm 40.0'$	25.0'	$\pm 15.0'$

**EXHIBIT VII
HOA LETTER OF
RECOMMENDATION**

ADAGIO FORT LAUDERDALE BEACH CONDO ASSOC.
ARCHITECTURAL MODIFICATION APPLICATION FORM

Please return this form to:

ATTN: ILIANA CORDERO-LEVINE, LCAM
FIRST SERVICE RESIDENTIAL
ILIANA.CORDERO-LEVINE@FSRESIDENTIAL.COM

DATE: April 30, 2021

Unit #: 402

UNIT OWNER (APPLICANT): STEPHEN FARRELL

TELEPHONE #: (HOME) (701) 710-3203 (cell) (WORK) (954) 903-5146

TYPE OF MODIFICATION BEING REQUESTED (Please describe in detail. Include material, color, size/dimensions or areas involved.): *Please refer to Declaration of Condominium/Covenants Section*

INSTALLATION OF BOAT LIFT. (Please attached)

ARCHITECT'S PLANS & DRAWINGS AND/OR MATERIAL SPECIFICATIONS MUST BE ATTACHED BEFORE APPLICATION WILL BE CONSIDERED. COPIES OF CONTRACTORS' CURRENT CERTIFICATE OF INSURANCE AND LICENSE. UPON ASSOCIATION APPROVAL BUILDING PERMITS FROM _____, CONSTRUCTION IMPROVEMENT PAYMENT (IF REQUIRED) MUST BE PROVIDED PRIOR TO COMMENCING WORK

I / We hereby make application to ADAGIO FORT LAUDERDALE BEACH CONDO ASSOCIATION for the above described item to be approved in writing.

I / We understand and acknowledge that approval of this request must be granted before work on the modification may commence and that if modification / installation is done without the approval of the Association, the Association may force the removal of the modification/ installation and subsequent restoration to original form at my expense.

All contractors are responsible for removal of debris as a result of improvements. Upon approval, remember to schedule with the Management office in advance for the installation date(s).

Applicant: [Signature] Date: April 30, 2021

Applicant: _____ Date: _____

This Section For Office Use Only

APPLICATION APPROVED



APPLICATION DENIED



DocuSigned by:

X Wayne Hewett
68328256A0FA45A...

5/6/2021

Date: _____

Wayne Hewett,
Director

Reference: SOP Community Association Administrative Record Keeping

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

FORM OF ASSIGNMENT OF USE RIGHTS TO BOAT SLIP

The undersigned ("Owner") has acquired Unit 402 in Adagio Fort Lauderdale Beach, a Condominium (the "Unit") and has been assigned the use of the boat slip (the "Boat Slip") described below in accordance with the Declaration of Condominium of Adagio Fort Lauderdale Beach, a Condominium, recorded in Instrument # 116023734, of the Public Records of Broward County, Florida, as amended (the "Declaration").

NOW, THEREFORE, it is agreed as follows:

1. There is hereby assigned to the Owner the use of Boat Slip number #1 effective herewith.
2. This Assignment of Use Rights to Boat Slip is for the exclusive use of the Unit. The Boat Slip shall be maintained, occupied and assigned solely in accordance with the provisions of the Declaration.
3. This Assignment of Use Rights to Boat Slip shall be noted in a "Boat Slip Assignment Book" to be maintained by Adagio Fort Lauderdale Beach Condominium Association, Inc., for such purpose.
4. The use of the Boat Slip is subject to rules and regulations promulgated by Adagio Fort Lauderdale Beach Condominium Association, Inc. (the "Association"), all terms and provisions set forth in the Declaration and all other applicable laws, rules and regulations.
5. Owner is prohibited from assigning its interest in the Boat Slip. Assignments of use rights to the Boat Slip are subject to and governed by the Declaration and such assignments shall be by Developer (as defined in the Declaration) or the Association only. Any assignment of a Boat Slip by any other person or entity other than Developer or the Association shall be considered null and void and the Association will not honor such assignment.
6. Developer and the Association do not maintain insurance covering any vessel, its contents and personal property of Owner. It is the responsibility of Owner to adequately insure his or her property. Owner covenants and agrees to name the Association as an additional insured on all policies of liability insurance insuring the vessel of Owner and to provide the Association a copy the current policy and all renewals thereof.

Seller:

Costa Bahia LLC, a Florida limited liability company

BY: Leonardo G. Coll, Manager

Purchaser:

Stephen C. Farrell

THIS INSTRUMENT MAY NOT BE RECORDED IN THE PUBLIC RECORDS

**EXHIBIT XI
SITE PHOTOGRAPHS**

1. Standing East of Slip #6
looking Southwest



2. Standing North of slip
#6 looking South.



3. Overview of Slip #6
(Yellow Box) from West
looking Southeast



**EXHIBIT X
SOVEREIGNTY
SUBMERGED
LAND LEASE**

PLS



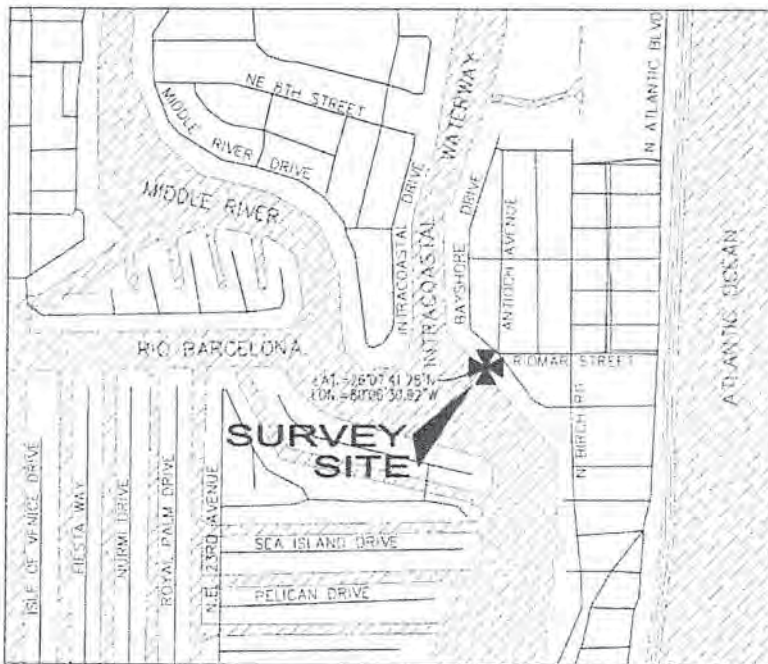
SPECIFIC PURPOSE SURVEY
 BY
PULICE LAND SURVEYORS, INC.
 5381 NOB HILL ROAD
 SUNRISE, FLORIDA 33351

PLS

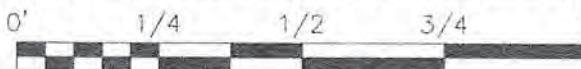


TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
 E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870

SPECIFIC PURPOSE SURVEY
SUBMERGED LAND LEASE FIELD SURVEY
PARCEL "A"
"ROYAL ATLANTIC"
PLAT BOOK 174, PAGE 33
IN SECTION 1, TOWNSHIP 50 SOUTH, RANGE 42 EAST
BROWARD COUNTY, FLORIDA



PORTION OF POMPANO BEACH QUADRANGLE



SCALE IN MILES

RECEIVED

FEB 21 2018

FL DEP
 WEST PALM BEACH

NOTES:

- 1) LATITUDE AND LONGITUDE SHOWN ARE BASED ON NORTH AMERICAN DATUM OF 1983 (NAD 83).

LEGEND:

- LAT. NORTH LATITUDE
- LONG. WEST LONGITUDE

SHEET 1 OF 6

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THROUGH 6 INCLUSIVE

FILE: COSTA BAHIA LLC

SCALE: N/A DRAWN BY: B.E.

ORDER NO.: 63716

DATE: REV. 9/07/17; 12/14/17; 01/31/18

SUBMERGED LAND LEASE SURVEY

FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

FOR: AZURE BAY

CERTIFICATION:

I HEREBY CERTIFY THAT THIS SKETCH OF SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES ("DACS") CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

[Signature]
 JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
 BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LSE136
 VICTOR R. GILBERT, PROFESSIONAL SURVEYOR AND MAPPER LS6274
 STATE OF FLORIDA



SPECIFIC PURPOSE SURVEY
BY
PULICE LAND SURVEYORS, INC.
5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351



TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870

SPECIFIC PURPOSE SURVEY
SUBMERGED LAND LEASE FIELD SURVEY
PARCEL "A"
"ROYAL ATLANTIC"
PLAT BOOK 174, PAGE 33
IN SECTION 1, TOWNSHIP 50 SOUTH, RANGE 42 EAST
BROWARD COUNTY, FLORIDA

LAND DESCRIPTION:

A PORTION OF SOVEREIGNTY SUBMERGED LANDS BEING CONTIGUOUS TO AND SOUTHWEST OF PARCEL "A", "ROYAL ATLANTIC", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 174, PAGE 33 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND BEING A PORTION OF THE FLORIDA INTRACOASTAL WATERWAY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 17, PAGE 1 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING IN SECTION 1, TOWNSHIP 50 SOUTH, RANGE 42 EAST, DESCRIBED AS FOLLOWS:

BEGIN AT THE WESTERLY CORNER OF SAID PARCEL "A" BEING ON THE MEAN HIGH WATER LINE OF THE SAID INTRACOASTAL WATERWAY, WITH A NORTHING OF 653,462.7487 AND AN EASTING OF 948,711.3935 OF THE NORTH AMERICAN DATUM OF 1983 (NAD 83), FLORIDA STATE PLANE, COORDINATE SYSTEM, EAST ZONE; THENCE ON THE SOUTHWESTERLY LINE OF SAID PARCEL "A" AND ALONG SAID MEAN HIGH WATER LINE THE FOLLOWING THREE NUMBERED COURSES AND DISTANCES: 1) SOUTH 47°21'00" EAST 153.31 FEET; 2) SOUTH 42°39'00" WEST 0.18 FEET; 3) SOUTH 47°21'55" EAST 46.69 FEET TO THE SOUTHERLY CORNER OF SAID PARCEL "A"; THENCE LEAVING SAID MEAN HIGH WATER LINE SOUTH 42°39'00" WEST ON THE SOUTHWESTERLY EXTENSION OF THE SOUTHEASTERLY LINE OF SAID PARCEL "A" 0.98 FEET; THENCE NORTH 47°21'00" WEST 8.50 FEET; THENCE SOUTH 42°39'00" WEST 7.00 FEET; THENCE NORTH 47°21'00" WEST 21.50 FEET; THENCE SOUTH 42°39'00" WEST 40.00 FEET; THENCE NORTH 47°21'00" WEST 12.00 FEET; THENCE SOUTH 42°39'00" WEST 13.00 FEET; THENCE NORTH 47°21'00" WEST 43.10 FEET; THENCE NORTH 42°39'00" EAST 33.00 FEET; THENCE NORTH 47°21'00" WEST 4.00 FEET; THENCE NORTH 42°39'00" EAST 20.00 FEET; THENCE NORTH 47°21'00" WEST 21.50 FEET; THENCE SOUTH 42°39'00" WEST 20.00 FEET; THENCE NORTH 47°21'00" WEST 4.00 FEET; THENCE SOUTH 42°39'00" WEST 33.00 FEET; THENCE NORTH 47°21'00" WEST 43.40 FEET; THENCE NORTH 42°39'00" EAST 13.00 FEET; THENCE NORTH 47°21'00" WEST 12.00 FEET; THENCE NORTH 42°39'00" EAST 40.00 FEET; THENCE NORTH 47°21'00" WEST 20.20 FEET; THENCE NORTH 42°39'00" EAST 7.00 FEET; THENCE NORTH 47°21'00" WEST 9.80 FEET TO THE INTERSECTION WITH THE SOUTHWESTERLY EXTENSION OF THE NORTHWESTERLY LINE OF SAID PARCEL "A"; THENCE NORTH 42°39'00" EAST ON SAID SOUTHWESTERLY EXTENSION 1.15 FEET TO THE INTERSECTION WITH THE AFOREMENTIONED MEAN HIGH WATER LINE AND THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND CONTAINING 7,198 SQUARE FEET, 0.1652 ACRES.

SHEET 2 OF 6

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THROUGH 6 INCLUSIVE

FILE: COSTA BAHIA LLC

SCALE: N/A | **DRAWN BY: B.E.**

ORDER NO.: 63716

DATE: REV. 9/07/17; 12/14/17; 01/31/18

SUBMERGED LAND LEASE SURVEY

FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

FOR: AZURE BAY



SPECIFIC PURPOSE SURVEY
BY
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5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351



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SPECIFIC PURPOSE SURVEY
SUBMERGED LAND LEASE FIELD SURVEY
PARCEL "A"
"ROYAL ATLANTIC"
PLAT BOOK 174, PAGE 33
IN SECTION 1, TOWNSHIP 50 SOUTH, RANGE 42 EAST
BROWARD COUNTY, FLORIDA

NOTES:

- 1) NO TITLE OPINION OR ABSTRACT TO THE SUBJECT PROPERTY HAS BEEN PROVIDED. IT IS POSSIBLE THAT THERE ARE DEEDS, EASEMENTS, OR OTHER INSTRUMENTS (RECORDED OR UNRECORDED) WHICH MAY AFFECT THE SUBJECT PROPERTY. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SURVEYOR.
- 2) THE LAND DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
- 3) NEITHER UNDERGROUND IMPROVEMENTS OR UNDERGROUND UTILITIES WERE LOCATED.
- 4) COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH OF THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD 83), WITH THE NORTHWESTERLY LINE OF PARCEL "A", "ROYAL ATLANTIC" HAVING A BEARING OF N42°39'00"E.
- 5) ELEVATIONS SHOWN ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988.
- 6) THIS SITE LIES WITHIN ONE HALF MILE OF TIDE INTERPOLATION POINT NUMBER 106 IN THE PORT EVERGLADES QUAD MAP. MEAN HIGH WATER ELEVATION AT THE SUBJECT SITE AS EXTENDED FROM POINT 106 IS ELEVATION +0.25 FEET (NAVD). INFORMATION WAS COMPILED FROM PUBLISHED DATUM PROVIDED BY THE LAND BOUNDARY INFORMATION SYSTEM INTERNET WEBSITE (WWW.LABINS.ORG).
- 7) THE SPECIFIC PURPOSE OF THIS SURVEY IS TO SHOW THE LAND LEASE LIMITS DEPICTED AND DESCRIBED HEREON.
- 8) THE LOCATION OF THE CENTERLINE OF THE "10 FT. PROJECT" DEPICTED HEREON WAS TAKEN FROM CORP. OF ENGINEERS FILE NO. 8B-24,258 DATED DEC. 1956, REV. 17 JULY 1962.
- 9) THIS IS A FIELD SURVEY.

