



CITY OF FORT LAUDERDALE

**DRAFT**  
**MEETING MINUTES**  
**CITY OF FORT LAUDERDALE**  
**MARINE ADVISORY BOARD**  
**THURSDAY, OCTOBER 7, 2021 – 6:00 P.M.**

		<b>Cumulative Attendance</b>	
		<b>May 2021 – April 2022</b>	
Grant Henderson, Chair	P	5	0
Ed Strobel, Vice Chair	P	5	0
Deirdre Boling-Lewis	P	4	1
Robyn Chiarelli	A	2	3
Bob Denison	P	3	1
Barry Flanigan	P	4	1
Richard Graves	P	2	3
James Harrison	P	5	0
Rose Ann Lovell	P	4	1
Kitty McGowan	P	4	1
Norbert McLaughlin	P	5	0
Ted Morley	P	4	1
Noelle Norvell	A	1	1
Christopher Rotella	P	5	0
Steve Witten	P	5	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 Tom Capano, Fort Lauderdale Police Department  
Officer William Phillips, Fort Lauderdale Police Department  
Tedra Allen, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

**I. Call to Order / Roll Call**

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

**II. Approval of Minutes – September 2, 2021**

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

### **III. Statement of Quorum**

It was noted a quorum was present at the meeting.

### **IV. Waterway Crime & Boating Safety Report**

Officer William Phillips of the Fort Lauderdale Police Department's Marine Unit reported the following activity from September 2021:

- 85 warnings
- 35 citations
- 4 boating accidents
- 6 burglaries of vessels

Mr. McLaughlin asked if the Marine Unit investigates thefts from trailers at individuals' homes. Officer Phillips replied that Patrol Officers typically respond to these calls, since the location is not on the waterway.

### **V. Dock Permit – 2630 Barcelona Drive / Lee & Mary Rubin**

This Item was removed from the Agenda.

### **VI. Presentation – Raintree Riverwalk Residences (R3) / Stephanie Toothaker & The Chappell Group**

Stephanie Toothaker, representing Cymbal Development, advised that this project was originally known as Marina Lofts, for which a Site Plan has been approved and has received extensions. Raintree Riverwalk Residences (R3) is a revised version of this project. She clarified that the project is privately funded and has not received grant or City funds for the improvement of the Riverwalk seawall.

Joe Palma, architect for the development, showed a PowerPoint presentation on the project, which is located along the Riverwalk. Plans include hardscape, plantings, a water feature, and a public gathering space. A proposed 5 ft. dock would be located directly off the seawall, and a raintree will be relocated within the submerged land lease.

A public meeting area will include community retail in an active and well-lit space. Landscaping is a major feature and will include an art garden along the river's edge. This will include mature shade trees as well as ground cover and terracing.

Vice Chair Strobel asked how far the trunk of the raintree will be located from the wet face of the seawall. Mr. Palma advised that this is 35 ft. While relocation of the tree may be complex, the developer has retained a consultant with experience in this field. The tree has attained most of its canopy extension and will be pruned so it remains within

the 25 ft. submerged land lease. With regard to the ongoing maintenance of the tree, Mr. Palma advised that there will be monthly maintenance over a five-year period.

Ms. Toothaker noted that the development team's arborists were not present, as the presentation was intended to focus on the project's docks, submerged lands, and improvements in the water. Mr. Palma added that the successful relocation of a tree of this size and scale is not unusual.

Mr. McLaughlin asked if plans for the site have been submitted to the U.S. Coast Guard for navigational review and approval. It was clarified that regulatory permit applications have been submitted to Broward County, the Florida Department of Environmental Protection (FDEP), and the Army Corps of Engineers. The first round of comments on these applications has been received. The Coast Guard is consulted as part of this process.

Mr. McLaughlin expressed concern with the overhanging tree as a potential navigational hazard on the waterway, pointing out that no more than 10% of the tree can be pruned. Mr. Palma replied that this information can be provided at a later time.

Mr. Flanigan recalled that when this project first came before the Marine Advisory Board (MAB) under another name, the Board was criticized for approving it although it had no marine elements. He proposed that the Board not give formal approval of the project for this reason.

Chair Henderson recommended that the Board maintain its focus on waterway safety and navigation, which is within its purview, rather than focusing on the relocation of the tree.

Mr. Morley requested additional information regarding seawall improvements and the proposed dock. Kathryn Bongarzone, representing the Chappell Group, replied that a new seawall is proposed for the property, along with a 5 ft. marginal dock. The dock will have 10 ft. setbacks on each end of the property. The vessels proposed for dockage at the site are expected to be between 20 ft. and 50 ft. in length. No variances are required for this aspect of the project.

Mr. Harrison asked if any changes are planned for the shape of the seawall, or if any additional encroachments onto this structure are expected. Ms. Bongarzone stated that while she could not speak to any previously approved aspects of the site, the new wet face of the seawall will be within 18 in. The developer also proposes to fill in an existing basin. Mr. Harrison also observed that the presentation does not lie within the Board's purview at this point.

Mr. Flanigan noted that the existing seawall is expected to remain. Ms. Bongarzone explained that a new wall will be placed within 18 inches in front of the existing

structure, as removal and replacement of the current seawall can create a difficult environmental scenario.

There being no further questions from the Board at this time, Chair Henderson opened the public hearing.

Janet Scrapper, private citizen, stated that she is a board member of the Tarpon River Civic Association, which is the neighborhood for which the project is planned. She asked if, when more information is available regarding the canopy and maintenance of the relocated tree and its potential impact on navigation, that aspect of the project would then fall under the Board's purview.

Mr. Cuba explained that today's presentation is intended to be for informational purposes only, with the Board invited to comment on the project's navigational impact. He could not speak to how the future condition of the tree might affect navigation, although he noted that the presentation has addressed the distance the tree is expected to extend over the waterway.

It was suggested that once more details are available on the project, the developer should be asked to assume long-term responsibility for the maintenance of the raintree within the 25 ft. submerged land lease. Ms. Toothaker stated that the developer has been issued a permit by the City for relocation of the tree, which would transfer it to the area behind the marina; however, the team hopes to move the tree to a different location. The permit requires the developer to maintain the tree monthly for a five-year period, after which regular maintenance will continue. She concluded that the developer agrees the tree must remain within the boundaries of the submerged land lease.

David Harris, private citizen, asked if boats will tie up to the seawall/dock. Ms. Bongarzone replied that slips are proposed for the wooden dock. Ms. Toothaker further clarified that the structure is intended to be a transient dock at the base of the project, which will include retail and restaurant uses.

Mr. Harris also expressed concern with limbs on the tree that are 25 to 30 ft. above the ground, pointing out that a boat with a mast could hit the tree if it attempts to dock at the location. He suggested that the Board keep this in mind as the project proceeds.

Mr. Flanigan asked if maintenance of the completed dock would be the developer's responsibility. Ms. Toothaker confirmed this. She also addressed Mr. Harris's concern, stating that boats with tall masts would not be permitted to dock under the tree. The developer is willing to offer this as a condition of Site Plan approval. It was suggested that the space beneath the tree could permit the mooring of dinghies only.

## **VII. Discussion – Commercial Operations Loading / Unloading**

Mr. McLaughlin stated that the loading and unloading of commercial operations has been a long-term issue in Fort Lauderdale. He emphasized that the Marine Patrol is not responsible for this policy, although they are expected to enforce it. If a barge operator makes an agreement with a property owner to load or unload on that property, the agreement is not a legal one, even with the owner's permission. There is no location in Fort Lauderdale at which it is legal for a barge to load or unload equipment.

Mr. McLaughlin continued that this policy contributes to higher costs for marine construction in Fort Lauderdale, as it means the contractor must mobilize in another city. He suggested working to identify locations in Fort Lauderdale at which this could be made legal and taking the issue to the City Commission. In other cities where loading and unloading are permitted, a staff member inspects the site to ensure no debris remains on the site.

Ms. McGowan agreed with Mr. McLaughlin's concerns, noting that it is not reasonable for a waterfront city to deny contractors access to a loading/unloading site. She was in favor of a plan to access the waterways in order to maintain a thriving marine industry. Ms. Lovell added that requiring contractors to load/unload elsewhere not only places them at a hardship, it contributes to greater carbon emissions.

There being no further questions from the Board at this time, Chair Henderson opened the public hearing.

John Piotrowski, private citizen and owner of a marine business, advised that the City should undertake a formal process to modify Code to allow contractors, with advance permission, permitting, insurance, and guidelines, to load for multiple projects on a City site. He also pointed out that the City requirement to raise seawalls' minimum heights would place significant pressure on marine contractors to do more work. He recommended identification of a site or sites along the New River, which can be difficult for contractors to navigate, as well as a more central location.

Bill Lovell, private citizen and marine business owner, stated that a policy to allow loading and unloading within Fort Lauderdale would make life easier for other owners.

Patrick Dean, private citizen and marine contractor, agreed that all contractors face these problems. Loading and unloading from boat ramps or City easements are typically monitored by the Marine Unit in accordance with the City's Ordinance. He noted that Collier County includes landing areas that can be rented by marine contractors, and asserted that they are willing to pay for this use of space.

David Newmark, private citizen, agreed that the lack of loading and unloading areas is a problem that should be addressed immediately, pointing out that many work hours are lost to travel for this purpose. This is passed on to customers through cost.

Mr. McLaughlin requested clarification of the violations with which businesses are charged for loading and unloading. Officer Phillips replied that these are violations of the City's Unified Land Development Regulations (ULDR). A notice to appear in court is given. If a business is loading or unloading within a City park, it is a violation of park rules, which may include trespassing.

Mr. McLaughlin noted that these regulations do not apply to City crews working on City property. He added that businesses such as charter vessels may pick up and drop off passengers on the City's floating docks as long as there is no exchange of money in that place.

Mr. McLaughlin continued that one option for a staging area is near the Oakland Park Bridge. Another possibility is west of the Performing Arts Center, where the floating docks are located. Both of these areas have sufficient room for vessels to turn around. He requested clarification of the best way to encourage the City to take action on this issue. It was also asked if there is the possibility of discontinuing Police enforcement of the Ordinance until the issue can be addressed by the City Commission. Mr. Cuba stated that one option is a communication to the City Commission.

Mr. Flanigan advised that permission for use of the Oakland Park Bridge site would need to come from the Florida Department of Transportation (FDOT). He felt the private sector is more likely to accommodate a request from the City for a loading and unloading area. He recommended advising the Commission of what the Board feels the private sector should do, and offering additional suggestions for potential loading and unloading sites.

Mr. McLaughlin asked if this suggestion would include having private contractors apply to FDOT for use of the Oakland Park Bridge site. Mr. Flanigan explained that if this approval is granted, the businesses could then inform the City that they are approved to use this space. He reiterated that there may be more than one appropriate site near this bridge. Another option could be space at George English Park.

Vice Chair Strobel noted that the public may object to the use of park, public, or residential space by private industry, as the necessary equipment for loading and unloading is heavy and potentially dangerous.

Mr. Morley stated that the Board should remain cognizant of the fact that the safe navigation of waterways is part of their purview when considering support of heavy lifting operations in an area as heavily congested as the New River. He emphasized that he would not be supportive of asking Police Officers not to enforce City Code. His recommendation was to ask the City Commission to look into this issue, and that private companies and their owners speak to their respective City Commissioners to encourage a way to change the subject Ordinance rather than working around it.

Patrick Dean noted that he is familiar with some of the properties discussed by the Board as potential sites, including the site near the Oakland Park Bridge. He pointed out that there may be building plans for a lot in this area. Another possibility is space on the north side of the Davie Boulevard Bridge where an empty lot exists, or closing off a section of a City boat ramp or ramps for rent to commercial uses.

Mr. McLaughlin suggested that the Ordinance could be modified to allow property owners to rent empty parcels for loading and unloading. It was pointed out, however, that this could be problematic from a zoning or a liability standpoint, particularly for parcels in residential neighborhoods. Both of these issues are beyond the Board's purview.

John Piotrowski stated that the process of amending an Ordinance can be lengthy, and proposed that marine contractors and the public join the MAB in bringing this issue before the Planning and Zoning Board, the City Commission, or both. He felt the best path forward would be to request a stay of the Ordinance that would allow loading/unloading under certain conditions for permitted projects. He also suggested working together to identify potential locations for loading and unloading, although he cautioned that this could be a longer-term process.

Jeff Scribner, private citizen, commented that he has used empty lots for loading/unloading in the past, and some companies own commercial properties that they use for this purpose. He agreed that the issue should be addressed.

Mr. McLaughlin offered to work with other contractors to develop a presentation that could be made before the MAB and later presented to the Commission along with a communication at that time. Mr. Cuba advised that he could schedule further discussion of this topic on the November 2021 meeting Agenda so the Board can review progress.

Mr. Flanigan recommended notifying the Commission via a communication that the Board is planning to look into this issue, and inviting their help. Mr. Cuba proposed designating a single Board member, in accordance with the Sunshine Law, to meet with private sector contractors and begin conversations. He cautioned that while changing the Code may be the ultimate goal, this can be a lengthy process. He also recommended that Board members plan to attend any future Commission meetings at which this topic may be discussed.

Ms. Lovell stated that the marine industry should clearly define the problem, as well as potential solutions, more comprehensively before bringing this issue before the City Commission. It was determined that this would be brought back as a November Agenda Item, with the intent of having identified potential sites by that time. Mr. McLaughlin was identified as the Board's point person to meet further with Mr. Cuba and marine industry representatives.

## **VIII. Old / New Business**

Mr. McLaughlin requested an update regarding construction of a railing or other barrier at the Ikon property, noting that workers on the property had informed him there were no plans for a railing on the walkway. Mr. Flanigan stated that he was concerned that the Board's communication to the City Commission from May 2021 has not resulted in a response, and asked which City representative is overseeing this effort. Mr. Cuba requested that a Board member send him an email requesting this information, which he would forward to the appropriate party or parties. He also encouraged Board members to attend the next City Commission meeting at which this issue would be discussed.