SHEET 3 OF 6

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE
WITHOUT SHEETS 1 THROUGH 6 INCLUSIVE

FILE: COSTA BAHIA LLC

SCALE: N/A **DRAWN BY: B.E.**

ORDER NO.: 63716

DATE: REV. 9/07/17; 12/14/17; 01/31/18

SUBMERGED LAND LEASE SURVEY

FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

FOR: AZURE BAY

LEGEND:

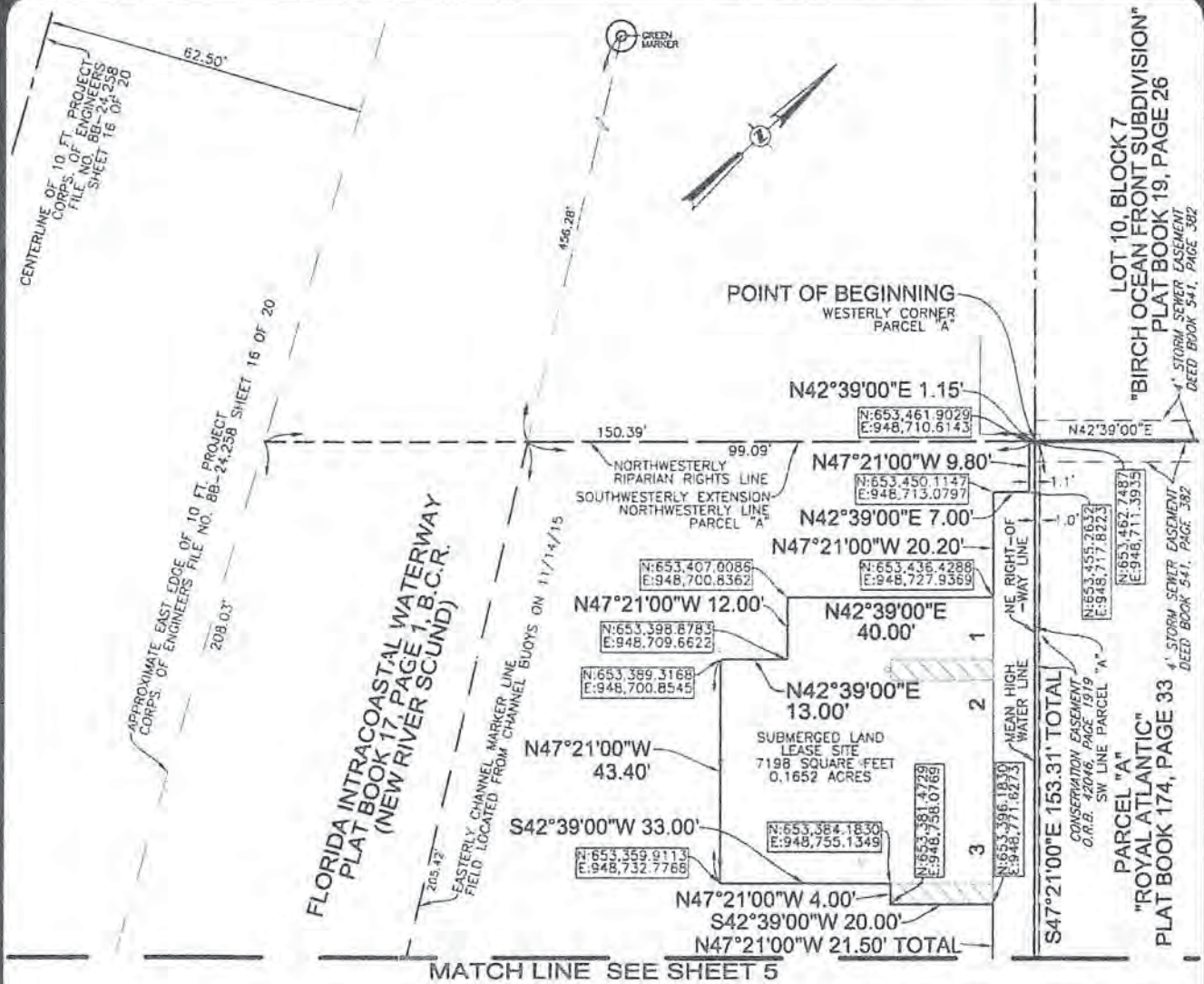
N.G.V.D. NATIONAL GEODETIC VERTICAL DATUM
U.S.G.S. UNITED STATES GEOLOGICAL SURVEY



SPECIFIC PURPOSE SURVEY
BY
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LOT 10, BLOCK 7
"BIRCH OCEAN FRONT SUBDIVISION"
PLAT BOOK 19, PAGE 26
* STORM SEWER EASEMENT
DEED BOOK 341, PAGE 382

* STORM SEWER EASEMENT
DEED BOOK 541, PAGE 382
PARCEL "A"
"ROYAL ATLANTIC"
PLAT BOOK 174, PAGE 33

SHEET 4 OF 6

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE
WITHOUT SHEETS 1 THROUGH 6 INCLUSIVE

FILE: COSTA BAHIA LLC	
SCALE: 1"=30'	DRAWN BY: B.E.
ORDER NO.: 63716	
DATE: REV. 9/07/17; 12/14/17; 01/31/18	
SUBMERGED LAND LEASE SURVEY	
FORT LAUDERDALE, BROWARD COUNTY, FLORIDA	
FOR: AZURE BAY	

LEGEND:

N: XXX.XXX.XXXX	STATE PLANE NORTH COORDINATE (NAD 83)
E: XXX.XXX.XXXX	STATE PLANE EAST COORDINATE (NAD 83)
B.C.R.	BROWARD COUNTY RECORDS
O.R.B.	OFFICIAL RECORDS BOOK



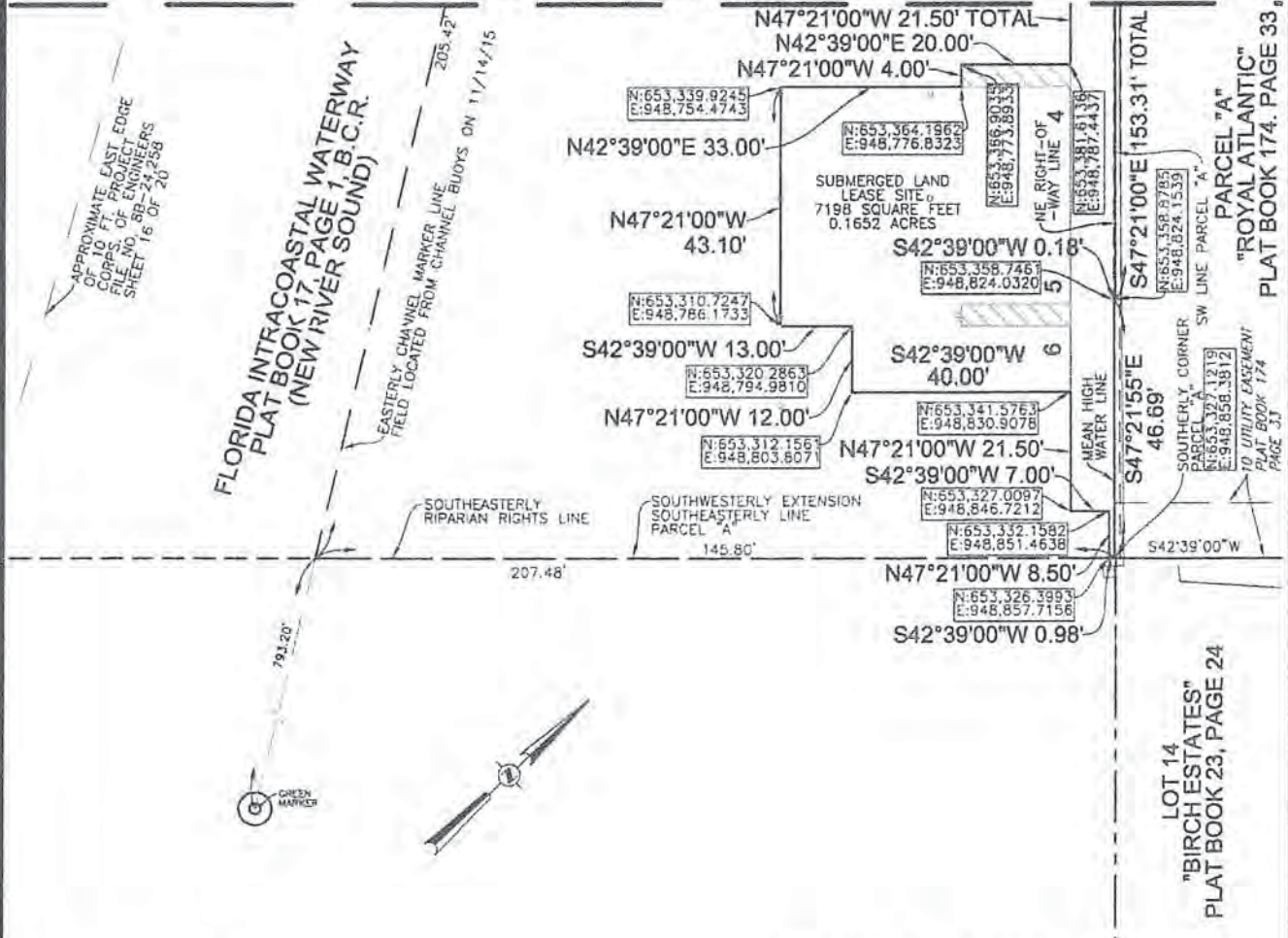
SPECIFIC PURPOSE SURVEY
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SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



MATCH LINE SEE SHEET 4



SHEET 5 OF 6

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THROUGH 6 INCLUSIVE

FILE: COSTA BAHIA LLC

SCALE: 1"=30' DRAWN BY: B.E.

ORDER NO.: 63716

DATE: REV. 9/07/17; 12/14/17; 01/31/18

SUBMERGED LAND LEASE SURVEY

FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

FOR: AZURE BAY

LEGEND:

- N:XXX,XXX.XXXX STATE PLANE NORTH COORDINATE (NAD 83)
- E:XXX,XXX.XXXX STATE PLANE EAST COORDINATE (NAD 83)
- B.C.R. BROWARD COUNTY RECORDS
- O.R.B. OFFICIAL RECORDS BOOK

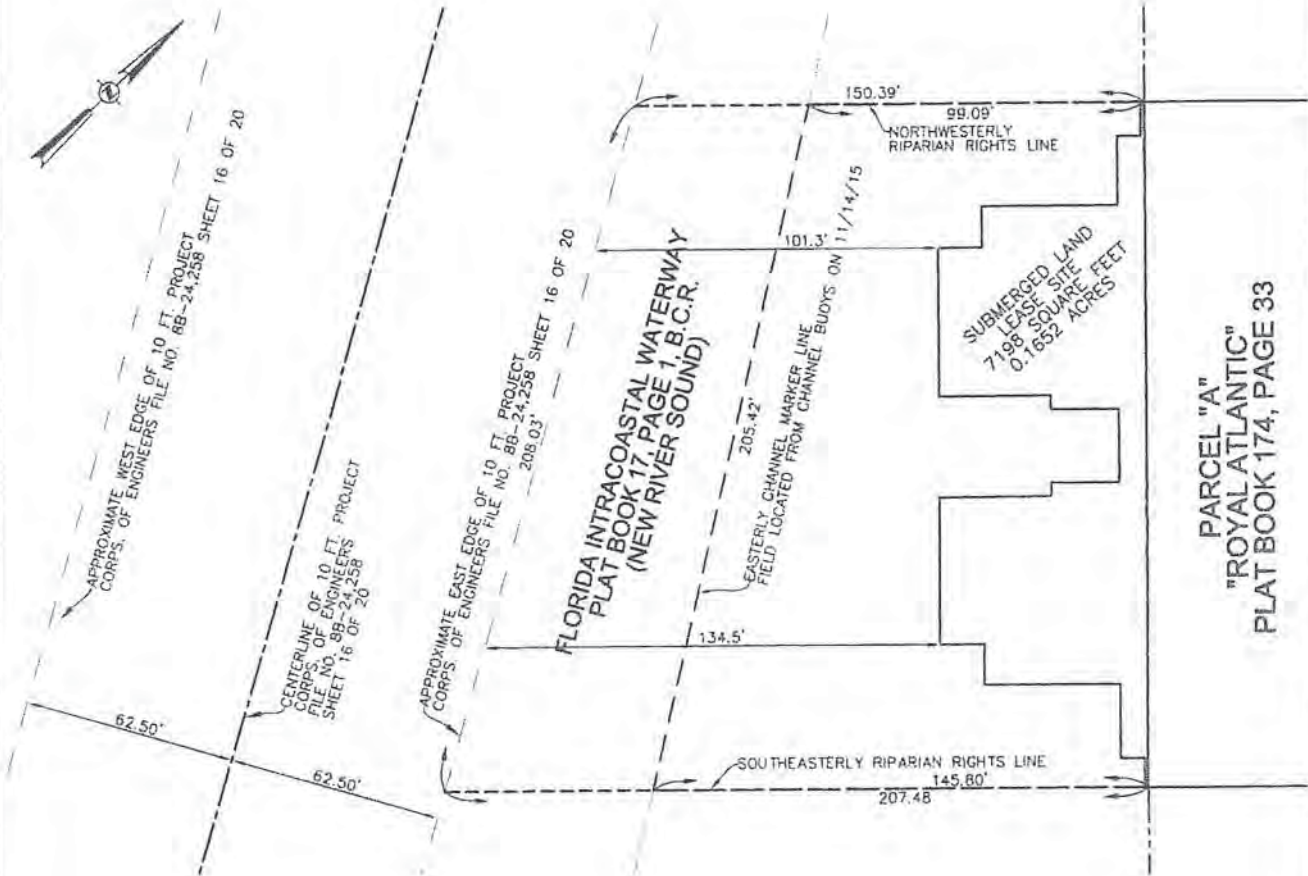


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PARCEL "A"
"ROYAL ATLANTIC"
PLAT BOOK 174, PAGE 33

SHEET 6 OF 6

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE
WITHOUT SHEETS 1 THROUGH 6 INCLUSIVE

FILE: COSTA BAHIA LLC	
SCALE: 1"=50'	DRAWN BY: B.E.
ORDER NO.: 63716	
DATE: REV. 9/07/17; 12/14/17; 01/31/18	
SUBMERGED LAND LEASE SURVEY	
FORT LAUDERDALE, BROWARD COUNTY, FLORIDA	
FOR: AZURE BAY	

ITEM VIII

MEMORANDUM MF NO. 21-21

DATE: August 16, 2021

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities Manager

RE: September 2, 2021 MAB Meeting – Application for Dock Permit – William & Ethel McIntyre / 1516 Ponce De Leon Drive

Attached for your review is an renewal Dock Permit application from William & Ethel McIntyre / 1516 Ponce De Leon drive (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for the installation and usage of a 50' long x 8' wide concrete marginal dock, 20'x6' floating dock, and a 3'x16' ramp extending a maximum distance of +/- 8' from the wetface of the seawall on public property abutting the waterway adjacent to 1516 Ponce de Leon Drive (see **Exhibit 1**). City Code Section 8-144 (**Exhibit 2**) authorizes the construction and use of docks on public property, and allows for the permit to be issued provided the permit holder agrees to maintain the improvements and seawall. If recommended for approval by the MAB, the Applicant must execute and deliver a Declaration of Covenants Running with the L and to the City Attorney's Office no later than ten (10) days prior to scheduled City Commission Meeting date.

PROPERTY LOCATION AND ZONING

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

ENGINEERING REVIEW REQUIREMENT

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

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

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

Marine Advisory Board

September 2, 2021

Page 2

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

AC

Attachment

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

**WILLIAM & ETHEL MCINTYRE
1516 PONCE DE LEON DRIVE
APPLICATION FOR PRIVATE USE OF PUBLIC PROPERTY
ABUTTING WATERWAYS**

**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: **William & Ethel McIntyre**

TELEPHONE NO: **954-257-1423** _____ EMAIL: **WMMINTYRE @ AOL.COM**
(home) (business)

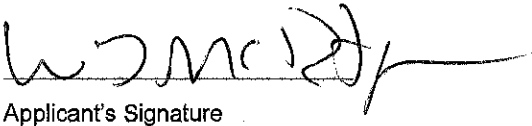
2. APPLICANT'S ADDRESS (if different than the site address): **1516 Ponce De Leon Drive Fort Lauderdale, FL 33316**

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:
The applicant requests a waiver for the private use of public property abutting waterways within the City of Fort Lauderdale to install a concrete marginal dock, cantilever platform, access ramp, and floating dock.

4. SITE ADDRESS: **1516 Ponce De Leon Drive** ZONING: **R.S-8**

LEGAL DESCRIPTION AND FOLIO NUMBER:
**RIO VISTA ISLES UNIT 3 7-47 B LOTS 16,17,39 AND 40 BLK 30
Folio No. 504211183490**

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

AUG 9, 2021
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 **Commission Action**
Formal Action taken on _____ Formal Action taken on _____

Table of Contents

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EXHIBIT II SUMMARY DESCRIPTION

Summary Description

1516 Ponce De Leon Drive

TCG Project No. 21-0060

The project site is located along an unnamed canal adjacent to the New River at 1516 Ponce De Leon Drive, in Section 11, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida

The property is located along the Rio Cordova, which is a tidal water. The nearest direct connection to the Atlantic Ocean is approximately 1.9 miles to the south at the Port Everglades Inlet. As the project site is located along the Rio Cordova, 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 ± 79.6 ln. ft. sheet pile seawall recently installed by the City of Fort Lauderdale under the Cordova Road Seawall Project. The proposed project includes the installation of a ± 400 sq. ft. concrete marginal dock (50'x8') and a ± 120 sq. ft. floating dock (20'x6') with a 3'x16' ramp. The owner will provide the vessel information to be moored at the property at a later date. As this property is owned by the city, the proposed concrete dock, floating dock and ramp will require approval of private use of public property abutting a waterway.

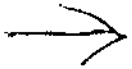
The proposed structures are being applied for concurrently with the Broward County Environmental Protection & Growth Management Department, Florida Department of Environmental Protection, and US Army Corps of Engineers.

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

1. All structures and piles will not exceed 30% of the width of the waterway.
2. The applicant requests to enjoy and utilize the waterfront access along Cordova Road as many others within this neighborhood.
3. The applicant previously had an existing marginal dock and floating dock within the same configuration for at least 17+ years that needed to be removed due to the City of Fort Lauderdale's Cordova Road Seawall Project.

If this request is approved, the applicant will comply with all other necessary codes of ordinances (Sec. 8-144).

EXHIBIT III WARRANTY DEED & BCPA



W/C TRI-COUNTY for:
Patrick G. Kelley, P.A.
1401 E. Broward Blvd., #206
Ft. Lauderdale, FL 33301
13063.002

Prepared by and return to:
James D. Camp, III
Attorney at Law
Camp & Camp, P.A.
111 S.E. 12th Street
Fort Lauderdale, FL 33316-1813
954-524-8111
File Number: 14-1059.001
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 2nd day of May, 2014 between Craig R. Schembri, a married man, joined by his wife, Denise C. Schembri whose post office address is 3981 S.W. 30th Avenue, Fort Lauderdale, FL 33312, grantor, and William D. McIntyre and Ethel McIntyre, husband and wife whose post office address is 1516 Ponce De Leon Drive, Fort Lauderdale, FL 33316, grantee:

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

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

Lots 16, 17, 39 and 40, Block 30, RIO VISTA ISLES UNIT 3, according to the plat thereof recorded in Plat Book 7, Page 47, of the Public Records of Broward County, Florida.

Parcel Identification Number: 5042 1118 3490

Subject to taxes for 2014 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2013**.

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

2

Signed, sealed and delivered in our presence:

[Signature]
Witness Name: Kristina Song

[Signature]
Witness Name: SUSAN L. FREEMAN

[Signature]
Witness Name: Kristina Song

[Signature]
Witness Name: SUSAN L. FREEMAN

[Signature] (Seal)
Craig R. Schembri

[Signature] (Seal)
Denise C. Schembri

State of Florida
County of Broward

The foregoing instrument was acknowledged before me this 30th day of APRIL, 2014 by Craig R. Schembri, who is personally known or has produced a driver's license as identification.

[Notary Seal]



[Signature]
Notary Public

Printed Name: SUSAN L. FREEMAN

My Commission Expires: _____

State of Florida
County of Broward

The foregoing instrument was acknowledged before me this 30th day of APRIL, 2014 by Denise C. Schembri, who is personally known or has produced a driver's license as identification.

[Notary Seal]



[Signature]
Notary Public

Printed Name: SUSAN L. FREEMAN

My Commission Expires: _____



Site Address	1516 PONCE DE LEON DRIVE, FORT LAUDERDALE FL 33316	ID #	5042 11 18 3490
Property Owner	MCINTYRE, WILLIAM D & ETHEL	Millage	0312
Mailing Address	1516 PONCE DE LEON DR FORT LAUDERDALE FL 33316	Use	01
Abbr Legal Description	RIO VISTA ISLES UNIT 3 7-47 B LOTS 16,17,39 AND 40 BLK 30		

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
2021*	\$907,040	\$4,278,730	\$5,185,770	\$3,859,550	
2020	\$907,040	\$4,036,150	\$4,943,190	\$3,806,270	\$70,034.71
2019	\$1,496,620	\$3,955,290	\$5,451,910	\$3,720,700	\$68,698.34

2021* Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$5,185,770	\$5,185,770	\$5,185,770	\$5,185,770
Portability	0	0	0	0
Assessed/SOH 15	\$3,859,550	\$3,859,550	\$3,859,550	\$3,859,550
Homestead 100%	\$25,000	\$25,000	\$25,000	\$25,000
Add. Homestead	\$25,000	0	\$25,000	\$25,000
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$3,809,550	\$3,834,550	\$3,809,550	\$3,809,550

Sales History			
Date	Type	Price	Book/Page or CIN
4/30/2014	WD-Q	\$3,700,000	112267044
12/19/2005	WD	\$3,450,000	41148 / 825
7/19/2005	WD	\$3,300,000	40204 / 1159
7/2/2001	WD*	\$3,797,500	31800 / 1826
10/4/1996	WD	\$320,000	25490 / 811

Land Calculations		
Price	Factor	Type
\$40.00	22,676	SF
Adj. Bldg. S.F. (Card, Sketch)		11719
Units		1
Eff./Act. Year Built: 1999/1998		

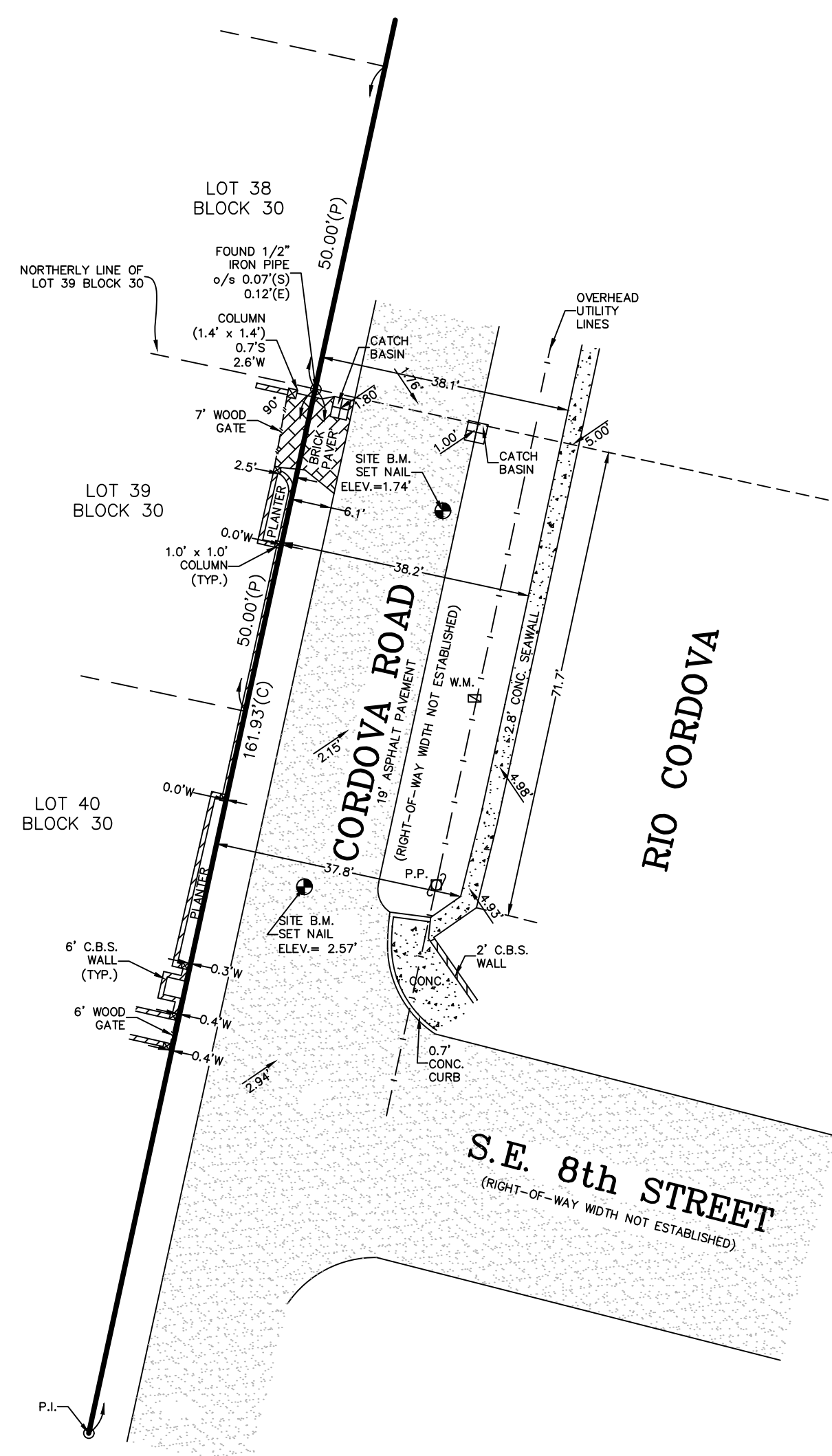
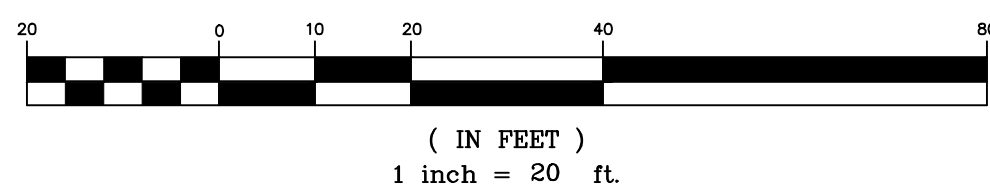
* Denotes Multi-Parcel Sale (See Deed)

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

EXHIBIT IV ORIGINAL SURVEY

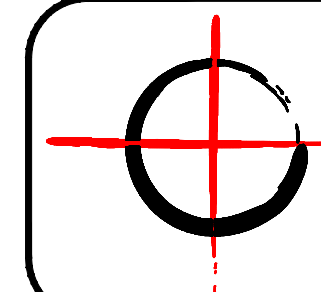


GRAPHIC SCALE



LEGEND:

- B.M. = BENCHMARK
- B.C.R. = BROWARD COUNTY RECORDS
- C = CALCULATED MEASUREMENT
- ⊕ = 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
- C.R. = CABLE RISER
- D = DEED MEASUREMENT
- E.S. = ELECTRIC SERVICE
- ELEV. = ELEVATION
- F.P.L. = FLORIDA POWER & LIGHT
- G.A. = GUY ANCHOR
- G.V. = GATE VALVE
- 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
- Ⓜ = HANDI-CAPPED PARKING
- Ⓜ = FIRE HYDRANT
- Ⓜ = UTILITY POLE
- Ⓜ = SPOT ELEVATION



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: CORDOVA ROAD
 FORT LAUDERDALE, FLORIDA 33316**

CERTIFY TO:
 1. WILLIAM D. MCINTYRE AND ETHEL MCINTYRE

LEGAL DESCRIPTION:
 LOCATION OF NEWLY CONSTRUCTED SEAWALL SITUATED NORTH OF HAVANA DRIVE, EAST OF CORDOVA ROAD, WEST OF RIO CORDOVA AND SOUTH OF THE EASTERLY PROJECTION OF THE NORTHERLY LINE OF LOT 39, BLOCK 30, OF "RIO VISTA ISLES" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, AT PAGE 47, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

ENCROACHMENT NOTES:
 1) NONE VISIBLE.