Mr. Cuba reported that the Las Olas Marina is no longer being operated by the City. The keys to this facility were given to Suntex on October 1, 2021.

Mr. McLaughlin stated that the city of Hallandale Beach is implementing fixtures in its storm drains to stop the flow of debris into the stormwater system and the waterway. He suggested that Fort Lauderdale look into this option.

#### **IX. Adjournment**

There being no further business to come before the Board at this time, the meeting was adjourned at 7:34 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 V

## MEMORANDUM MF NO. 21-27

DATE: October 14, 2021

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: November 4, 2021 MAB Meeting – Application for Dock Permit – W. Scott & Patricia S. Parker / 1725 SE 8<sup>th</sup> Street

Attached for your review is an application from W. Scott & Patricia S. Parker / 1725 SE 8<sup>th</sup> Street (see **Exhibit 1**).

### APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for the usage of an existing of a +/-100' long x +/-7'3" wide dock extending a maximum distance of +/-9'3" from the wet face of the seawall on public property abutting the waterway adjacent to 1725 SE 8<sup>th</sup> Street (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.

### PROPERTY LOCATION AND ZONING

The property is located within the Rio Vista Isles RS-4.4 Residential Single Family / Low Density Zoning District. The dock is located on the Rio Valencia Canal.

### ENGINEERING REVIEW REQUIREMENT

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

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

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

Marine Advisory Board

November 4, 2021

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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. Penetration of the seawall is prohibited unless as otherwise provided in 8-144 (6).
- 7.
8. 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.
9. Vessels berthed within the Dock Area must not encroach into the northerly or southerly extension of the 10' set-back required for the RS-4.4 zoning district for Applicant's (Permit Holder's) Property.
10. 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.
11. Except as to a tender, there shall be no rafting of vessels from the moored vessel.
12. 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.
13. 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. The Applicant is responsible to execute and deliver a Declaration of Covenants Running With The Land to the City Attorney's Office no later than ten (10) days prior to City Commission review date.

AC

Attachment

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

## Dock Permit Application

W. Scott Parker  
1725 SE 8<sup>th</sup> Street  
Ft Lauderdale, Florida 33316

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October 12, 2021

Marine Advisory Board  
City of Ft Lauderdale  
2 South New River Drive East  
Ft Lauderdale, Florida 33301

Ref: 1725 SE 8<sup>th</sup> Street --- Public Use of Private Lands Authorization --- Dock Permit

To Whom It May Concern:

I recently purchased the property at 1725 SE 8<sup>th</sup> street. The previous owner improved the property with a new seawall and a concrete dock 100 feet long and 10 feet wide. The seawall cap is approximately 2 feet. The property has been improved with landscaping and a sprinkler system has been installed to maintain the property. The previous owner originally requested permission to construct a boat lift but never started this project.

I am in the process of acquiring a boat and would like to use the dock for mooring the boat. I am applying for a permit which would allow me to dock a vessel at the property. Thank you for your consideration in this matter. I can be reached at 561-308-9754.

Sincerely,



W. Scott Parker  
1725 SE 8<sup>th</sup> Street  
Ft Lauderdale, Florida 33316  
[Scott.parker@ubs.com](mailto:Scott.parker@ubs.com)



Prepared by:  
Joseph M. Balocco, Jr., Esq.  
Balocco & Abril, PLLC  
4332 East Tradewinds Avenue  
Lauderdale By-The-Sea, FL 33308

Return to:  
George Moraitis, Jr., Esq.  
Moraitis, Karney, Moraitis & Quailey  
915 Middle River Drive  
Suite 506  
Fort Lauderdale, FL 33304

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

THIS INDENTURE made this 4<sup>th</sup> day of August, 2021 BETWEEN 1725 8<sup>th</sup> St., LLC, a Delaware limited liability company, Grantor, located at the following address: 633 South Federal Highway, Suite 500, Fort Lauderdale, FL 33301, and W. Scott Parker and Patricia S. Parker, husband and wife, Grantee, located at the following address: 1725 SE 8<sup>th</sup> Street, Fort Lauderdale, FL 33316.

WITNESSETH, that said Grantor, for and in consideration of the sum of TEN and 00/100 (\$10.00) DOLLARS and other good and valuable consideration 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:

Lot 20 and 21, Block 20, Rio Vista Isles Unit No. 5, according to the Plat thereof, as recorded in Plat Book 8, page 7, of the Public Records of Broward County, Florida.

Parcel Identification Number: 504211-22-1520

SUBJECT TO land use designations, zoning restrictions, prohibitions and other requirements imposed by governmental authority none of which are hereby reimposed; restrictions, easements and matters appearing on the Plat or otherwise common to the subdivision none of which are hereby reimposed; and taxes for the year of closing and subsequent years.

and said Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

\*"Grantor" and "Grantee" are used for singular or plural, as the context requires.

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:

1725 8<sup>th</sup> St., LLC, a Delaware limited liability company

[Signature]  
1<sup>st</sup> Witness Signature

By: [Signature]  
Name: John J. Scherer  
Title: Manager

Joe Belocca Jr.  
1<sup>st</sup> Witness Printed Name

[Signature]  
2<sup>nd</sup> Witness Signature

Evelle Arguinzoni  
2<sup>nd</sup> Witness Printed Name

By: [Signature]  
Name: KC Cross  
Title: Manager

[Signature]  
1<sup>st</sup> Witness Signature

Joe Belocca Jr.  
1<sup>st</sup> Witness Printed Name

[Signature]  
2<sup>nd</sup> Witness Signature

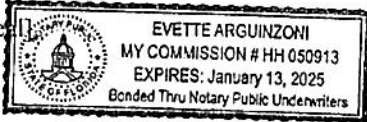
Evelle Arguinzoni  
2<sup>nd</sup> Witness Printed Name

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 2nd day of August, 2021, by John J. Scherer, Manager of 1725 8<sup>th</sup> St., LLC, a Delaware limited liability company, on behalf of the company, who is personally known to me or has produced FLDL as identification.

[Signature]  
Notary Public

[Notary Seal]



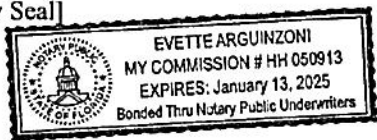
Name typed, printed or stamped  
My Commission Expires: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 2nd day of August, 2021, by KC Cross, Manager of 1725 8<sup>th</sup> St., LLC, a Delaware limited liability company, on behalf of the company, who is personally known to me or has produced KC Cross as identification.

*[Handwritten Signature]*

[Notary Seal]



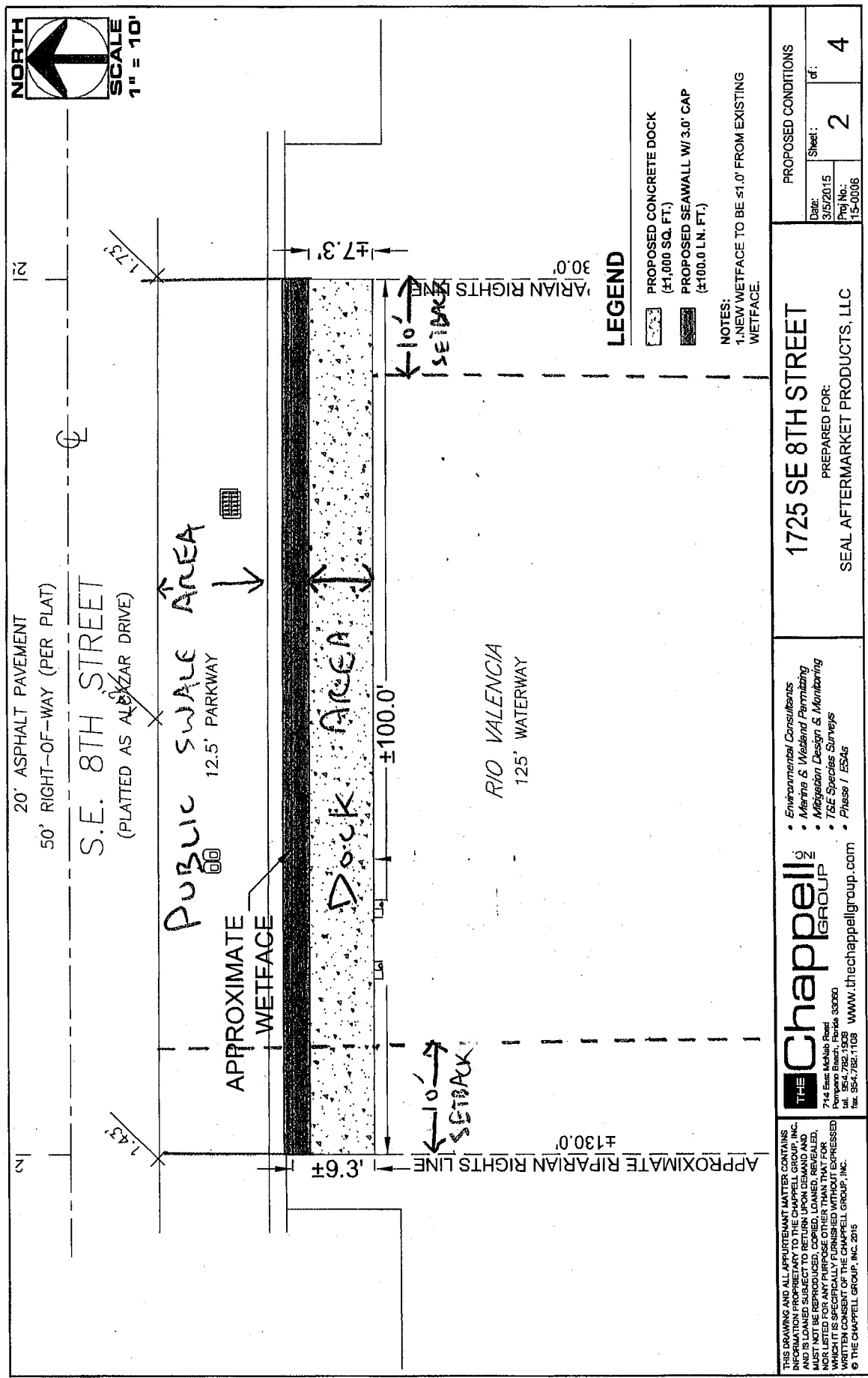
Notary Public

\_\_\_\_\_  
Name typed, printed or stamped

My Commission Expires: \_\_\_\_\_



# EXHIBIT A



THIS DRAWING AND ALL APPURTENANT MATTER CONTAINS INFORMATION SUBJECT TO RETURN UPON DEMAND AND MUST NOT BE REPRODUCED, COPIED, LOANED, REVEALED, OR LISTED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS SPECIFICALLY FURNISHED WITHOUT EXPRESSED WRITTEN CONSENT OF THE CHAPPELL GROUP, INC.  
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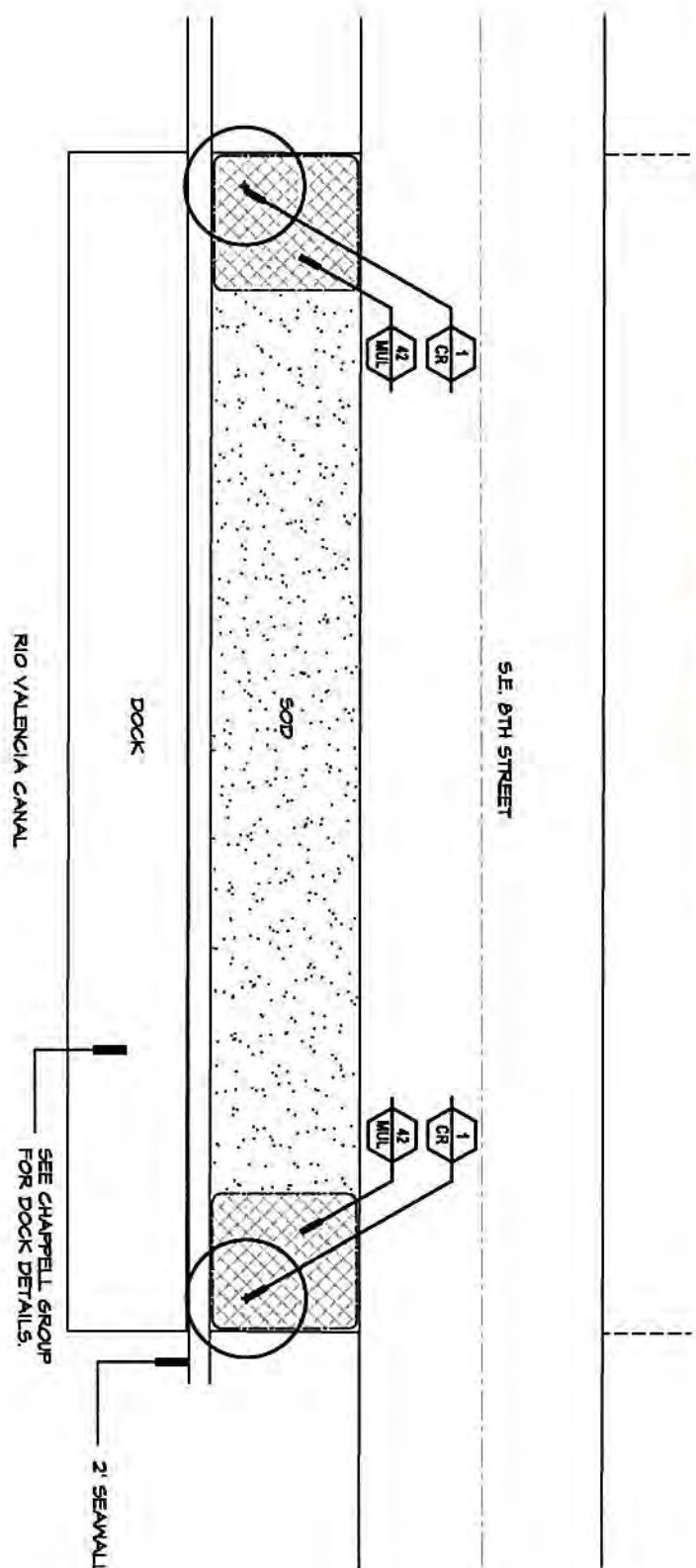
- Environmental Consultants
- Marine & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Phase I ES&G