- GENERAL NOTES:**
- 1) TYPE OF SURVEY: SPECIAL PURPOSE
 - 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 SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, UNLESS IT HAS BEEN ELECTRONICALLY SIGNED AND SEALED.
 - 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 (IF ANY) 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) 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 125105-0057-H, BEARING A MAP EFFECTIVE DATE OF 08/18/14 AND AN INDEX MAP REVISION DATE OF 08/18/14.
 - 12) REFERENCE B.M. ELEV. DATUM WAS CONVERTED FROM NGVD '29 TO NAVD '88 USING CORPSCON 6.0.1.
 - 13) REFERENCE B.M.: BRONZE DISC TOP OF CURB @ S.W. CORNER OF BRIDGE #865761 ON S.E. 8TH ST. E. OF CORDOVA ROAD ELEV.=5.686' NAVD '29/ELEV.=4.311' NAVD '88.
 - 14) DATE FIELDWORK PERFORMED: 06/15/21 (FIELD BOOK 632, PAGE 25)
 - 15) DRAWN BY: O.D.I. CHECKED BY: J.P. & K.M.

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 SJ-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA STATE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS.

JASON H. PINNELL
 PROFESSIONAL SURVEYOR & MAPPER
 LICENSE NO. 5734 - STATE OF FLORIDA



THE SEAL APPEARING ON THIS DOCUMENT WAS APPROVED BY JASON H. PINNELL, P.S.M. #5734

REVISIONS:

REVISION	DATE	CHECKED BY

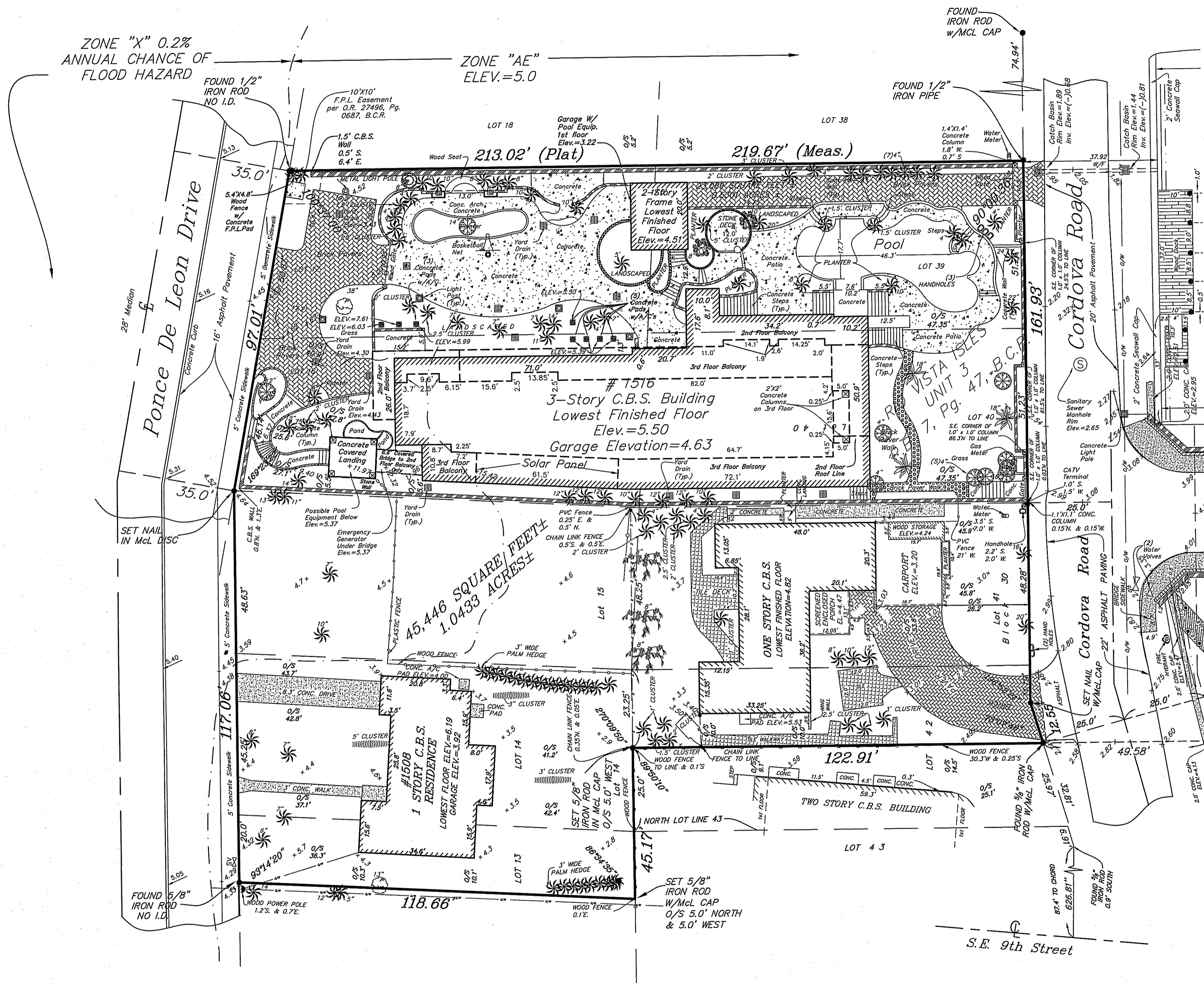
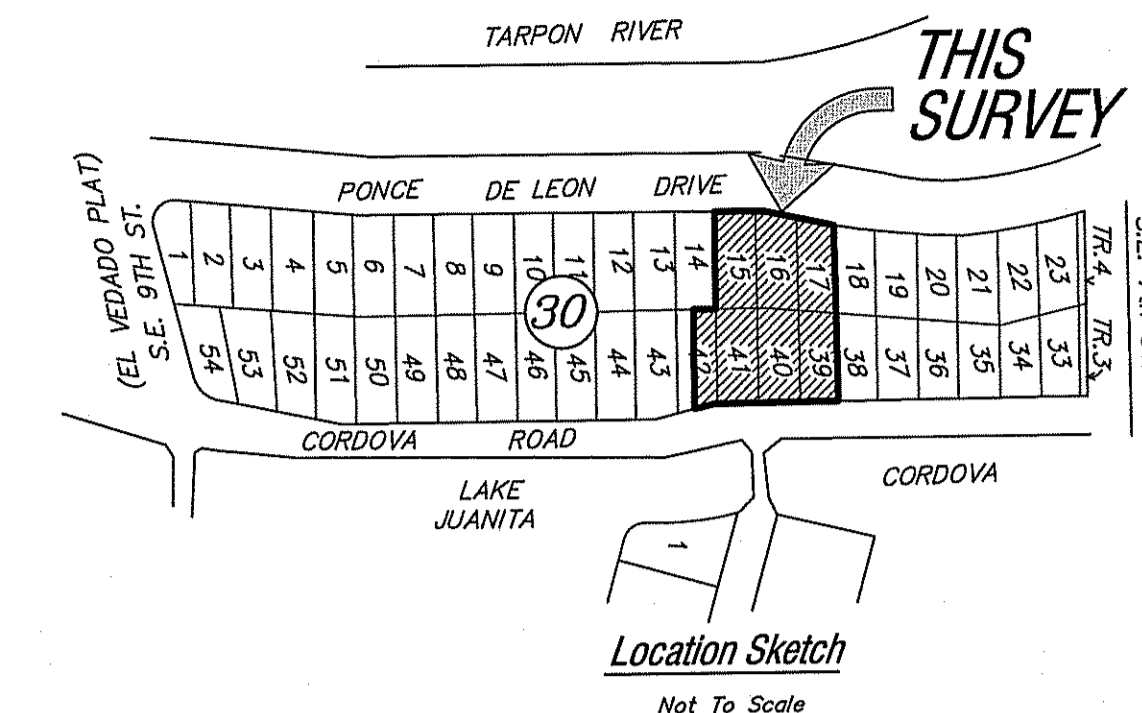
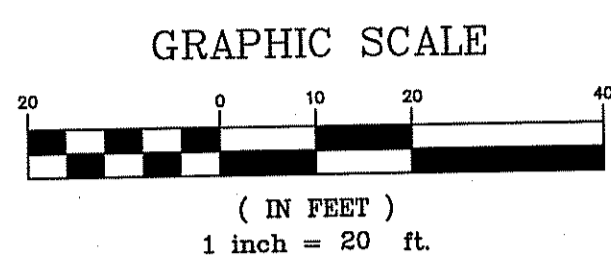
PROJECT NAME: MCINTYRE **JOB NO.: 21-1306**



prepared by
McLAUGHLIN ENGINEERING COMPANY (LB#285)
 400 J.W. McLaughlin AVENUE (N.E. 3rd AVENUE),
 FORT LAUDERDALE, FLORIDA, 33301
 PHONE: (954) 763-7611 FAX: (954) 763-7615

RECORD LAND SURVEY

**LOTS 15 - 17, LOTS 39-41 AND LOT 42, LESS SOUTH 25',
 BLOCK 30, RIO VISTA ISLES
 PLAT BOOK 7, PAGE 47, B.C.R.**



Legal Description
 Lots 15, 16, 17, 39, 40, 41 and Lot 42, Less the South 25.00 feet, Block 30, RIO VISTA ISLES UNIT 3, according to the plat thereof, as recorded in Plat Book 7, Page 47, of the public records of Broward County, Florida.
 Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 44,474 square feet or 1.0439 acres, more or less.

- TREE SYMBOLS**
 INDICATES DIAMETER± (D.B.H.)
- ☉ DATE PALM
 - ☉ GUMBO LIMBO
 - ☉ OAK TREE
 - ☉ ORCHID
 - ☉ PALM TREE
 - ☉ TRAVELERS TREE
 - ☉ UNKNOWN TREE

- NOTES:**
- This survey reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Company.
 - Underground improvements if any not located.
 - Boundary survey information does not infer Title or Ownership.
 - All iron rods 5/8", unless otherwise noted.
 - Reference Bench Mark: Nail in wood pole in center of Cut-De-Sac at North end of Ponce De Leon Drive, Elev.=10.07.
 - Elevations shown refer to North American Vertical Datum (1988), and are indicated thus: $\frac{5.87}{5.87}$, Elev. = 5.87.
 - This property lies in Flood Zone "AE", Elev.=5.0 & "X" 0.2% Annual Chance Of Flood Hazard Per Flood Insurance Rate Map No. 12011C0557 H Dated: August 18, 2014, Community Panel No. 125105.
 - Elevations per North American Vertical Datum (1988) derived from National Geodetic Vertical Datum (1929) data and converted using U.S. Army Corps of Engineers software (Corpscon 6.0.1) obtained from <http://www.tech.army.mil/>

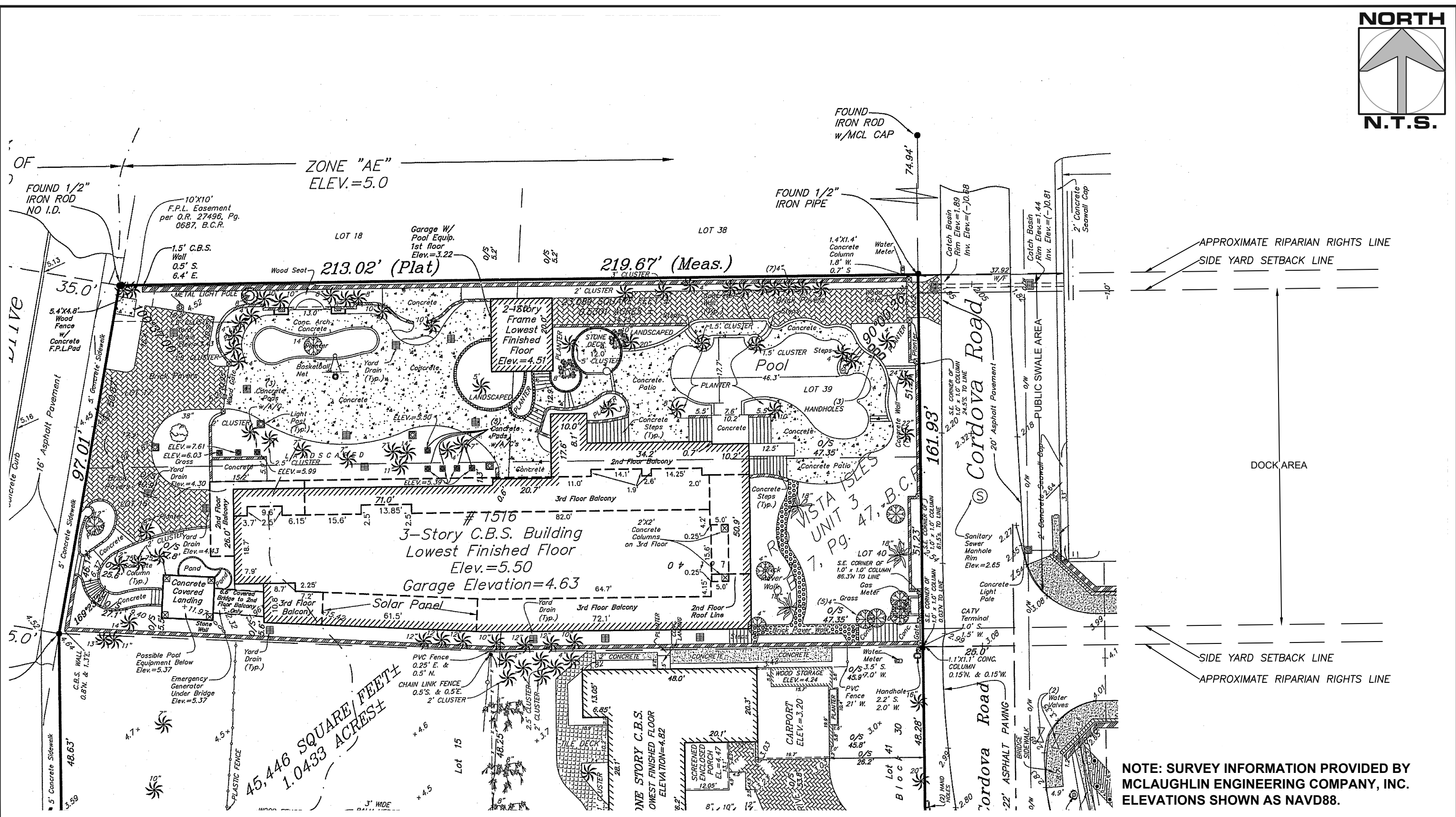
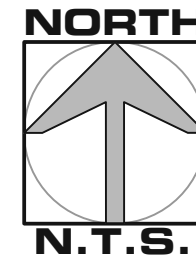
- LEGEND**
- Δ = CENTRAL ANGLE (DELTA)
 - R = RADIUS
 - A OR L = ARC LENGTH
 - CH/BRC = CHORD BEARING
 - TAN/BRC = TANGENT BEARING
 - P.O.C. = POINT OF COMMENCEMENT
 - P.O.B. = POINT OF BEGINNING
 - W/MCL CAP = WITH McLAUGHLIN ENGINEERING CO. CAP
 - P.R.M. = PERMANENT REFERENCE MONUMENT
 - CONC. = CONCRETE
 - C.B.S. = CONCRETE BLOCK AND STUCCO
 - I.C.V. = IRRIGATION CONTROL VALVE
 - W.M. = WATER METER
 - B.F.P. = BACK FLOW PREVENTOR
 - A.L.P. = ALUMINUM LIGHT POLE
 - C.L.P. = CONCRETE LIGHT POLE
 - M.L.P. = METAL LIGHT POLE
 - W.L.P. = WOOD LIGHT POLE
 - O.U.W. = OVERHEAD UTILITY WIRES
 - ELEV. = ELEVATION
 - O/S = OFFSET
 - A/C = AIR CONDITIONING
 - C.O. = 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
 - P.B.R. = PALM BEACH COUNTY RECORDS
 - O.R. = OFFICIAL RECORDS BOOK
 - PG. = PAGE
 - R/W = RIGHT-OF-WAY
 - C.O. = CLEAN OUT
 - C.L.F. = CHAIN LINK FENCE
 - P.C.D. = POLLUTION CONTROL DEVICE
 - H.H. = HAND HOLE
 - L.P. = LIGHT POLE
 - W.P.P. = WOOD POWER POLE
 - W.V. = WATER VALVE

OFFICE NOTES
 FIELD BOOK NO. TDS, Print, LB# 349/41
 JOB ORDER NO. V-1083
 CHECKED BY: RT
 DRAWN BY: RT
 C:\Ray2016\11083\11083.dwg 3/17/2016 2:32:27 PM EDT

CERTIFICATION
 We hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17.05 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.
 Dated at Fort Lauderdale, Florida, this 6th day of March, 2016.

McLAUGHLIN ENGINEERING COMPANY
 JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
 State of Florida.

**EXHIBIT V
'EXHIBIT A'**



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- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Tree Surveys/ Appraisals

1516 PONCE DE LEON DRIVE
 PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

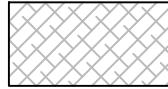
EXHIBIT A		
Date: 8/18/2021	Sheet : 1	of : 1
Proj No.: 21-0074		

EXHIBIT VI STANDARD LANDSCAPE PLAN

LEGEND



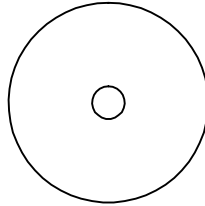
**ST. AUGUSTINE SOD,
TIGHT SEAMS, FULL COVERAGE**



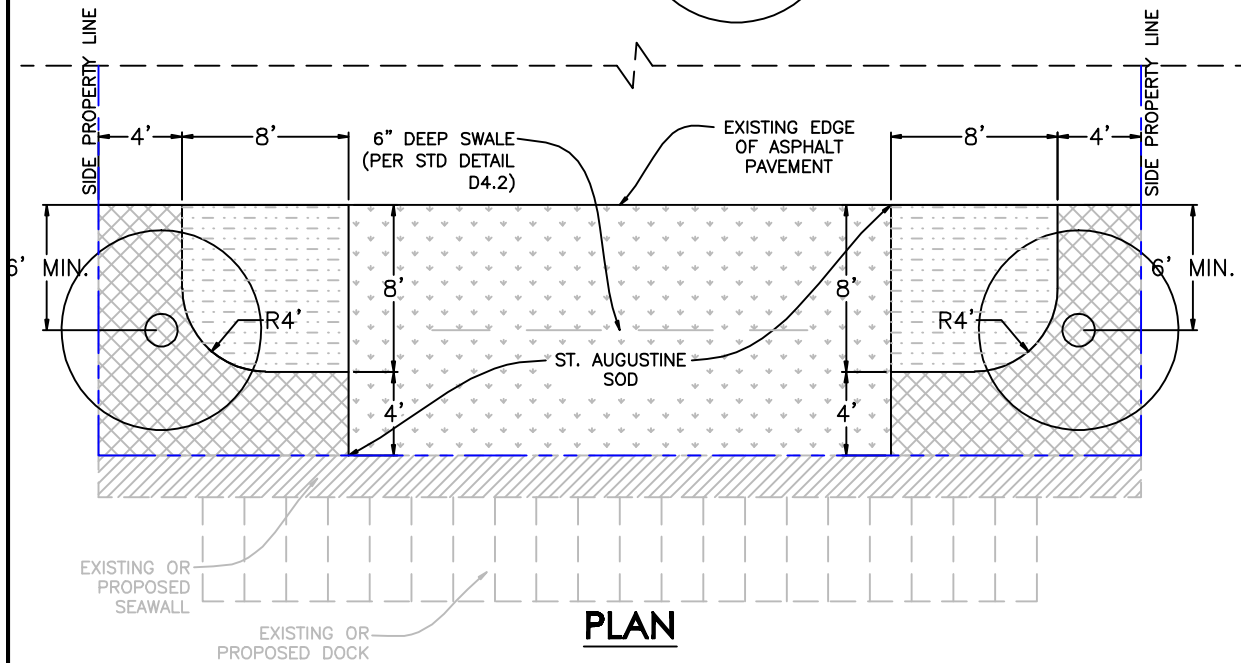
**MUHLY GRASS:
18" - 24" TALL
18" - 24" ON CENTER**



**INDIAN HAWTHORN:
12" - 18" TALL
12" - 18" ON CENTER**



**12' SILVER BUTTWOOD TREE,
MULTI**

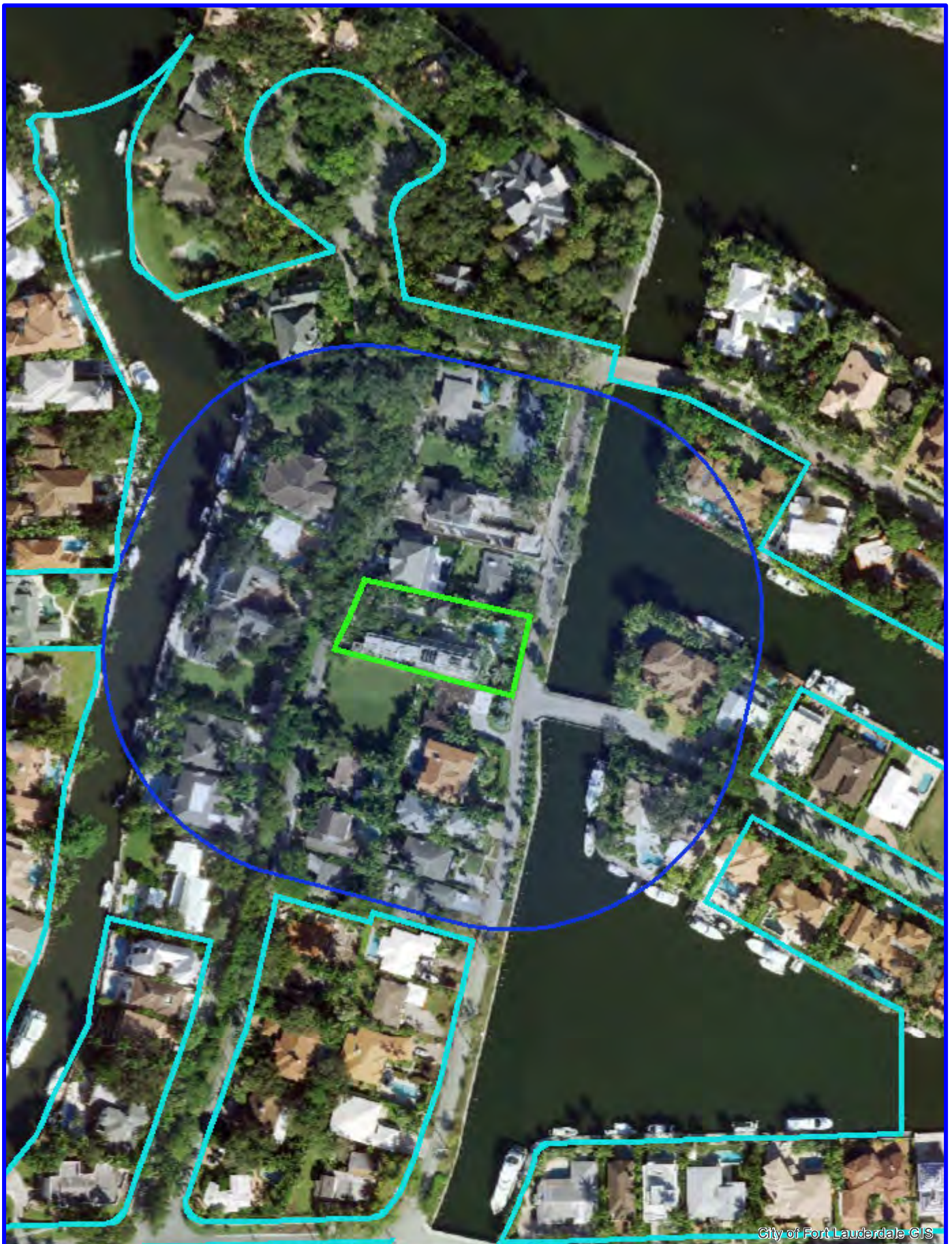


GENERAL NOTES:

1. ALL IRRIGATION & PLANT MATERIAL SHALL BE INSTALLED & MAINTAINED BY APPLICANT.
2. ALL PLANT MATERIAL SHALL BE FLORIDA #1 GRADE OR BETTER.
3. ALL PLANT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH INDUSTRY BEST MANAGEMENT PRACTICES.
4. ALL AREAS TO RECEIVE AUTOMATIC IRRIGATION FROM A PERMANENT WATER SOURCE PROVIDING 100% COVERAGE AND A RAIN SENSOR SHUT OFF.
5. ALL PLANT MATERIAL SUBSTITUTIONS SHALL BE FLORIDA-FRIENDLY LANDSCAPING (FFL) EQUIVALENT.