**1725 SE 8TH STREET**  
PREPARED FOR:  
**SEAL AFTERMARKET PRODUCTS, LLC**

PROPOSED CONDITIONS	
Date: 3/5/2015	Sheet: 2 of 4
Proj No: 15-0006	



*Landscape Plan*



**PLANT LIST**

PLANT	AMOUNT	REMARKS
CR 1	1	16.8" H
CR 42	42	1.6' H
MUL		1.6' H

**HEIGHT, SPREAD, CLEAR TRK SPA**

PLANT	HEIGHT	SPREAD	CLEAR TRK SPA
CR 1	16.8"	7'-8"	16.8"
CR 42	1.6'	7'-8"	16.8"
MUL	1.6'	7'-8"	16.8"

**SPRINKLER AND IRRIGATION SYSTEMS**

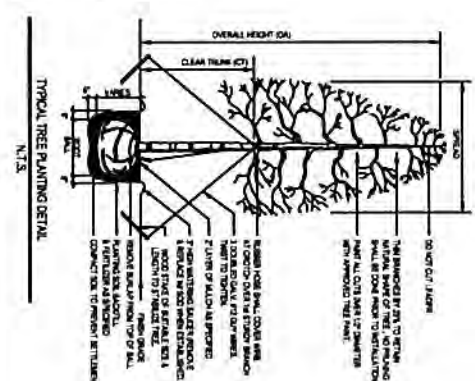
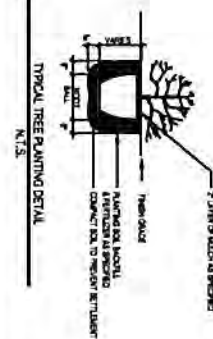
PLANT	SPRINKLER	IRRIGATION
CR 1	1.6'	1.6'
CR 42	1.6'	1.6'
MUL	1.6'	1.6'

**MISCELLANEOUS**

- Seed to be St. Augustine sod.
- Planting soil - 1/2 cu. yd per tree and 4' depth at all hedger and mass planting beds.
- Sand - 1/2 cu. yd per tree and 4' depth at all hedger and mass planting beds.
- Mulch - 2" depth of shredded mulch or pine straw at all hedger and mass planting beds.

**GENERAL NOTES**

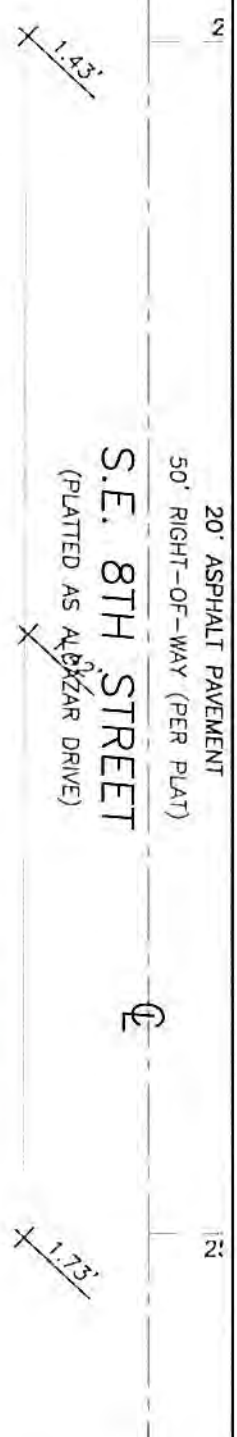
- Indicate plant material native to Florida.
- All plant material shall conform to the standards for Florida No. 1 or better as given in "Grades and Standards for Nursery Plants" - Florida, February 1988, State of Florida Department of Agriculture, Fisheries, and Forestry.
- All plants shall be installed in the ground within 7 days of receipt.
- The planting soil for all planting areas shall be composed of a minimum of 20% moist or nonacidic acceptable organic material. The minimum soil depth shall be four inches in all hedger and mass planting beds and 1/2 cu. yd. per tree. Plants to be planted in clear sand.
- Two inches minimum of shredded mulch or pine straw shall be installed around each tree and plant and throughout mass planting beds.
- Irrigation system to provide 100% coverage to landscaped areas with 30% overlap. Irrigation to be an automatic system with a rain gauge/moisture sensor or soil cell.
- All plants shall be installed in the ground within 7 days of receipt.
- Landscape contractor is responsible for the own quantity take-offs.



CAM 15-0002  
LP-1

**EAKINS RESIDENCE**  
1725 SE 8TH STREET, FORT LAUDERDALE - FLORIDA  
RIGHT OF WAY- PLANTING PLAN

**DSBOCA**  
Landscape Architecture  
1725 SE 8TH STREET  
FORT LAUDERDALE, FL 33405  
TEL: 954.353.8800  
WWW.DSBOCA.COM



**LEGEND**

-  PROPOSED CONCRETE DOCK  
(41,000 SQ. FT.)
-  PROPOSED SEAWALL W/ 3.0' GAP  
(4100.0 LN. FT.)

NOTES:  
1. NEW WETFACE TO BE 51.0' FROM EXISTING WETFACE.

APPROXIMATE RIPARIAN RIGHTS LINE  
30.0'

*boat lift never completed / started*

THIS DRAWING AND ALL APPURTENANT MATTER CONTAINS INFORMATION PROPRIETARY TO THE CHAPPELL GROUP, INC. AND IS LOANED SUBJECT TO RETURN UPON DEMAND AND MUST NOT BE REPRODUCED, COPIED, LOANED, REVEALED, NOR LISTED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS SPECIFICALLY FORWARDED WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE CHAPPELL GROUP, INC. © THE CHAPPELL GROUP, INC. 2015

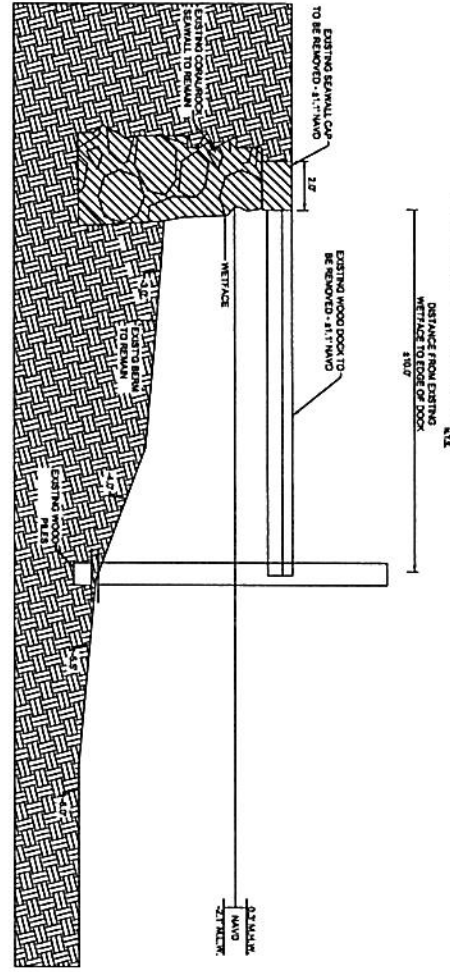
**THE Chappell GROUP**  
114 East Main Road  
Pompano Beach, Florida 33060  
Tel: 564-782-1100 Fax: 564-782-1100  
www.thechappellgroup.com

- Environmental Consultants
- Marine & Wetland Permitting
- Mitigation Design & Monitoring
- Tide Stages Surveys
- Phase I ESAs

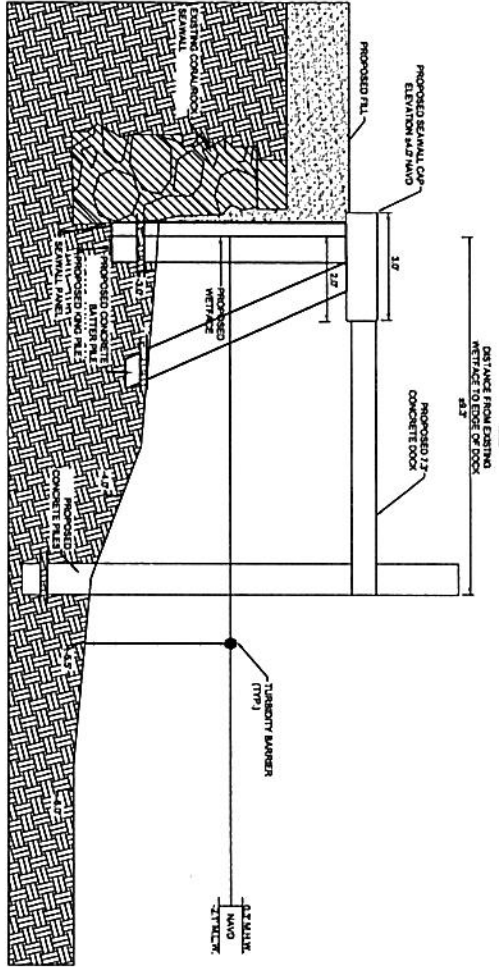
1725 SE 8TH STREET  
PREPARED FOR:  
SEAL AFTERMARKET PRODUCTS, LLC

PROPOSED CONDITIONS			
Date:	Sheet:	of:	
3/3/2015	2	4	
Proj No:	15-0006		

**EXISTING CONDITIONS (TYP)**



**PROPOSED CONDITIONS (TYP)**



THIS DRAWING AND ALL APPURTENANT MATTER CONTAINS INFORMATION PROPRIETARY TO THE CHAPPELL GROUP, INC. AND IS LOANED SUBJECT TO RETURN UPON DEMAND AND MUST NOT BE REPRODUCED, COPIED, LOANED, REVEALED, OR OTHERWISE DISCLOSED TO ANY OTHER PARTY WITHOUT THE WRITTEN CONSENT OF THE CHAPPELL GROUP, INC. © THE CHAPPELL GROUP, INC. 2015

**THE Chappell**

714 East Nichols Road  
 Suite 200  
 Chesapeake, VA 23041  
 Tel: 554.782.1108  
 www.thechappellgroup.com

- Environmental Consultants
- Marine & Wetland Permitting
- Mitigation Design & Monitoring
- TSE Species Surveys
- Phase I ESAs

**1725 SE 8TH STREET**  
 PREPARED FOR:  
 SEAL AFTERMARKEET PRODUCTS, LLC

SECTIONS	
Date: 3/5/2015	Sheet: 3 of 4
Proj No.: 15-0005	

**PROPERTY SUMMARY**

<b>Tax Year:</b> 2022	<b>Property Use:</b> 01 - Single family	<b>Deputy Appraiser:</b> Residential Department
<b>Property Id:</b> 504211221520	<b>Millage Code:</b> 0312	<b>Appraisers Number:</b> 954-357-6831
<b>Property Owner/s:</b> PARKER, PATRICIA S PARKER, W SCOTT	<b>Adj. Bldg. S.F:</b> 0	<b>Email:</b> <a href="mailto:realprop@bcpa.net">realprop@bcpa.net</a>
<b>Mailing Address:</b> 1725 SE 8 ST FORT LAUDERDALE, FL 33316-1409	<b>Bldg Under Air S.F:</b>	<b>Zoning :</b> RS-4.4 - RESIDENTIAL OF SINGLE FAMILY/LOW DENSITY
<b>Physical Address:</b> 1725 SE 8 STREET FORT LAUDERDALE, 33316-1409	<b>Effective Year:</b> 0	<b>Abbr. Legal Des.:</b> RIO VISTA ISLES UNIT 5 8-7 B LOT 20,21 BLK 20
	<b>Year Built:</b>	
	<b>Units/Beds/Baths:</b> 0 / 2 / 2	

2020 values are considered "working values" and are subject to change.

**PROPERTY ASSESSMENT**

Year	Land	Building / Improvement	Agricultural Saving	Just / Market Value	Assessed / SOH Value	Tax
2022	\$1,678,320	0	0	\$1,678,320	\$1,678,320	
2021	\$1,678,320	0	0	\$1,678,320	\$1,678,320	
2020	\$1,858,140	0	0	\$1,858,140	\$1,858,140	\$34,438.53

**EXEMPTIONS AND TAXING AUTHORITY INFORMATION**

	County	School Board	Municipal	Independent
Just Value	\$1,678,320	\$1,678,320	\$1,678,320	\$1,678,320
Portability	0	0	0	0
Assessed / SOH	\$1,678,320	\$1,678,320	\$1,678,320	\$1,678,320
Granny Flat				
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exemption Type	0	0	0	0
Affordable Housing	0	0	0	0
Taxable	\$1,678,320	\$1,678,320	\$1,678,320	\$1,678,320

**SALES HISTORY FOR THIS PARCEL**

Date	Type	Price	Book/Page or Cin
08/02/2021	Warranty Deed Qualified New Construction	\$7,963,000	117494257
03/22/2019	Warranty Deed Qualified Sale	\$2,100,000	115695938
10/22/2014	Trustee's Deed Qualified Sale	\$1,725,000	112650461
10/01/1993	Warranty Deed	\$100	21333 / 479
11/01/1962	Warranty Deed	\$39,500	

**LAND CALCULATIONS**

Unit Price	Units	Type
\$140.00	11,988 SqFt	Square Foot

**RECENT SALES IN THIS SUBDIVISION**

Property ID	Date	Type	Qualified/ Disqualified	Price	CIN	Property Address
504211220450	08/31/2021	Warranty Deed	Qualified Sale	\$2,200,000	117587495	1721 SE 11 ST FORT LAUDERDALE, FL 33316
504211221520	08/02/2021	Warranty Deed	Qualified New Construction	\$7,963,000	117494257	1725 SE 8 ST FORT LAUDERDALE, FL 33316
504211220480	07/06/2021	Warranty Deed	Qualified Sale	\$7,500,000	117410580	1500 SE 10 ST FORT LAUDERDALE, FL 33316
504211220150	06/10/2021	Warranty Deed	Qualified Sale	\$6,400,000	117368619	1512 SE 11 ST FORT LAUDERDALE, FL 33316
504211221410	05/25/2021	Warranty Deed	Qualified Sale	\$6,750,000	117324036	1601 SE 8 ST FORT LAUDERDALE, FL 33316

**SPECIAL ASSESSMENTS**

Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
Ft Lauderdale Fire-rescue (03)						(F3)		
Vacant Lots (L)								
1						11,988.00		

**SCHOOL**

Harbordale Elementary: A  
Sunrise Middle: B  
Fort Lauderdale High: A

**ELECTED OFFICIALS**

Property Appraiser	County Comm. District	County Comm. Name	US House Rep. District	US House Rep. Name
Marty Kiar	7	Tim Ryan	22	Ted Deutch
Florida House Rep. District	Florida House Rep. Name	Florida Senator District	Florida Senator Name	School Board Member
93	Chip LaMarca	34	Gary M. Farmer, Jr.	Sarah Leonardi



1795 SE 5th Street



West Side of Dock



EAST SIDE  
of  
DOCK



EAST To WEST



West to East

# ITEM VI

## MEMORANDUM MF NO. 21-28

DATE: October 14, 2021  
TO: Marine Advisory Board Members  
FROM: Andrew Cuba, Marine Facilities Manager  
RE: November 4, 2021 MAB Meeting - Dock Waiver of Distance Limitations – Daniel Cole-Cole Properties & Land LLC / 625 SW 5<sup>th</sup> Place

Attached for your review is an application from Daniel Cole – Cole Properties & Land LLC, 625 SW 5<sup>th</sup> Place.

### APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for installation of three (3) floating docks and four (4) concrete mooring piles extending a maximum of +/-55.6' into the New 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**

<b>PROPOSED STRUCTURES</b>	<b>STRUCTURE DISTANCE FROM PROPERTY LINE</b>	<b>PERMITTED DISTANCE WITHOUT WAIVER</b>	<b>AMOUNT OF DISTANCE REQUIRING WAIVER</b>
<b>Floating Dock</b>	<b>54.5'</b>	<b>25'</b>	<b>29.5'</b>
<b>Floating Dock</b>	<b>55.6'</b>	<b>25'</b>	<b>30.6'</b>
<b>Floating Dock</b>	<b>55.2'</b>	<b>25'</b>	<b>30.2'</b>
<b>Mooring Pile</b>	<b>53.1'</b>	<b>25'</b>	<b>28.1'</b>
<b>Mooring Pile</b>	<b>28.1'</b>	<b>25'</b>	<b>3.1'</b>
<b>Mooring Pile</b>	<b>54.1'</b>	<b>25'</b>	<b>29.1'</b>
<b>Mooring Pile</b>	<b>29.1'</b>	<b>25'</b>	<b>4.1'</b>

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 structures and piles are necessary for safely mooring resident's vessels due to high wave energy from excessive boat wakes along the New River, as well as during high winds and severe weather.

### PROPERTY LOCATION AND ZONING

The property is located within the RD-15 Residential Single Family and Duplex / Medium Density District. It is situated on the southern shore of the New River where the width of the waterway from wetface to wetface is +/- 250 feet, according to the Summary Description provided in **Exhibit 1**.

DOCK PLAN AND BOATING SAFETY

Marine Facilities' records reflect there have been at least three (3) Waivers of Limitation approved by the City Commission within close proximity to 625 SW 5<sup>th</sup> Place (**Table 2**).

**TABLE 2**

<b>DATE</b>	<b>ADDRESS</b>	<b>MAXIMUM DISTANCE</b>
November 2017	716 Bryan Place	62'
September 1991	777 SW 6 <sup>th</sup> Street	38'
November 2015	811 SW 6 <sup>th</sup> Street	47.1'

RECOMMENDATIONS

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

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

AC  
Attachment

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



**625 SW 5<sup>th</sup> PLACE  
APPLICATION FOR WATERWAY WAIVER**

714 East McNab Road. Pompano Beach, FL 33060 *tel.* 954.782.1908 *fax.* 954.782.1108 [www.thechappellgroup.com](http://www.thechappellgroup.com)

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



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## **EXHIBIT II SUMMARY DESCRIPTION**

**Summary Description**  
**625 SW 5<sup>th</sup> Place**  
**TCG Project No. 21-0092**

The project site is located along the New River at 625 SW 5<sup>th</sup> Place, in Section 10, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida

The property is located along the New River, which is a tidal water. The nearest direct connection to the Atlantic Ocean is approximately 3 miles to the southeast at the Port Everglades Inlet. As the project site is located along the New 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 ±172.3 In. ft. concrete seawall and two (2) wood finger piers (156 sq. ft.). The proposed project consists of the replacement of the existing wood fixed docks with floating docks to accommodate the slip size currently utilized, which is consistent with the mooring and docks adjacent to the property along the New River and the city marina and boat ramp on the other side of the New River. More specifically, the proposed project consists of the installation of a 164.1 In. ft. concrete panel seawall with 525 sq. ft. of backfill, the installation of three (3) 50'x7' floating docks (1,050 sq. ft.) with three (3) 12'x4' access ramps, and the installation of four (4) concrete 12-inch mooring piles. As measured from the property line, the proposed floating docks and mooring piles encroach more than 25' from the property line into the New River. As these distances are over the allowable 25' distance into the waterway from the property line, the proposed finger piers and mooring piles 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 (±250'), the proposed project will not impede navigation within the New 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 high wave energy from excessive boat wakes along the New River.

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

<b>STRUCTURE</b>	<b>PROPOSED STRUCTURES</b>	<b>STRUCTURE DISTANCE FROM PROPERTY LINE</b>	<b>PERMITTED DISTANCE WITHOUT WAIVER</b>	<b>DISTANCE REQUIRING A WAIVER</b>
<b>A</b>	<b>Floating dock</b>	<b>54.5'</b>	<b>25'</b>	<b>29.5'</b>
<b>B</b>	<b>Floating dock</b>	<b>55.6'</b>	<b>25'</b>	<b>30.6'</b>
<b>C</b>	<b>Floating dock</b>	<b>55.2'</b>	<b>25'</b>	<b>30.2'</b>
<b>D</b>	<b>Mooring pile</b>	<b>53.1'</b>	<b>25'</b>	<b>28.1'</b>
<b>E</b>	<b>Mooring pile</b>	<b>28.1'</b>	<b>25'</b>	<b>3.1'</b>
<b>F</b>	<b>Mooring pile</b>	<b>54.1'</b>	<b>25'</b>	<b>29.1'</b>
<b>G</b>	<b>Mooring pile</b>	<b>29.1'</b>	<b>25'</b>	<b>4.1'</b>

## **EXHIBIT III WARRANTY DEED**

Prepared by and return to:  
Cynthia Kelley  
McNeese Title, LLC  
36468 Emerald Coast Parkway, Suite 1201  
Destin, Florida 32541

File Number: 21-0490CK

## Warranty Deed

Made this May 26, 2021 A.D. By **Charles Leikauf and Kathy Leikauf, husband and wife and Richard A. Joyner, a single man**, whose address is: 2110 Riverland Road, Fort Lauderdale, Florida 33312, hereinafter called the grantor, to **Cole Properties & Land, LLC, a Florida limited liability company**, whose address is: PO Box 2521, Santa Rosa Beach, Florida 32459, hereinafter called the grantee:

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

**Witnesseth**, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Broward County, Florida, viz:

Lots 11 and 12, a RE-SUBDIVISION OF BLOCK 36, FORT LAUDERDALE, FLORIDA, 2-11B, according to the Plat thereof, recorded in Plat Book 2, Page 11 of the Public Records of Broward County, Florida, together with the portion of land abutting South River Dr., per case No. 80-14749, and that 25 foot portion of the vacated right of way of Southwest 7th Avenue.

Parcel ID Number: 504210-43-0070

**Said** property is not the homestead property of the Grantor as defined by the Constitution of the State of Florida.

**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 for all covenants, conditions, restrictions, reservations, limitations and easements of record, and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any and taxes accruing subsequent to December 31, 2020.

Prepared by and return to:  
Cynthia Kelley  
McNeese Title, LLC  
36468 Emerald Coast Parkway, Suite 1201  
Destin, Florida 32541

File Number: 21-0490CK

**In Witness Whereof**, the said grantor has signed and sealed these presents the day and year first above written.

*Signed, sealed and delivered in our presence:*

Witness Signature [Signature]  
Witness Printed Name CONNIE SALERNO

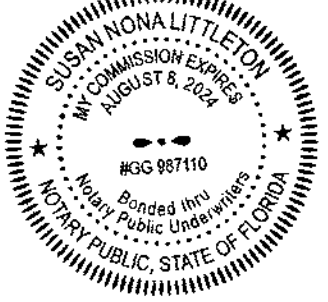
[Signature]  
Charles Leikauf

Witness Signature [Signature]  
Witness Printed Name SUSAN N. LITTLETON

[Signature]  
Kathy Leikauf

State of Florida  
County of Broward

The foregoing instrument was acknowledged before me by means of physical presence, this 25 day of May, 2021, by Charles Leikauf, Kathy Leikauf and Richard A. Joyner, who are personally known to me or who produced Drivers License as identification.



[Signature]  
Notary Public  
Print Name: SUSAN N. LITTLETON  
My Commission Expires: \_\_\_\_\_

(Seal)

Prepared by and return to:  
Cynthia Kelley  
McNeese Title, LLC  
36468 Emerald Coast Parkway, Suite 1201  
Destin, Florida 32541

File Number: 21-0490CK

**In Witness Whereof**, the said grantor has signed and sealed these presents the day and year first above written.

*Signed, sealed and delivered in our presence:*

Witness Signature *[Signature]*

Witness Printed Name CONNIE SALERNO

*[Signature]*  
Richard A Joyner

Witness Signature *[Signature]*  
Witness Printed Name SUSAN N. LITTLETON

State of Florida  
County of Broward

The foregoing instrument was acknowledged before me by means of physical presence, this 25 day of May, 2021, by Richard A. Joyner, who are personally known to me or who produced Drivers License as identification.

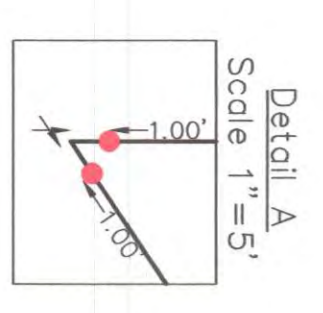


(Seal)

*[Signature]*  
Notary Public  
Print Name Susan N. Littleton  
My Commission Expires: \_\_\_\_\_

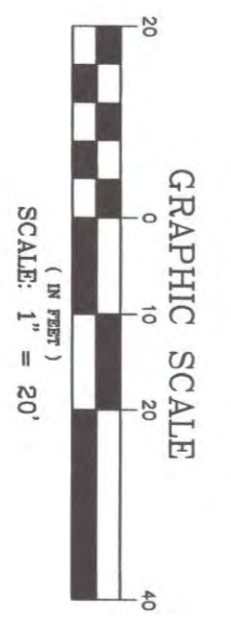
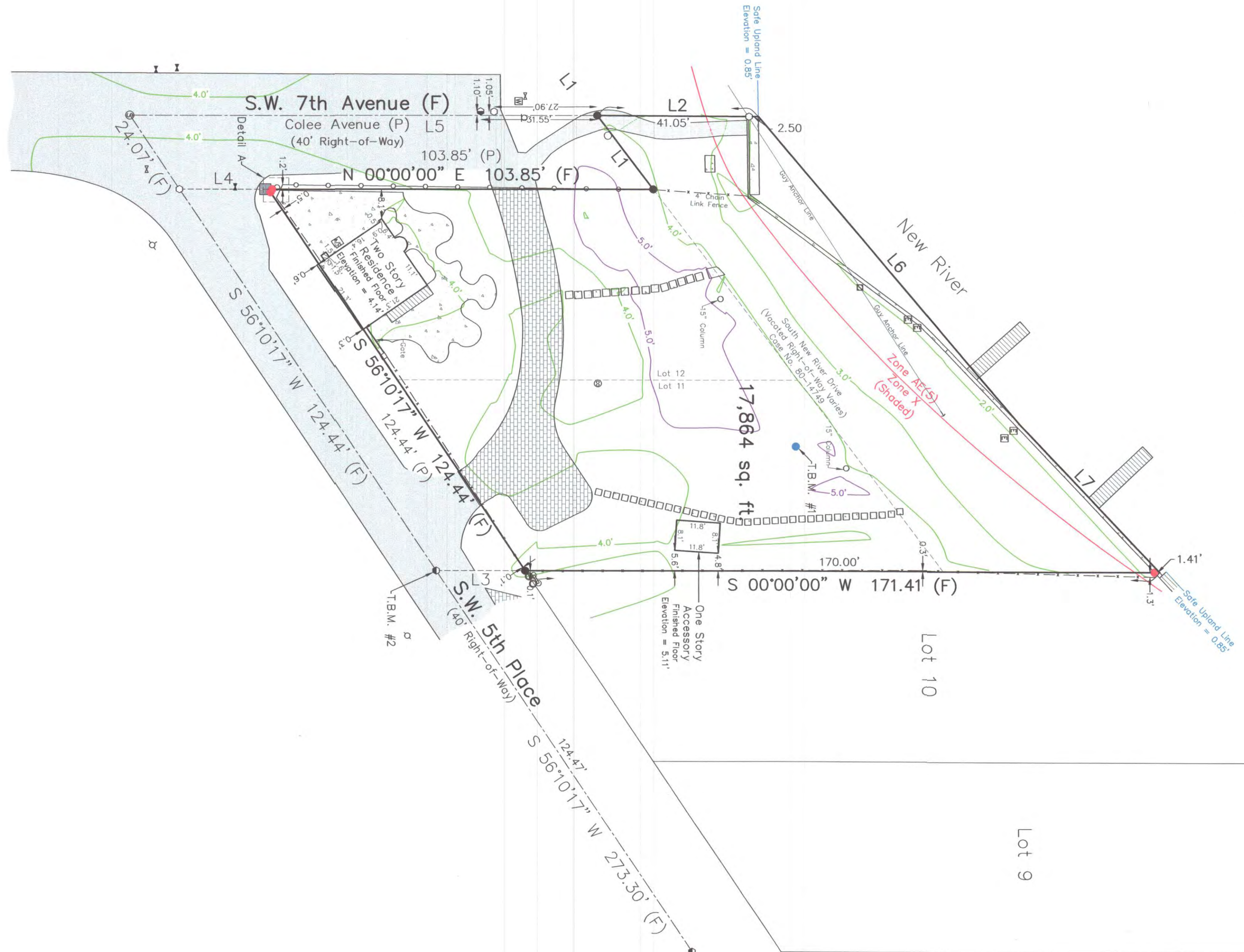
## **EXHIBIT IV ORIGINAL SURVEY**