ISSUED: 2/2015		CITY OF FORT LAUDERDALE DEPT. OF SUSTAINABLE DEVELOPMENT	LANDSCAPING PLAN (ROW)	SCALE: 1"=10'
REVISED:	URBAN DESIGN & PLANNING ENGINEERING DIVISION			

EXHIBIT VII ZONING AERIAL



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

1516 Ponce De Leon Drive



0 90 180 Feet

GIS
Fort Lauderdale

EXHIBIT VIII SITE PHOTOGRAPHS



1. Northern portion of the subject site, facing south along Rio Cordova.



2. Southern portion of the subject site, facing north along Rio Cordova.

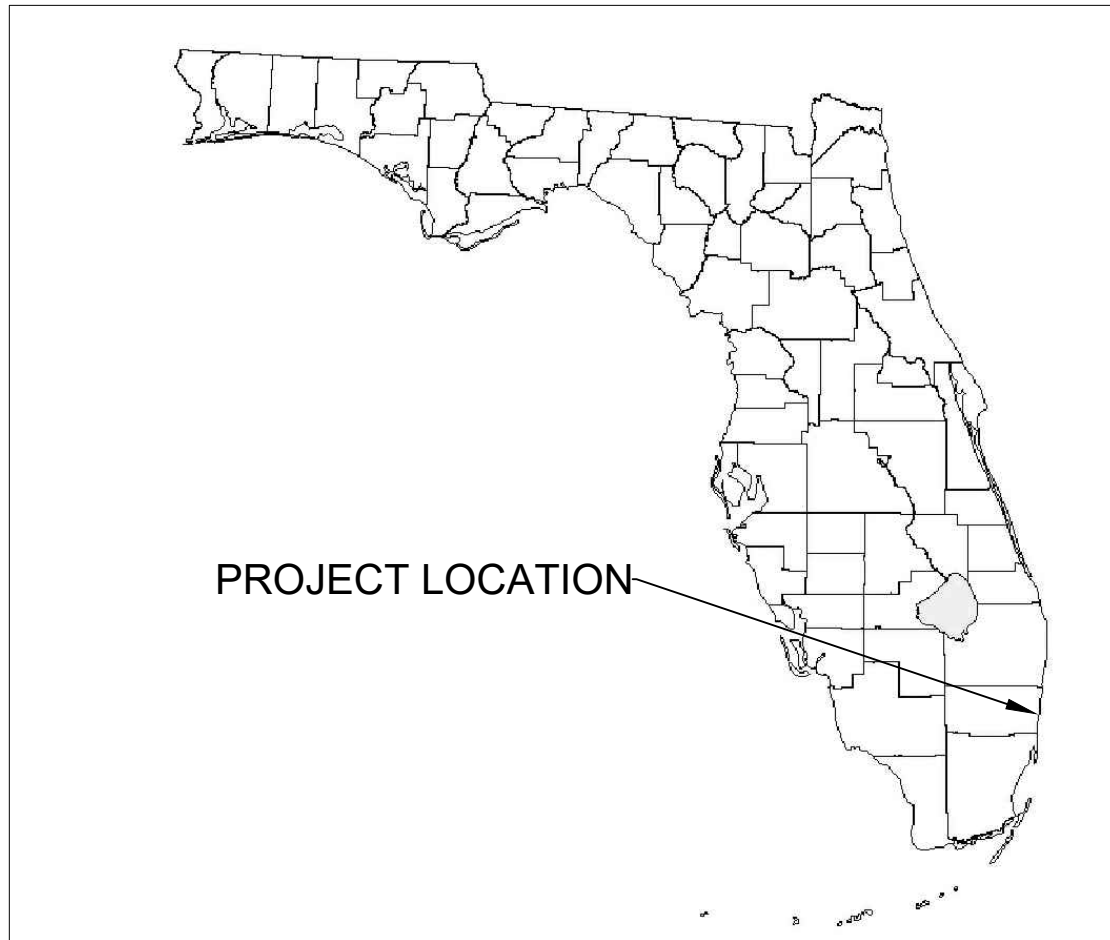


3. Eastern portion of dock area, facing west.

EXHIBIT IX PROJECT PLANS

1516 PONCE DE LEON DRIVE

PLAN SET



LOCATION MAP (N.T.S.)

DRAWING INDEX

SHEET 1: COVER

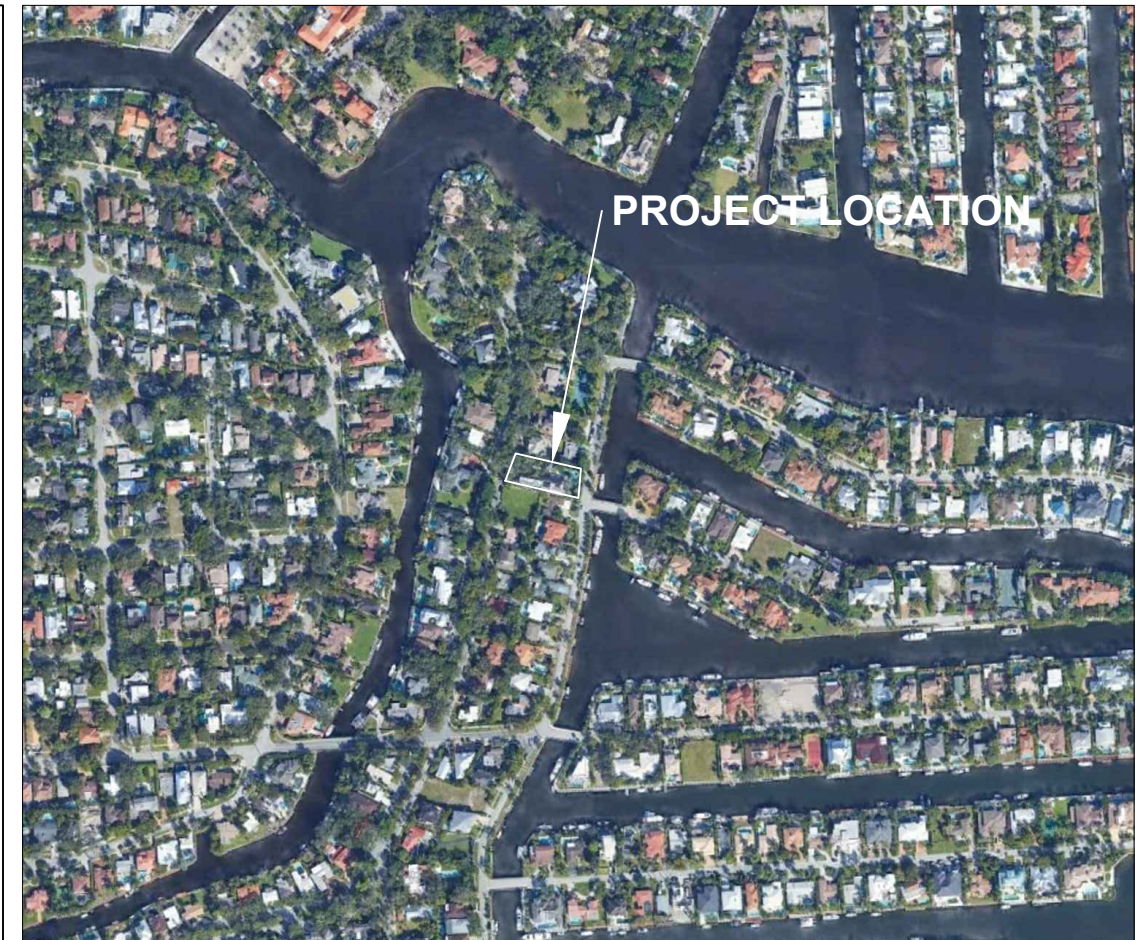
SHEET 2: EXISTING
CONDITIONS

SHEET 3: PROPOSED
CONDITIONS

SHEET 4: SECTION A

SHEET 5: SECTION B

SHEET 6: DETAILS



VICINITY AERIAL (N.T.S.)

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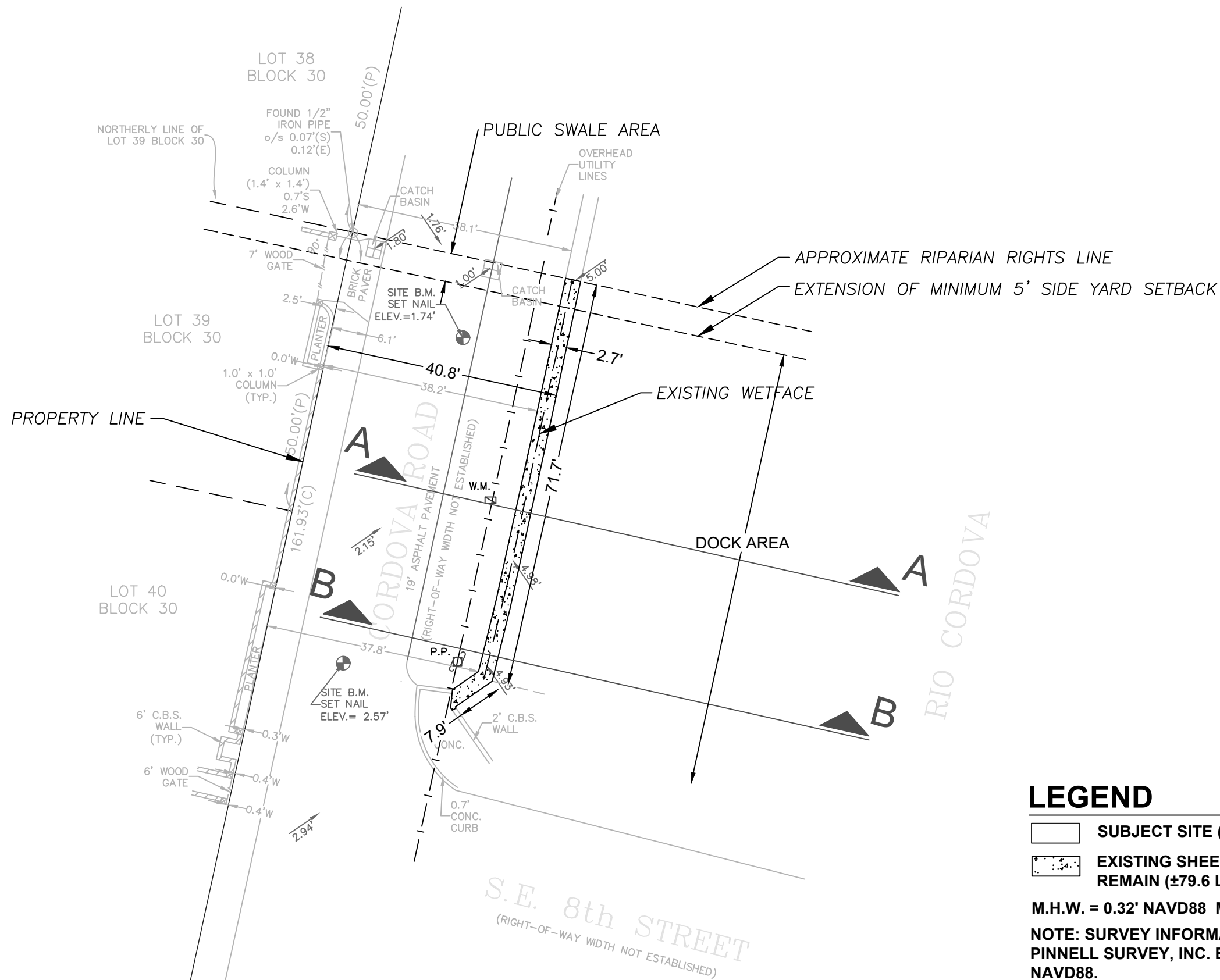
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- Mitigation Design & Monitoring
- T&E Species Surveys
- Tree Surveys/Appraisals

1516 PONCE DE LEON DRIVE

PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

COVER

Date: 7/23/2021	Sheet : 1	of : 6
Proj No.: 21-0074		



LEGEND

- SUBJECT SITE (0.52 AC)
- EXISTING SHEET PILE SEAWALL TO REMAIN (±79.6 LN. FT.)

M.H.W. = 0.32' NAVD88 M.L.W. = (-)2.10' NAVD88
 NOTE: SURVEY INFORMATION PROVIDED BY PINNELL SURVEY, INC. ELEVATIONS SHOWN AS NAVD88.

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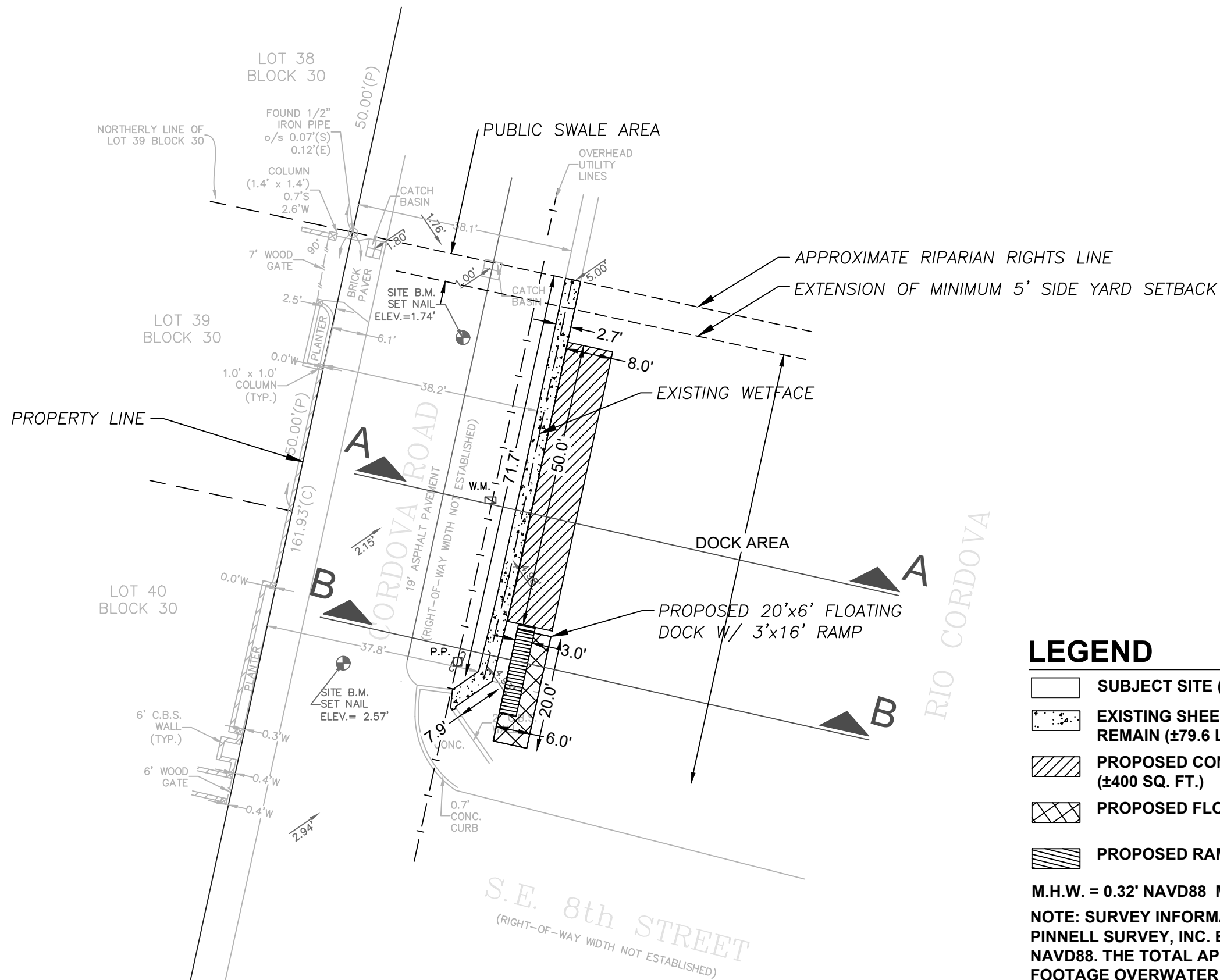
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1516 PONCE DE LEON DRIVE






PREPARED FOR:
 TOM KRIPS CONSTRUCTION, INC.