- LEGEND**
- (F) Field Distance and/or Bearing
  - (C) Capped from Rod Set (LB 7554)
  - (K) Capped from Rod Set (LB 7554) Witness
  - (X) Capped from Rod Set (Voelker Control Point)
  - (P) Permanent Control Point Found (Unknown)
  - (U) Permanent Control Point Found (LB 285)
  - (D) Permanent Control Point Found (LB 7334)
  - (S) Sanitary Sewer Manhole
  - (B) Bolard
  - (S) Street Sign
  - (C) Vault Box Sewer Clean Out
  - (G) Gate Inlet
  - (M) Meter Valve
  - (M) Meter Valve
  - (P) Power Pole
  - (P) Guy Pole
  - (M) Electrical (Misc.)
  - (M) Electrical (Misc.)
  - (M) 6" Chainlink Fence
  - (A) Asphalt Pavement
  - (A) Wood
  - (B) Brick
  - (R) Ground Rubber



**LINE TABLE**

LINE	LENGTH	BEARING
L1	43.54'	S 00°00'00" W
L2	24.08'	N 00°00'00" E
L3	24.08'	N 00°00'00" W
L4	24.08'	N 00°00'00" W
L5	128.17'	N 00°00'00" W
L6	128.17'	N 00°00'00" W
L7	55.00'	N 45°23'34" E



**SURVEYORS REPORT:**

F.M.A. FLOOD INSURANCE RATE MAP NO. 1201102957 H, DATED AUGUST 18, 2014 INDICATES THAT THIS PROPERTY IS LOCATED IN "ZONE X (SHADDED)" & "ZONE A(S)". FLOOD ZONES(S) SCALED FROM THE AFOREMENTIONED FLOOD INSURANCE RATE MAP. THIS SURVEY WAS PREPARED FOR THE CLIENT'S USE AND PURPOSE AS SHOWN. USAGE FOR ANY OTHER PURPOSE, REPRODUCTIONS (IN WHOLE OR IN PART) SHALL NOT BE MADE WITHOUT THE EXPLICIT WRITTEN PERMISSION OF THE SURVEYOR.

NO ATTEMPT HAS BEEN MADE BY VOELKER SURVEYING TO VERIFY TITLE, ACTUAL, LEGAL OWNERSHIP, DEED RESTRICTIONS, EASEMENTS, OR OTHER BURDENS ON THE PROPERTY OTHER THAN THAT FURNISHED BY THE CLIENT OR HIS REPRESENTATIVE. NOTICE THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS SURVEY THAT ZONING ORDINANCES AND RESTRICTIONS OF RECORD.

UTILITIES, BOTH OVERHEAD AND UNDERGROUND SHOWN, HAVE BEEN LOCATED FROM VISIBLE UTILITY FEATURES, AND PREVIOUS CONSTRUCTION DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN, COMPRISE ALL SUCH UTILITIES. THE SURVEYOR DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES, EXCEPT FOR ABOVE GROUND VISIBLE UTILITY FEATURES.

THIS COMPANY AND ITS EMPLOYEES HAVE MADE NO ATTEMPT TO PHYSICALLY LOCATE IMPROVEMENTS TO FEATURES SUCH AS FOOTINGS AND OTHER UNDERGROUND ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

ALL TIES TO PUBLIC LAND SURVEY SYSTEM MONUMENTS ARE PROPORTED.

BEARINGS BASED ON THE CENTERLINE OF S.W. 5TH PLACE, BEING S 56°10'17" W

ALL ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM (1988), NATIONAL GEODETIC SURVEY, GEUS STATIC SOLUTION (GEOID 18)  
TBM # 1/2" CAPPED FROM ROD (VOELKER CONTROL POINT), ELEVATION = 4.84'  
TBM # 2" PERMANENT CONTROL POINT (UNKNOWN), ELEVATION = 3.82'

**REFERENCE MAPS:**

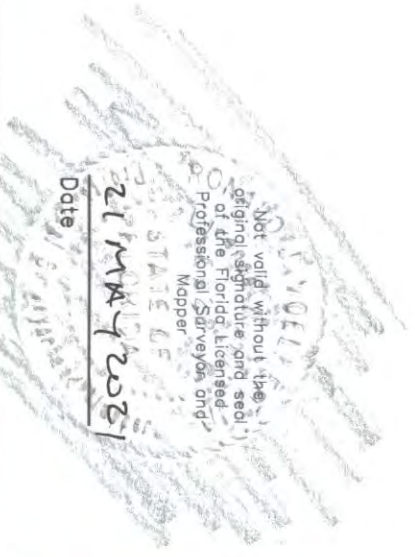
- a. PLAT OF RE-SUBDIVISION OF BLOCK 36, FT. LAUDERDALE, FLORIDA, BY H.C. DAVIS, DATED JANUARY 13, 1921.
- b. BOUNDARY SURVEY OF LOTS 11, 12, APO OF SOUTH NEW RIVER DRIVE, BY ATLANTIC COAST SURVEYING, INC., DATED MAY 7, 2021.

CERTIFIED TO: COLE PROPERTIES & LAND LLC, SERVICEMAST BANK, INDIAN TITLE LLC, FIRST AMERICAN TITLE INSURANCE COMPANY

**LEGAL DESCRIPTION:**

LOTS 11 AND 12, A RE-SUBDIVISION OF BLOCK 36, FT. LAUDERDALE FL, 2-11B, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 11 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, WITH THE PORTION OF THE ROAD ABUNDING SOUTH FROM THE ROAD NUMBERED PER LONG NUMBER 68, AND THE PORTION OF VACATED RIGHT-OF-WAY OF SOUTHWEST 7TH AVENUE.

*[Signature]*  
Professional Surveyor and Mapper #6328



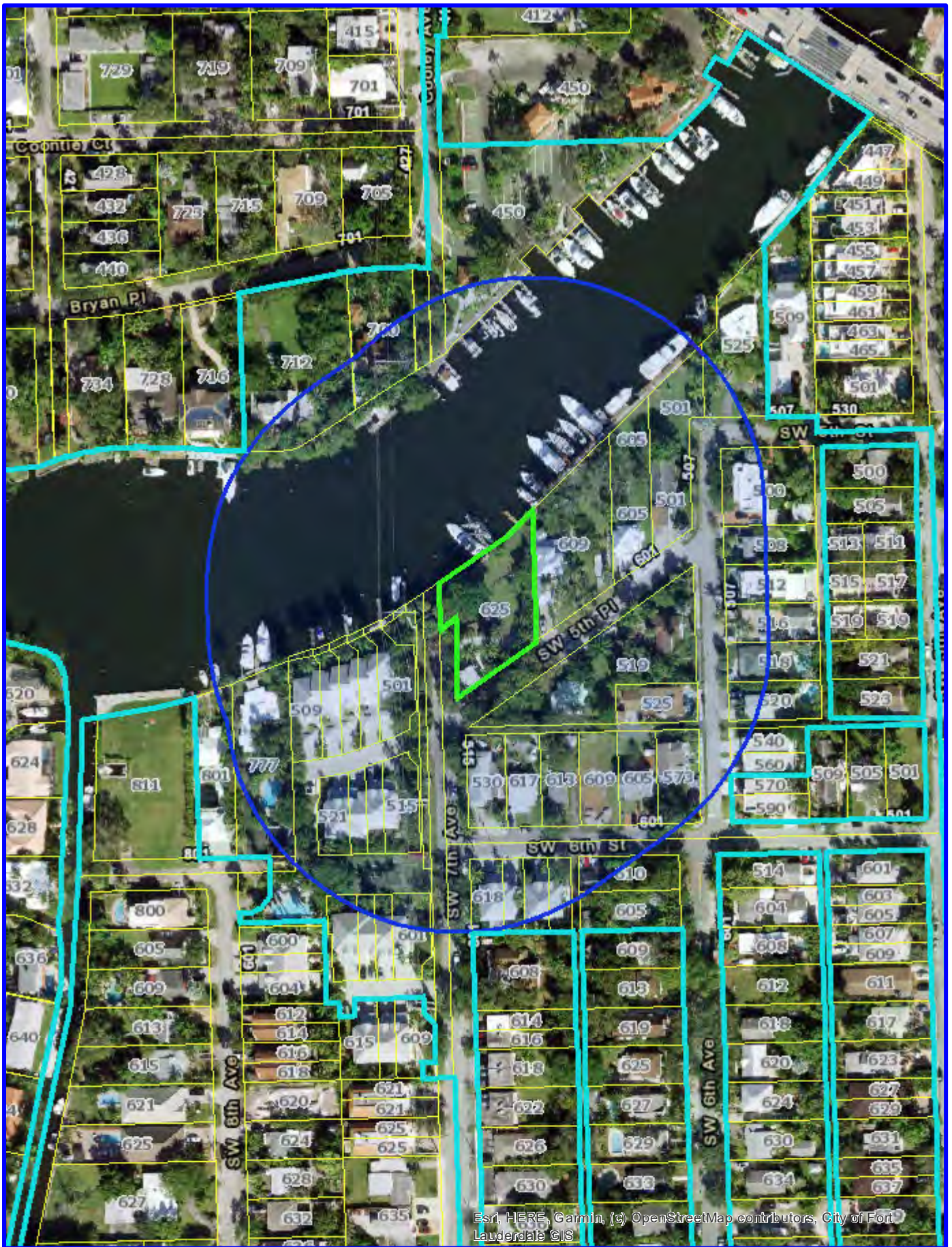
**A BOUNDARY & TOPOGRAPHIC SURVEY**  
FOR  
**COLE PROPERTIES & LAND LLC.**

Lot 11, 12, & South New River Drive, Resub. Block 36, Broward County, Florida

**Voelker Surveying**  
110 Logan Lane, Suite 4  
Phone: 850.231.6300 Fax: 850.231.6305  
Santa Rosa Beach, Florida 32459  
LB 7584 web: voelkersurvey.com

Job # 13481  
Field Book: 666  
Field Date: 18 May 21  
APPROVED BY: RV  
DRAWN BY: CWB  
DATE: 21 May 2021  
SCALE: 1" = 20'  
SHEET 1 OF 1

## **EXHIBIT V ZONING AERIAL**



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



CITY OF FORT LAUDERDALE

625 SW 5 PLACE



0 90 180 Feet

**GIS**  
Fort Lauderdale

## EXHIBIT VI SITE PHOTOGRAPHS



**1. Southern portion of the subject site, facing north along the New River.**

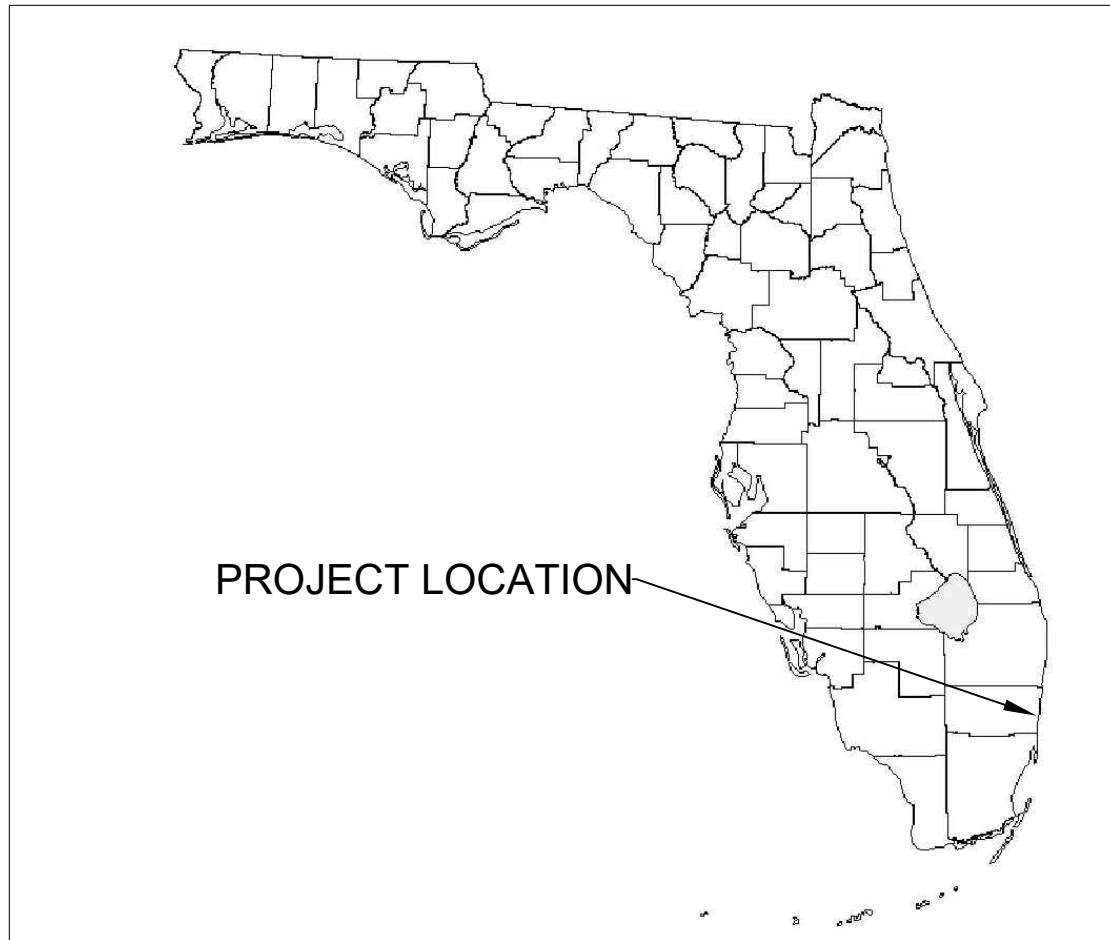


**2. Northern portion of the subject site, facing south along the New River.**

## **EXHIBIT VII PROJECT PLANS**

# 625 SW 5TH PLACE

## PLAN SET



LOCATION MAP (N.T.S.)

### DRAWING INDEX

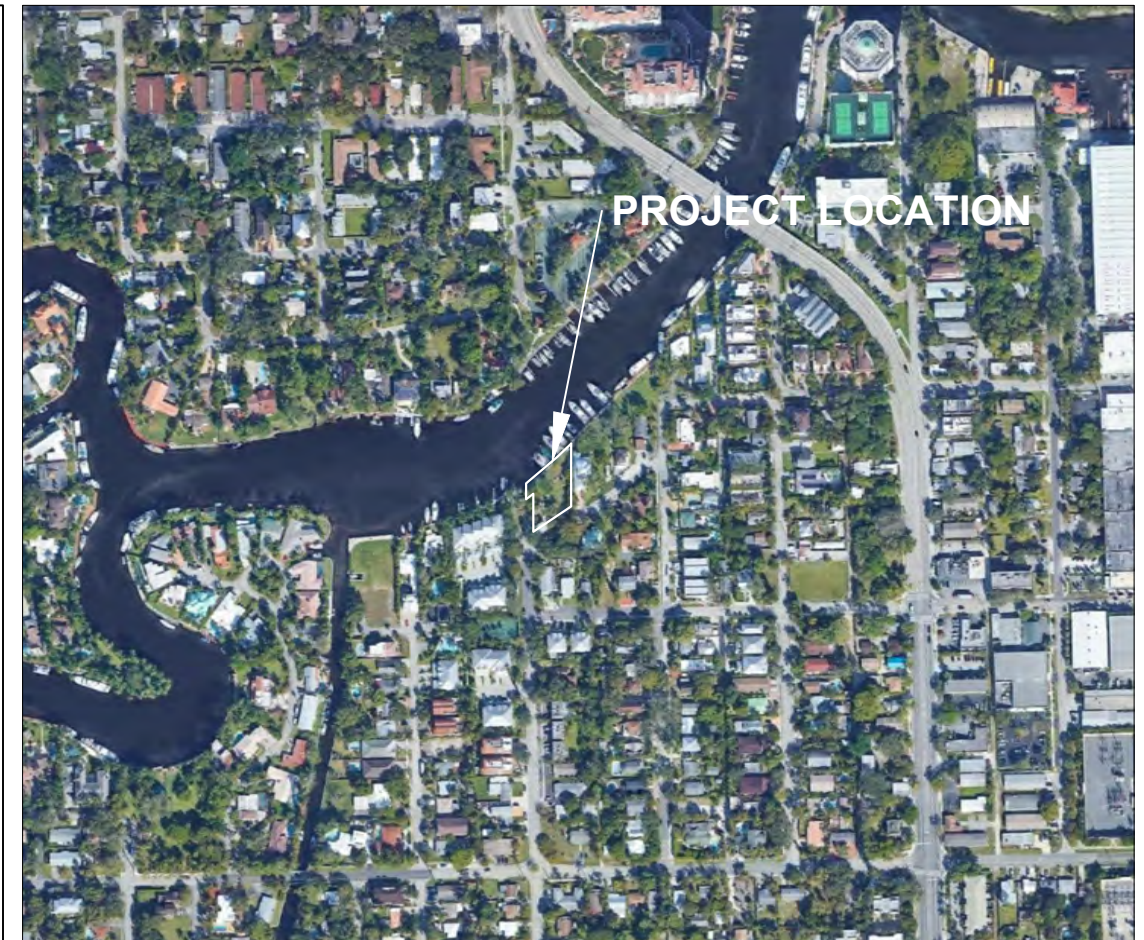
**SHEET 1: COVER**

**SHEET 2: EXISTING  
CONDITIONS**

**SHEET 3: PROPOSED  
CONDITIONS**

**SHEET 4: SECTION A**

**SHEET 5: DETAILS**



VICINITY AERIAL (N.T.S.)

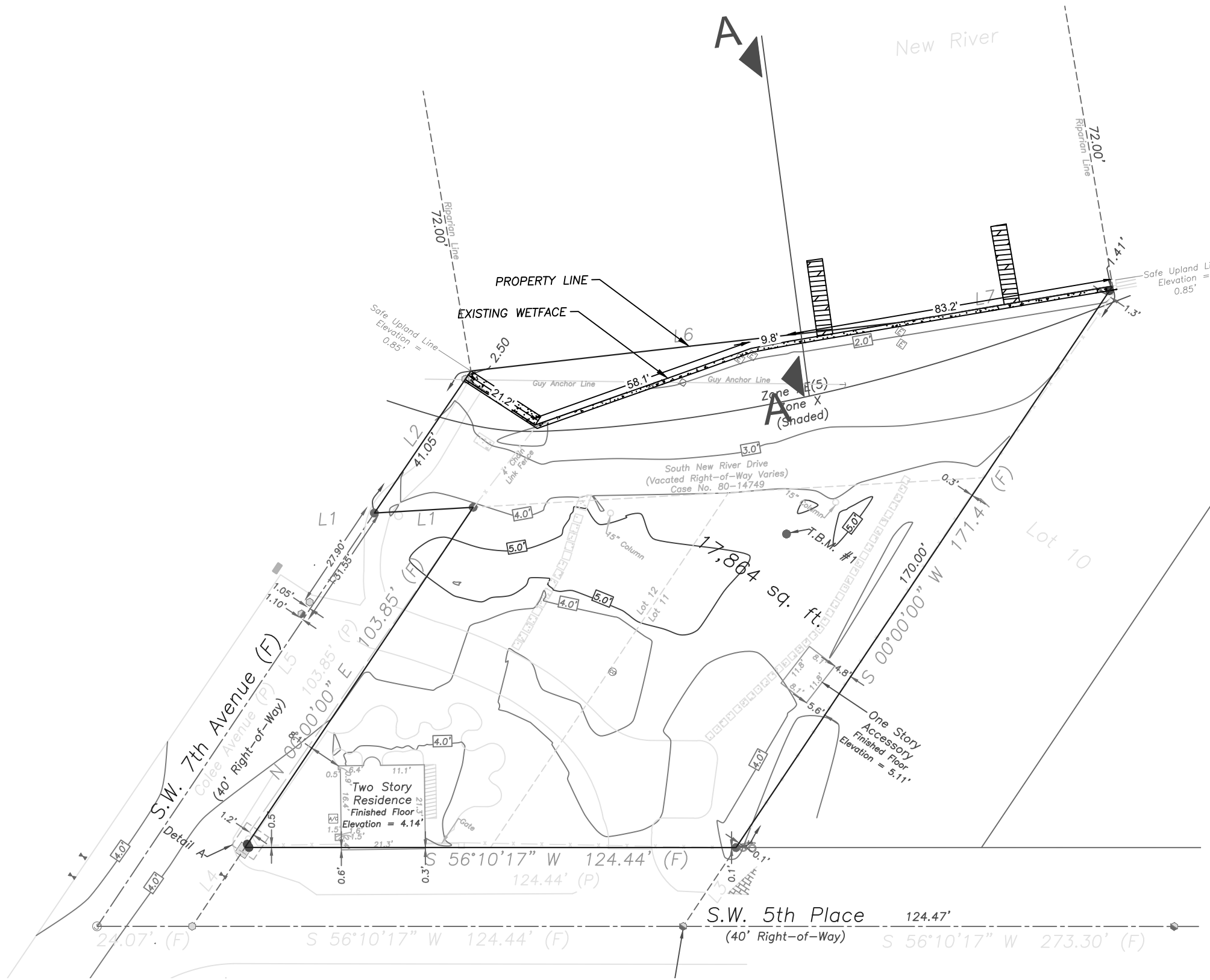
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


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

**625 SW 5TH PLACE**  
PREPARED FOR:  
COLE PROPERTIES & LAND, LLC.

COVER		
Date: 9/27/2021	Sheet :	of :
Proj No.: 21-0092	1	5



**LEGEND**

-  **SUBJECT SITE (0.32 AC)**
-  **EXISTING CONCRETE SEAWALL TO REMAIN (±172.3 LN. FT.)**
-  **EXISTING WOOD DOCKS TO BE REMOVED (±156 SQ. FT.)**

**M.H.W. = 0.30' NAVD88 M.L.W. = (-)1.90' NAVD88**  
**NOTE: SURVEY INFORMATION PROVIDED BY VOELKER SURVEYING. ELEVATIONS SHOWN AS NAVD88.**

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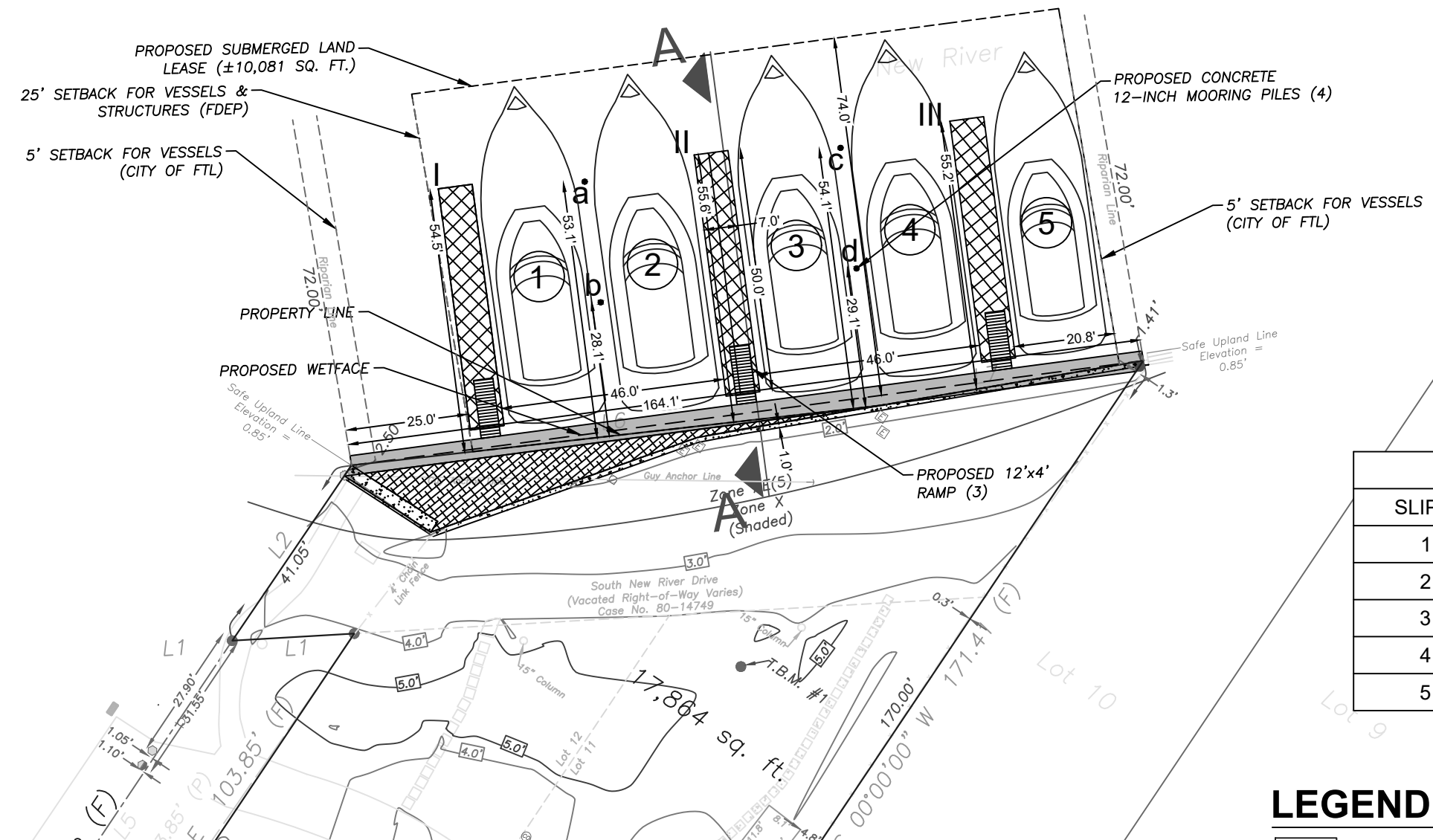
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**625 SW 5TH PLACE**  
 PREPARED FOR:  
**COLE PROPERTIES & LAND, LLC.**

**EXISTING CONDITIONS**

Date: 9/27/2021	Sheet : <b>2</b>	of : <b>5</b>
Proj No.: 21-0092		



PROPOSED SLIP TABLE		
SLIP #	LENGTH	WIDTH
1	70'	23'
2	70'	23'
3	70'	23'
4	70'	23'
5	60'	20'

### LEGEND

- SUBJECT SITE (0.32 AC)
- EXISTING CONCRETE SEAWALL TO REMAIN (±172.3 LN. FT.)
- PROPOSED CONCRETE PANEL SEAWALL (±164.1 LN. FT.)
- PROPOSED CLEAN BACKFILL (±525 SQ. FT.; ±50 C.Y.)
- PROPOSED FLOATING DOCKS (±1,050 SQ. FT.)