EXISTING CONDITIONS

Date: 7/23/2021	Sheet : 2	of : 6
Proj No.: 21-0074		



LEGEND

-  SUBJECT SITE (0.52 AC)
-  EXISTING SHEET PILE SEAWALL TO REMAIN (±79.6 LN. FT.)
-  PROPOSED CONCRETE MARGINAL DOCK (±400 SQ. FT.)
-  PROPOSED FLOATING DOCK (±120 SQ. FT.)
-  PROPOSED RAMP (±48 SQ. FT.)

M.H.W. = 0.32' NAVD88 M.L.W. = (-)2.10' NAVD88
 NOTE: SURVEY INFORMATION PROVIDED BY PINNELL SURVEY, INC. ELEVATIONS SHOWN AS NAVD88. THE TOTAL APPROXIMATE SQUARE FOOTAGE OVERWATER IS 520 SQ. FT.

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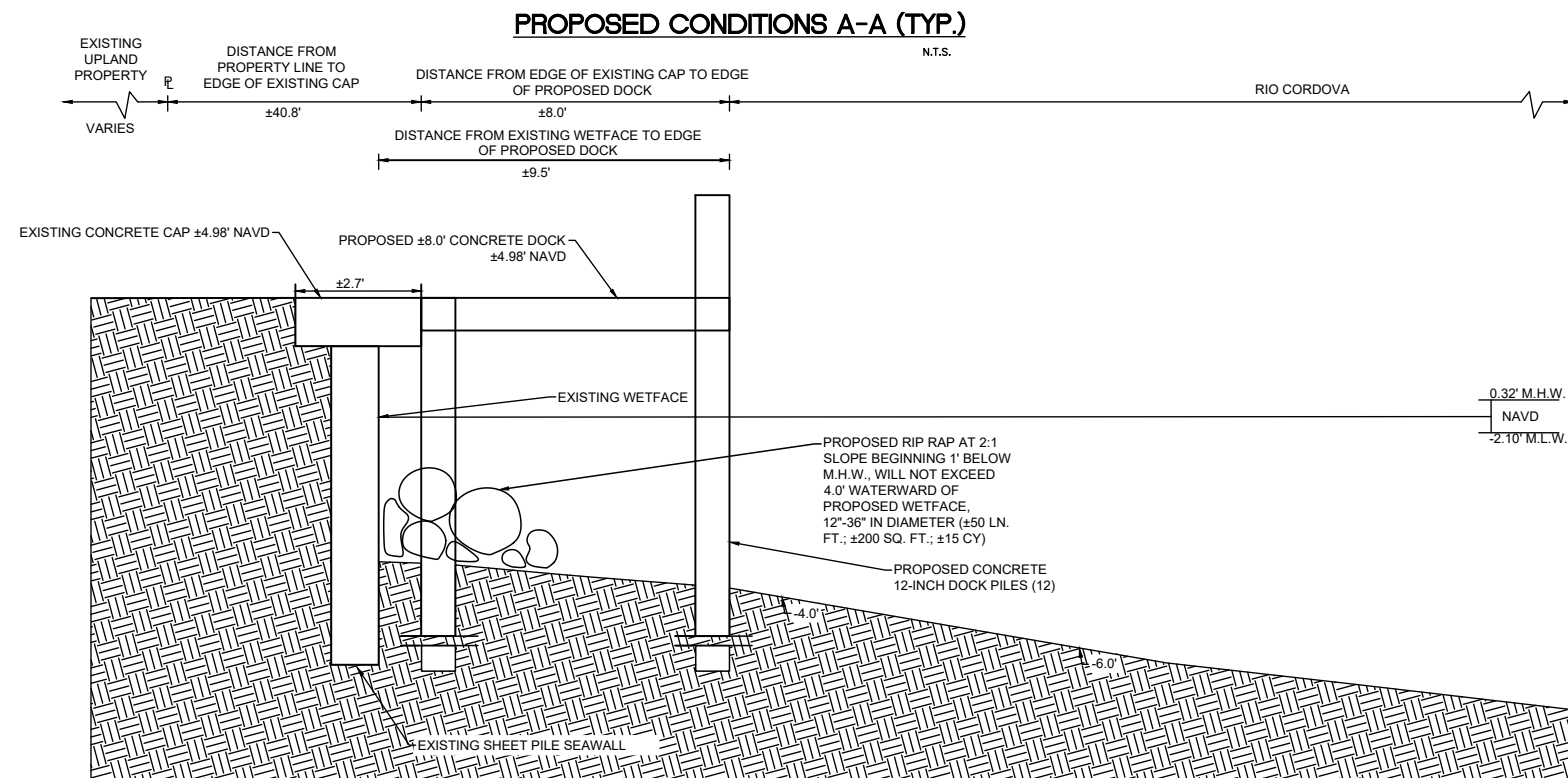
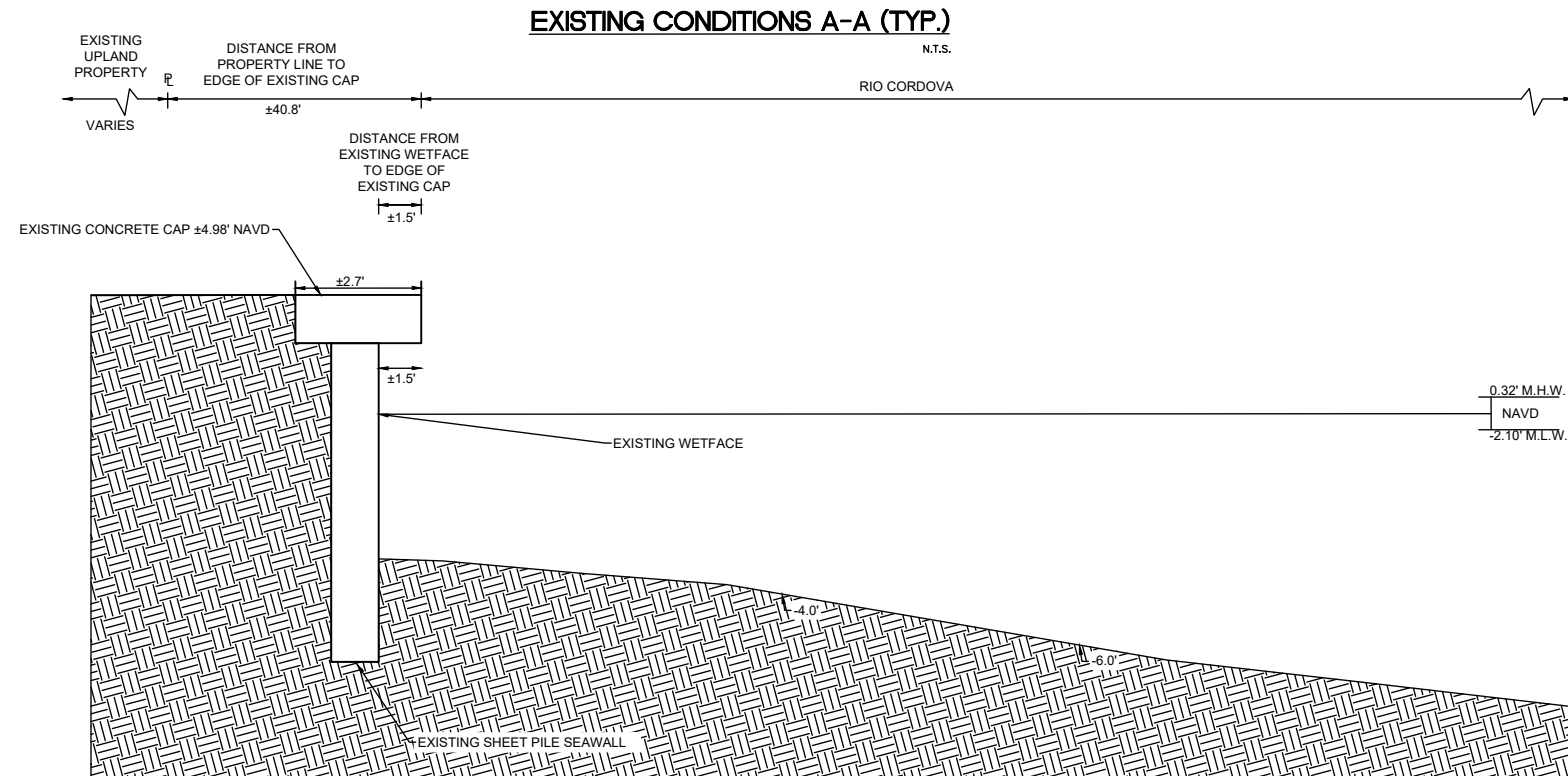
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PROPOSED CONDITIONS		
Date: 7/23/2021	Sheet :	of :
Proj No.: 21-0074	3	6



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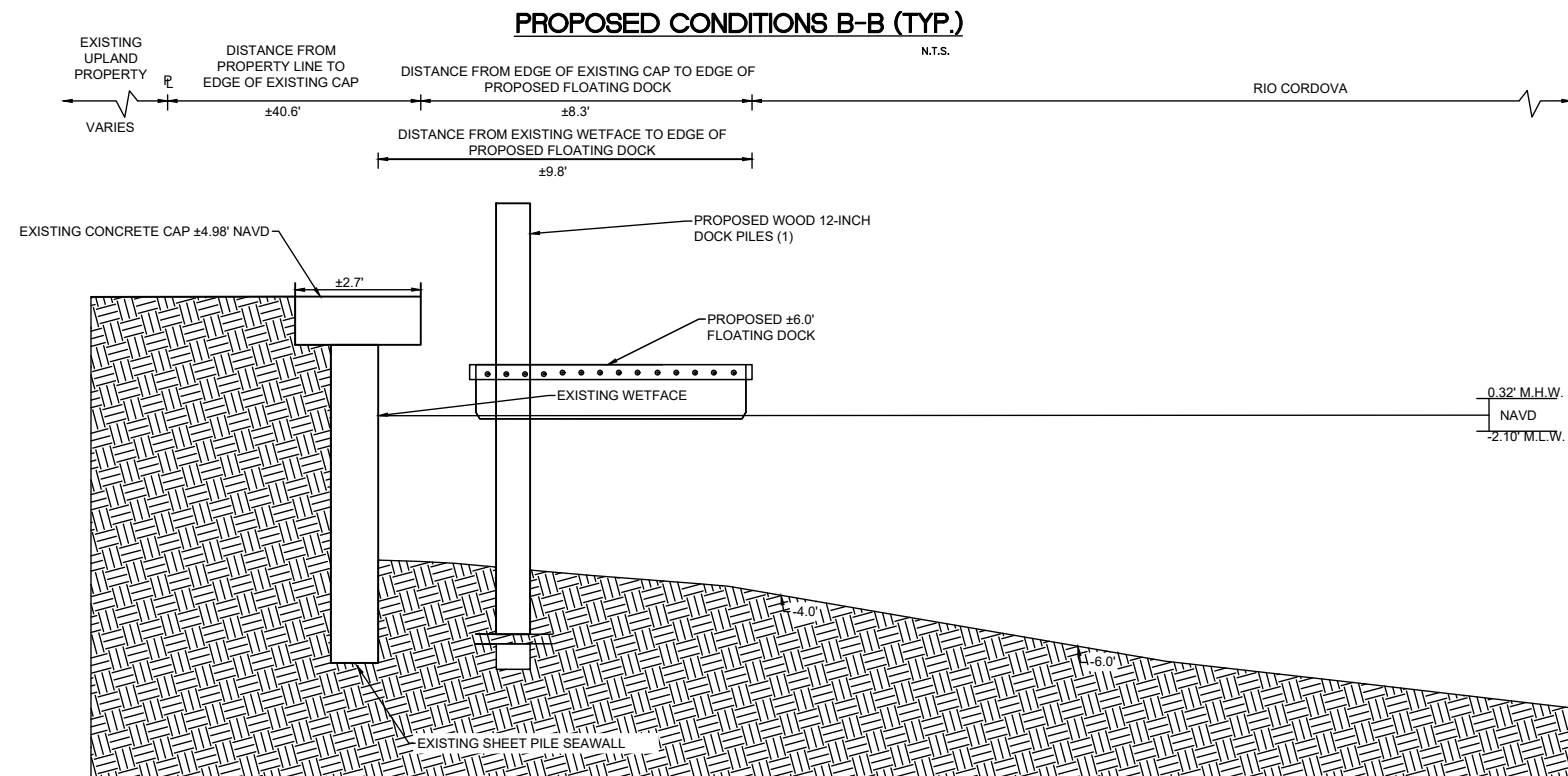
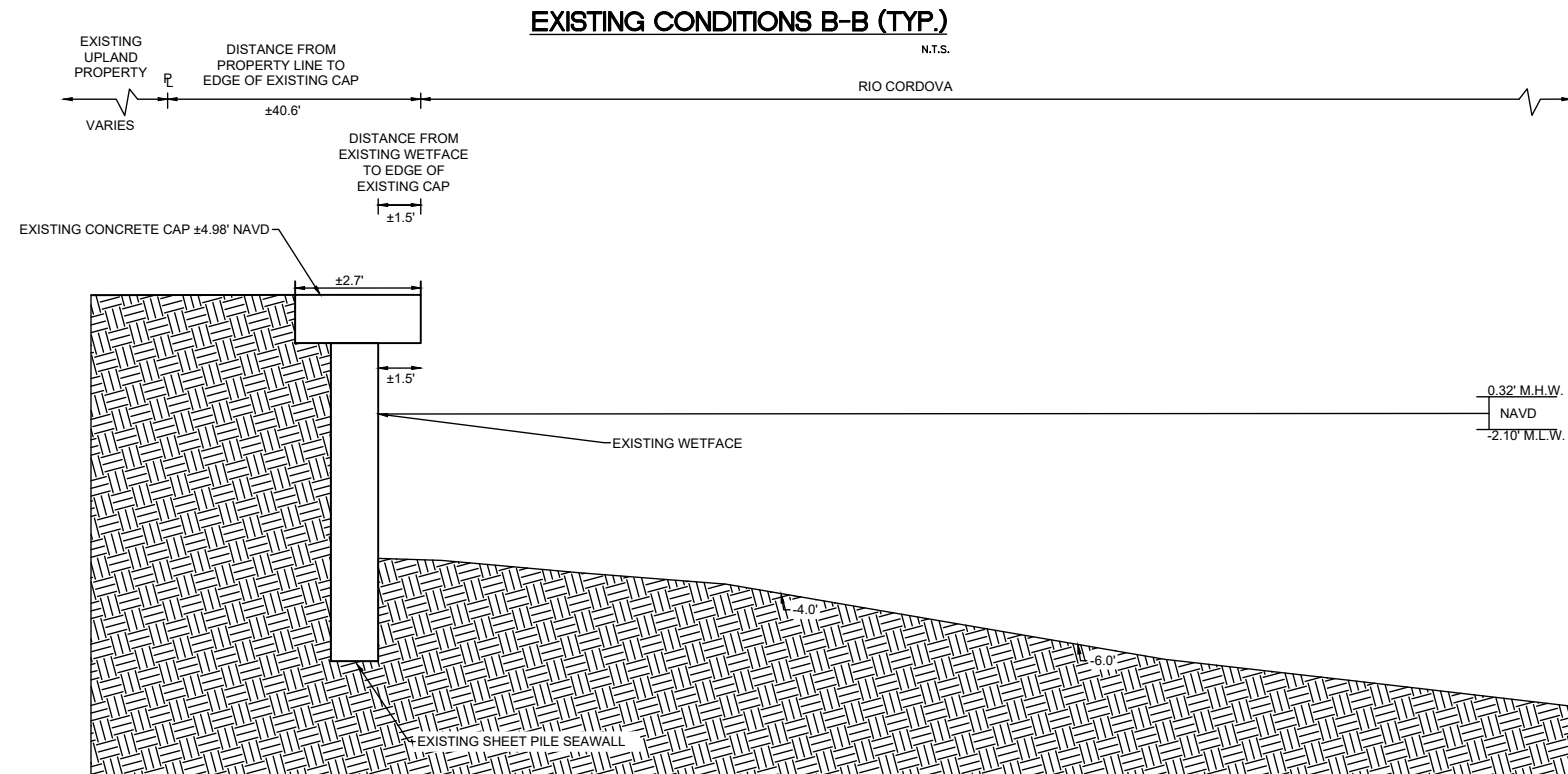
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- Tree Surveys/Appraisals