M.H.W. = 0.30' NAVD88 M.L.W. = (-)1.90' NAVD88  
 NOTE: SURVEY INFORMATION PROVIDED BY VOELKER SURVEYING. ELEVATIONS SHOWN AS NAVD88.

CITY WAIVER REQUEST			
PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
FLOATING DOCK (I)	54.5'	25'	29.5'
FLOATING DOCK (II)	55.6'	25'	30.6'
FLOATING DOCK (III)	55.2'	25'	30.2'
MOORING PILE (a)	53.1'	25'	28.1'
MOORING PILE (b)	28.1'	25'	3.1'
MOORING PILE (c)	54.1'	25'	29.1'
MOORING PILE (d)	29.1	25'	4.1'

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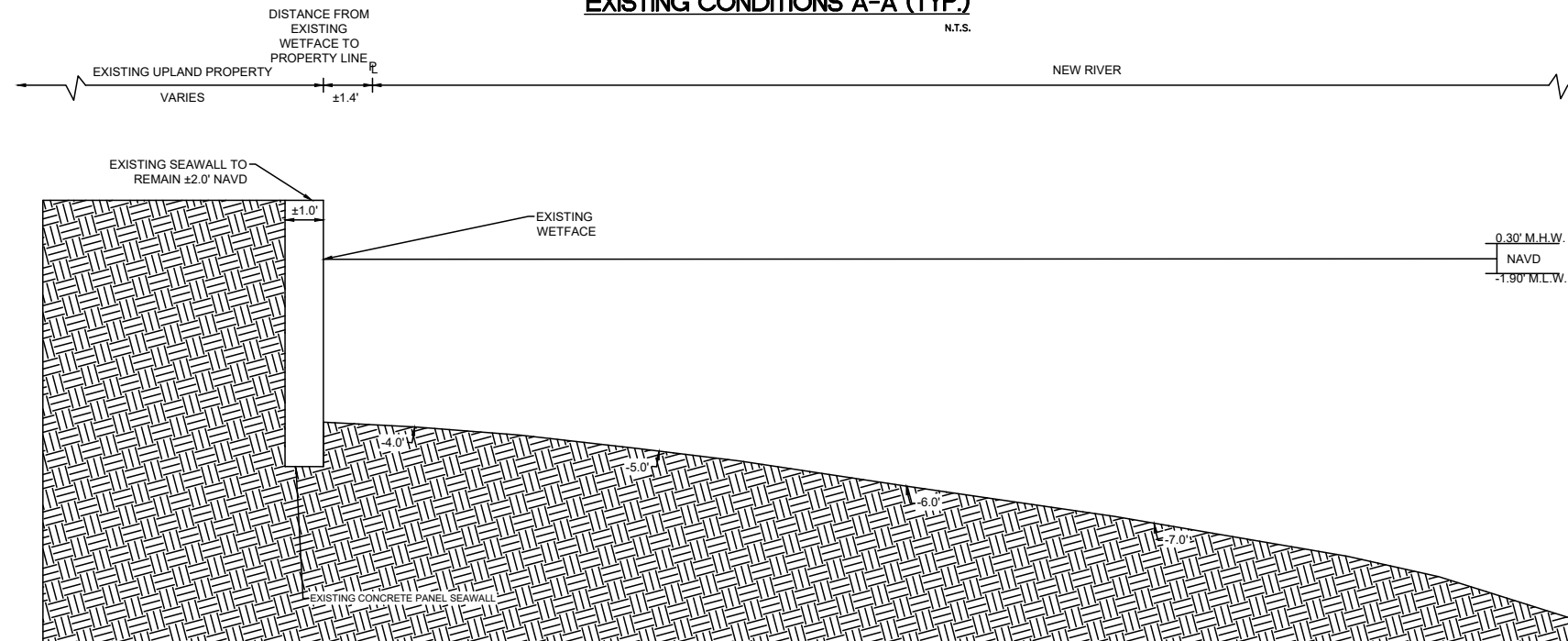
625 SW 5TH PLACE

PREPARED FOR:  
**COLE PROPERTIES & LAND, LLC.**

PROPOSED CONDITIONS		
Date: 9/27/2021	Sheet : <b>3</b>	of : <b>5</b>
Proj No.: 21-0092		

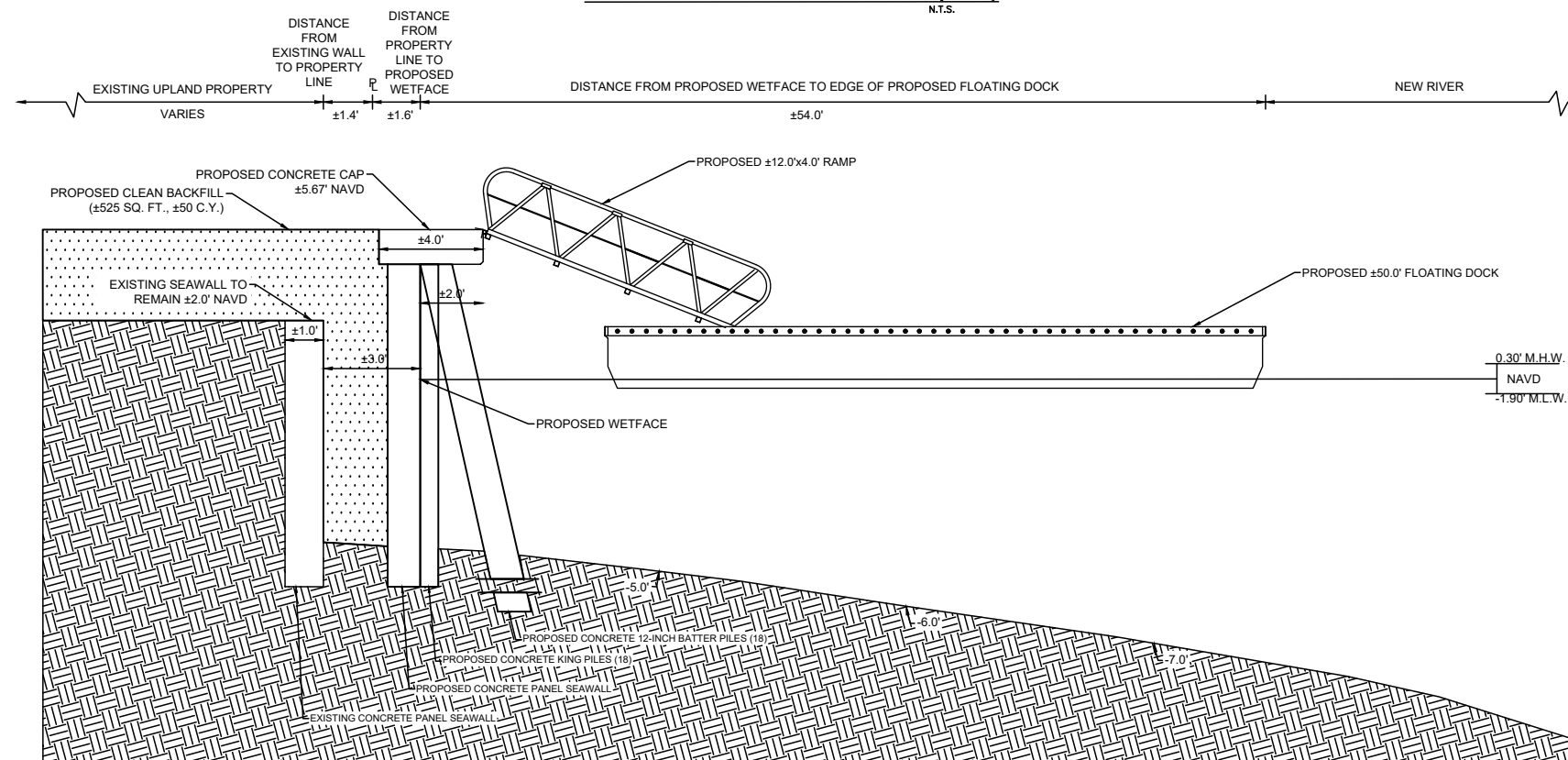
**EXISTING CONDITIONS A-A (TYP.)**

N.T.S.



**PROPOSED CONDITIONS A-A (TYP.)**

N.T.S.



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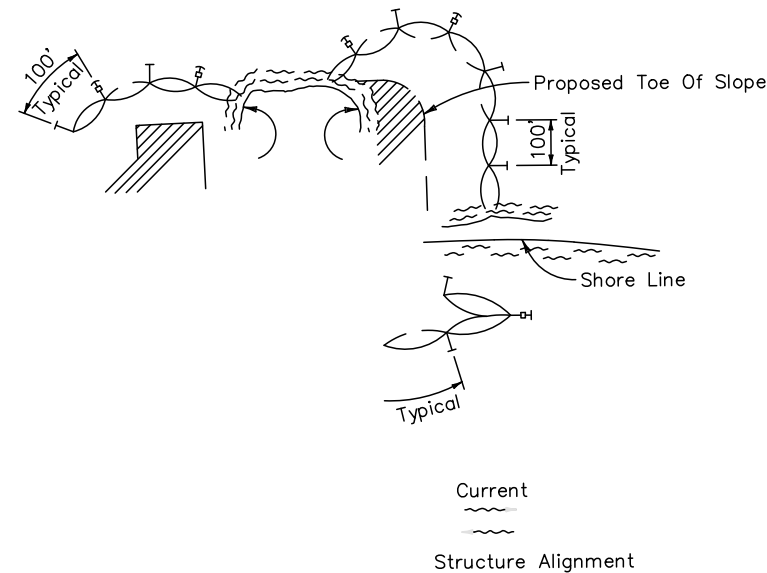
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**625 SW 5TH PLACE**  
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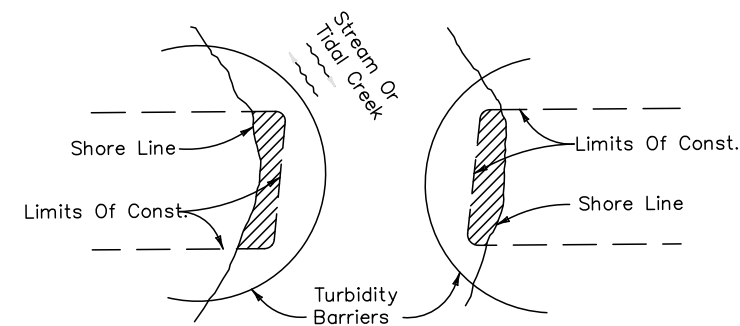
SECTION A

Date: 9/27/2021	Sheet : <b>4</b>	of : <b>5</b>
Proj No.: 21-0092		

## CONSTRUCTION BARGE (TYP.)



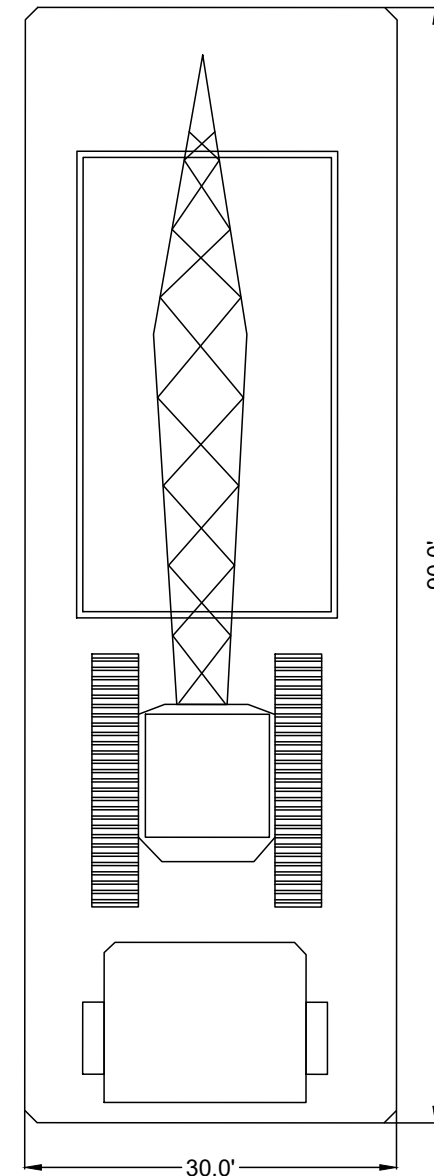
- LEGEND**
- Pile Locations
  - ▨ Dredge Or Fill Area
  - Mooring Buoy w/Anchor
  - Anchor
  - Barrier Movement Due To Current Action