1516 PONCE DE LEON DRIVE

PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

SECTION A

Date: 7/23/2021	Sheet : 4	of : 6
Proj No.: 21-0074		



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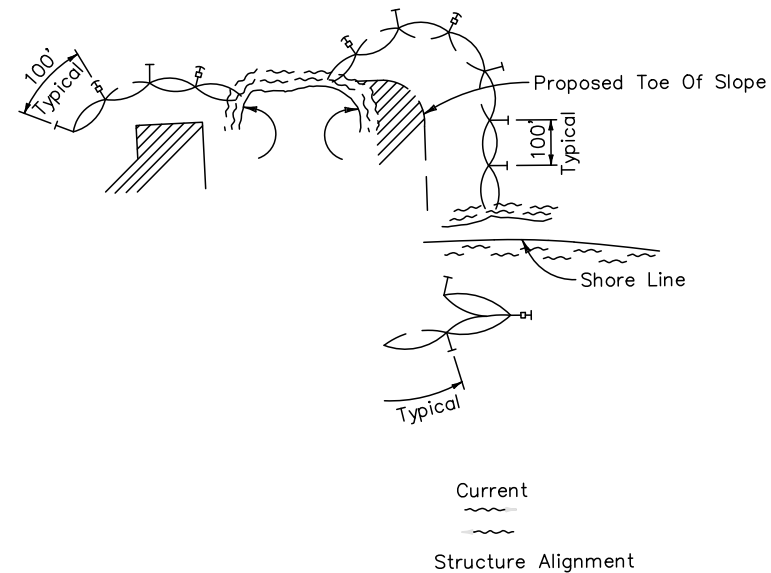
1516 PONCE DE LEON DRIVE

PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

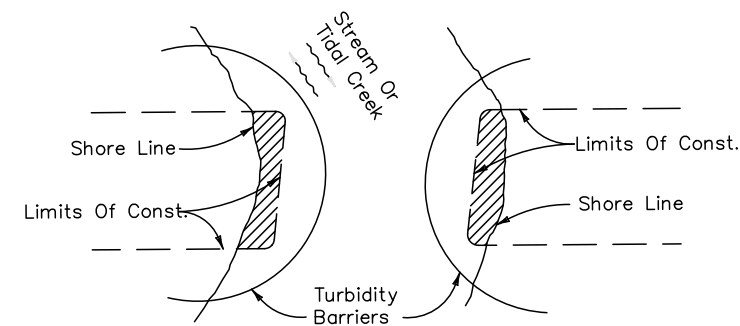
SECTION B

Date: 7/23/2021	Sheet : 5	of : 6
Proj No.: 21-0074		

CONSTRUCTION BARGE (TYP.)



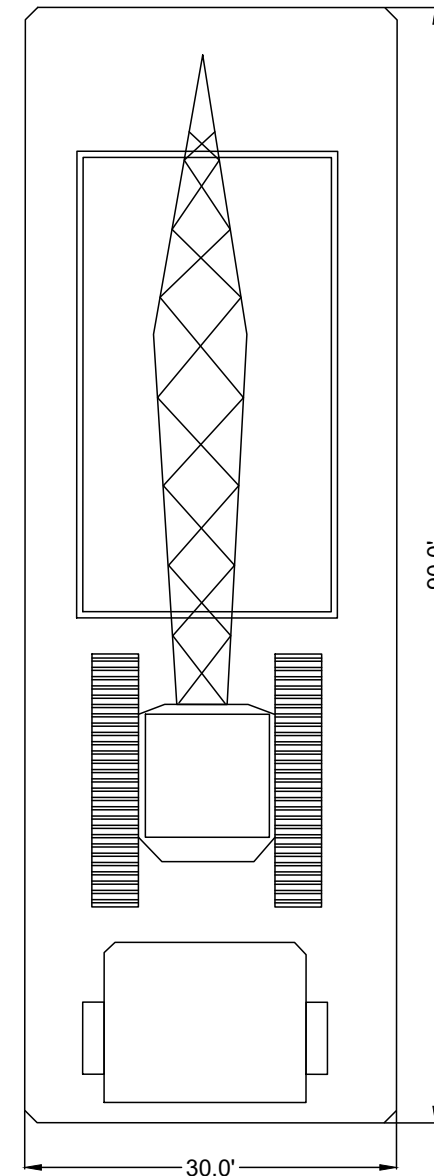
- LEGEND**
- Pile Locations
 - ▨ Dredge Or Fill Area
 - ⊕ Mooring Buoy w/Anchor
 - ⊖ Anchor
 - ⊖ Barrier Movement Due To Current Action



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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www.thechappellgroup.com

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

1516 PONCE DE LEON DRIVE

PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

DETAILS

Date: 7/23/2021	Sheet : 6	of : 6	
Proj No.: 21-0074			

EXHIBIT X EXISTING WAIVERS IN THE VICINTY

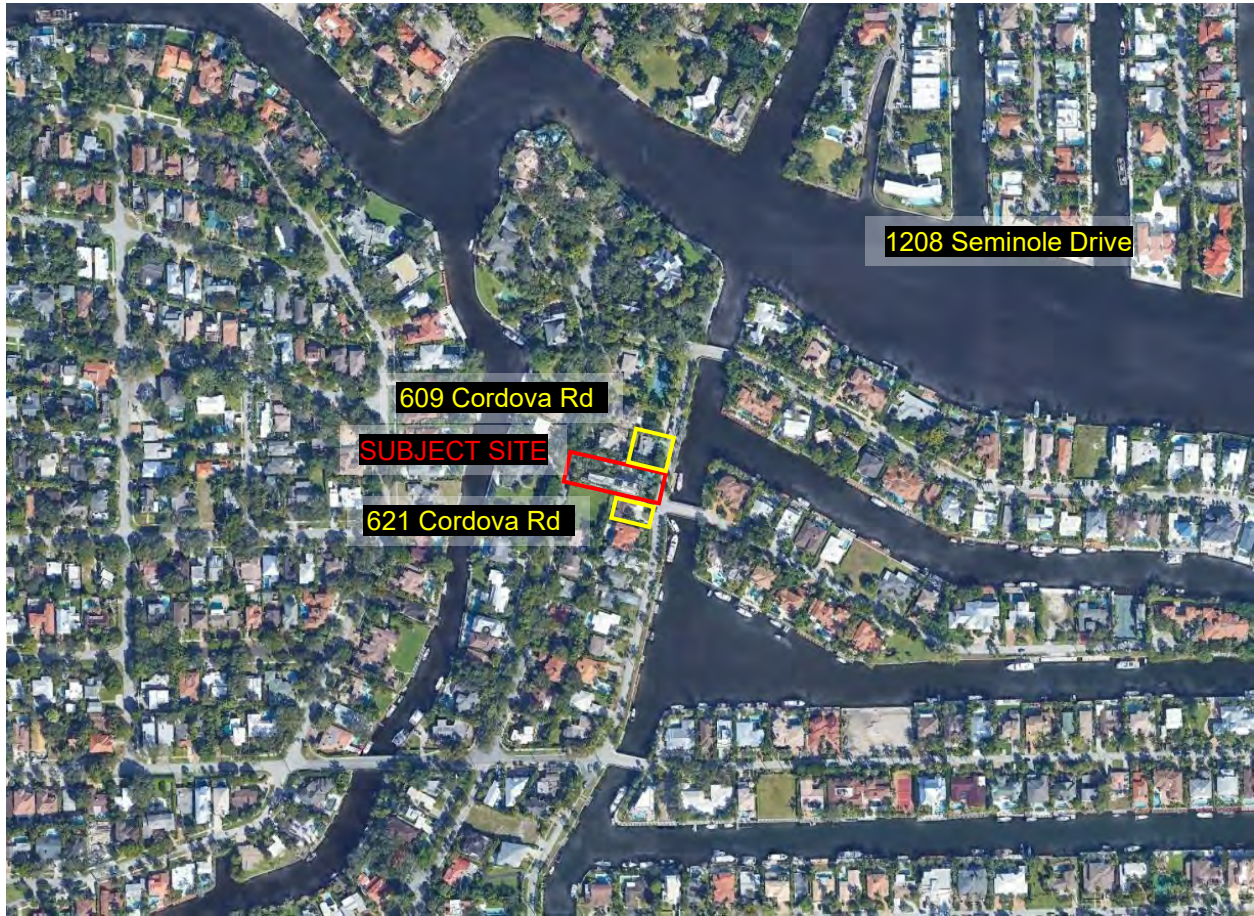
EXISTING WAIVERS IN THE VICINITY



ADDRESS	YEAR GRANTED
621 Cordova Road	2011, 2013
915 Cordova Road	2021
1009 Cordova Road	2015, 2021
1029 Cordova Road	2021
1028 SE 13 th Terrace	2021
116 SE 11 th Ave	2019
1700 Brickell Drive	2019
Subject Site	Requested Sept 2021

EXHIBIT XI LETTERS OF SUPPORT

LETTERS OF SUPPORT



ADDRESS	OWNER
609 Cordova Rd	Cynthia Percy
621 Cordova Rd	William & Ethel McIntyre

August 9, 2021


William & Ethel McIntyre
1516 Ponce De Leon Drive
Fort Lauderdale, FL 33316

RE: 1516 Ponce De Leon Drive
City of Fort Lauderdale Waiver Request

Dear Mr. William McIntyre & Mrs. Ethel McIntyre,

I have reviewed the attached plans (Attachment A), for the proposed project to install a marginal dock, access ramp, and floating dock. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale for the Private Use of a Public Waterway along with permitting through the regulatory agencies. I reside at 609 Cordova Road, and support the project as proposed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cynthia Percy".

Cynthia Percy
609 Cordova Road
Fort Lauderdale, FL 33316

August 9, 2021

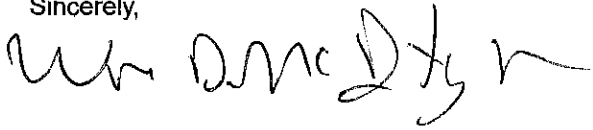
William & Ethel McIntyre
1516 Ponce De Leon Drive
Fort Lauderdale, FL 33316

RE: 1516 Ponce De Leon Drive
City of Fort Lauderdale Waiver Request

Dear Mr. William McIntyre & Mrs. Ethel McIntyre,

I have reviewed the attached plans (Attachment A), for the proposed project to install a marginal dock, access ramp, and floating dock. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale for the Private Use of a Public Waterway along with permitting through the regulatory agencies. I reside at 609 Cordova Road, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read "Wm & Ethel McIntyre". The signature is written in a cursive, flowing style.

William & Ethel McIntyre
621 Cordova Rd
Fort Lauderdale, FL 33301