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

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

### TURBIDITY BARRIER APPLICATIONS



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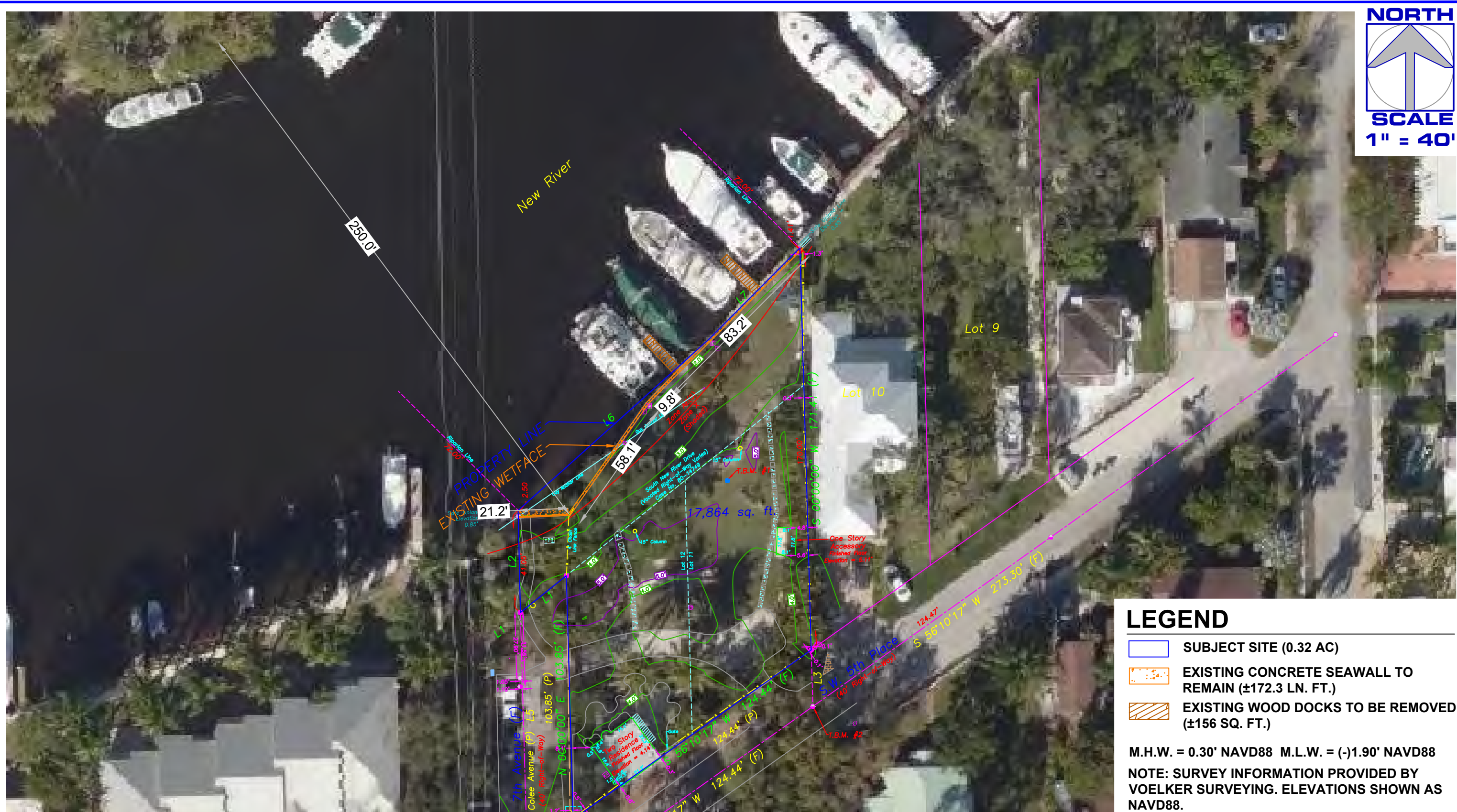
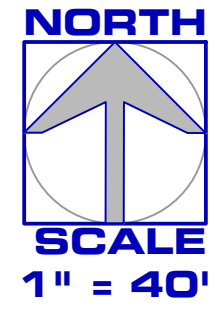
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**625 SW 5TH PLACE**  
PREPARED FOR:  
**COLE PROPERTIES & LAND, LLC.**

#### DETAILS

Date: 9/27/2021	Sheet : <b>5</b>	of : <b>5</b>	
Proj No.: 21-0092			

## **EXHIBIT VIII DISTANCE EXHIBIT**



### LEGEND

- SUBJECT SITE (0.32 AC)
- EXISTING CONCRETE SEAWALL TO REMAIN (±172.3 LN. FT.)
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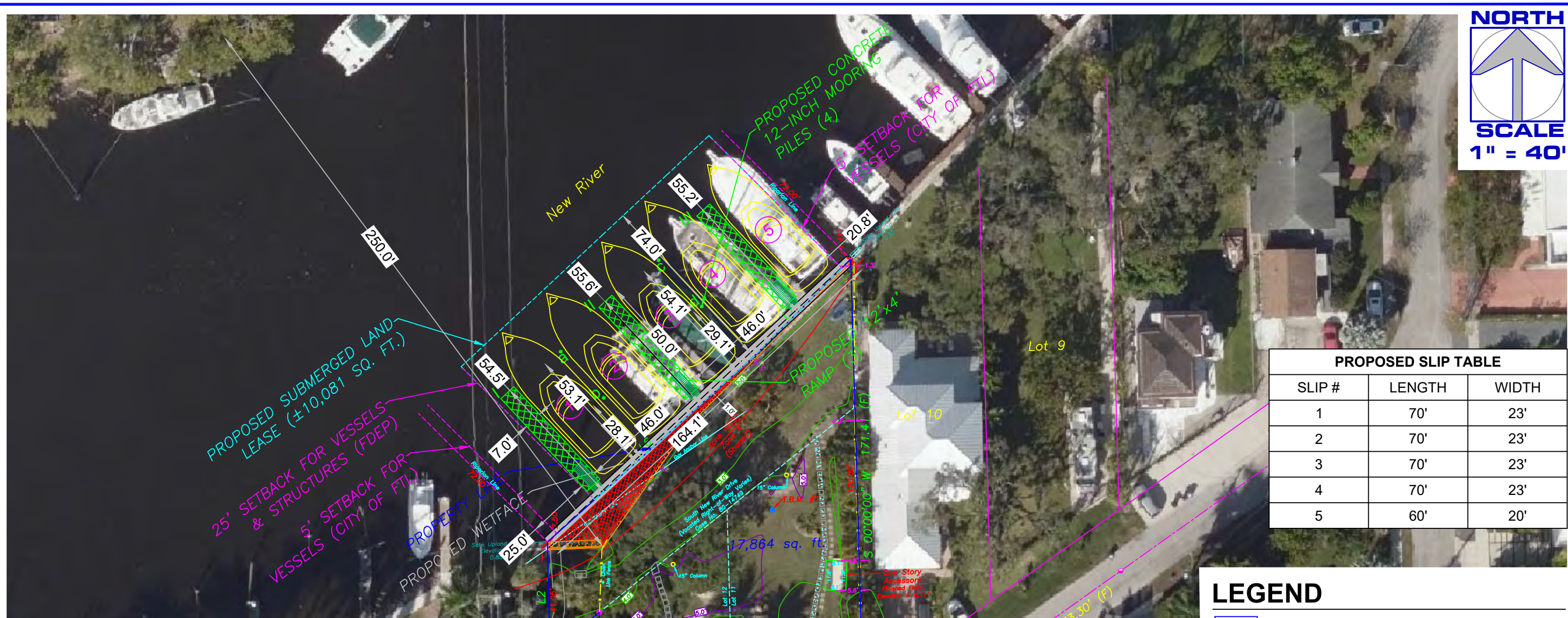
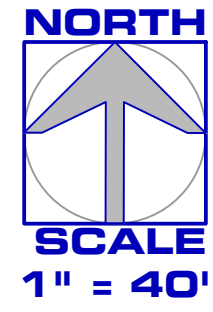
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**625 SW 5TH PLACE**

PREPARED FOR:  
**COLE PROPERTIES & LAND, LLC.**

DISTANCE EXHIBIT - EXISTING		
Date: 10/4/2021	Sheet : <b>1</b>	of : <b>3</b>
Proj No.: 21-0092		



PROPOSED SLIP TABLE		
SLIP #	LENGTH	WIDTH
1	70'	23'
2	70'	23'
3	70'	23'
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5	60'	20'

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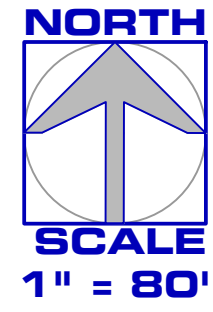
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**625 SW 5TH PLACE**  
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DISTANCE EXHIBIT - PROPOSED		
Date: 10/4/2021	Sheet : <b>2</b>	of : <b>3</b>
Proj No.: 21-0092		



PROPOSED SLIP TABLE		
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**625 SW 5TH PLACE**  
 PREPARED FOR:  
 COLE PROPERTIES & LAND, LLC.

DISTANCE EXHIBIT - PROPOSED		
Date: 10/4/2021	Sheet : <b>3</b>	of : <b>3</b>
Proj No.: 21-0092		

## **EXHIBIT IX EXISTING WAIVERS IN THE VICINTY**

## EXISTING WAIVERS IN THE VICINITY



ADDRESS	MAXIMUM DISTANCE
716 Bryan Place	62'
777 SW 6 <sup>th</sup> St	38'
811 SW 6 <sup>th</sup> St	47.1'
<b>Subject Site</b>	<b>55.6'</b>

## EXHIBIT X LETTERS OF SUPPORT

**LETTERS OF SUPPORT**



ADDRESS	OWNER
609 SW 5 <sup>th</sup> Place	Margaret & Ed Louis Brin
605 SW 5 <sup>th</sup> Place	Brin River Duplex, LLC
530-534 SW 7 <sup>th</sup> Avenue	Brin Family Properties 7 <sup>th</sup> LLC

September 28, 2021

Mr. Daniel Cole  
Cole Properties & Land, LLC.  
3925 West Co Hwy 30A Unit F  
Santa Rosa Beach, FL 32459

RE: 625 SW 5<sup>th</sup> Place  
City of Fort Lauderdale Waiver Request

Dear Mr. Daniel Cole,

I have reviewed the attached plans (Attachment A), for the proposed project to install three (3) floating docks and four (4) concrete mooring piles beyond 25 feet from the property line into the New River at 625 SW 5<sup>th</sup> Place. 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 609 SW 5<sup>th</sup> Place, and support the project as proposed.

Sincerely,

Margaret & Ed Louis Brin  
609 SW 5<sup>th</sup> Place  
Fort Lauderdale, FL 33315

Handwritten signatures of Margaret Brin and Ed L. Brin. The signature of Margaret Brin is written in cursive and is positioned above the signature of Ed L. Brin, which is also in cursive.

September 28, 2021

Mr. Daniel Cole  
Cole Properties & Land, LLC.  
3925 West Co Hwy 30A Unit F  
Santa Rosa Beach, FL 32459

RE: 625 SW 5<sup>th</sup> Place  
City of Fort Lauderdale Waiver Request

Dear Mr. Daniel Cole,

I have reviewed the attached plans (Attachment A), for the proposed project to install three (3) floating docks and four (4) concrete mooring piles beyond 25 feet from the property line into the New River at 625 SW 5<sup>th</sup> Place. 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 own 605 SW 5<sup>th</sup> Place, and support the project as proposed.

Sincerely,

Margaret Mary Brin  
Brin River Duplex, LLC.  
605 SW 5<sup>th</sup> Place  
Fort Lauderdale, FL 33315

*Margaret Mary Brin*  
*Edwin Brin*

September 28, 2021

Mr. Daniel Cole  
Cole Properties & Land, LLC.  
3925 West Co Hwy 30A Unit F  
Santa Rosa Beach, FL 32459

RE: 625 SW 5<sup>th</sup> Place  
City of Fort Lauderdale Waiver Request

Dear Mr. Daniel Cole,

I have reviewed the attached plans (Attachment A), for the proposed project to install three (3) floating docks and four (4) concrete mooring piles beyond 25 feet from the property line into the New River at 625 SW 5<sup>th</sup> Place. 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 own 530-534 SW 7<sup>th</sup> Ave, and support the project as proposed.

Sincerely,

Margaret Mary Brin  
Brin Family Properties 7<sup>th</sup> LLC  
530-534 SW 7<sup>th</sup> Ave  
Fort Lauderdale, FL 33315

*Margaret Mary Brin  
Ed Lou Brin*

## ITEM VII

### MEMORANDUM MF NO. 21-26

DATE: October 13, 2021

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: November 4, 2021 MAB Meeting – Application for Dock Permit – Michael & Carolyn Redmond / 805 Cordova Road

Attached for your review is an application from Michael & Carolyn Redmond / 805 Cordova Road (see **Exhibit 1**).

### APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for the installation of two (2) 60' long x 8' wide floating docks, associated ramps, and a T-shaped wood dock, extending a maximum distance of +/- 16'11" from the wet face of the seawall on public property abutting the waterway adjacent to 805 Cordova Road (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.

### PROPERTY LOCATION AND ZONING

The property is located within the Rio Vista Isles RS-8 Residential Low Density Zoning District. The dock area is directly adjacent to the Rio 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

November 4, 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. Penetration of the seawall is prohibited unless as otherwise provided in 8-144 (6).
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 seal level rise over their useful life span ; or (ii) fixed docks installed at a minimum height consistent with the requirements of section 47-19.3(f); or (iii) fixed docks the height of which are even with the City's seawall, whichever (ii) or (iii) is the greater.
10. Except as to a tender, there shall be no rafting of vessels from the moored vessel.
11. The permit shall guarantee from the permit holder to the city to indemnify and hold the city harmless for any damage or injury to any person using such facilities.
12. The violation of any provisions of Code Section 8-144 or violations of any of the terms or conditions relative to the granting or renewal of a dock permit shall be unlawful and may constitute cause for revocation of the permit. The Applicant is responsible to execute and deliver a Declaration of Covenants Running With The Land to the City Attorney's Office no later than ten (10) days prior to City Commission review date.

AC

Attachment

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

**MICHAEL & CAROLYN REDMOND  
805 CORDOVA ROAD  
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: **Michael & Carolyn Redmond**

TELEPHONE NO: (860) 508-3870 \_\_\_\_\_

EMAIL: michaeltredmond@gmail.com

(home)

(business)

2. APPLICANT'S ADDRESS (if different than the site address): **805 Cordova Road 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 wood "T"-shaped dock, riprap, access ramps, and floating docks.**

4. SITE ADDRESS:

ZONING:

**805 Cordova Road Fort Lauderdale, FL 33316**

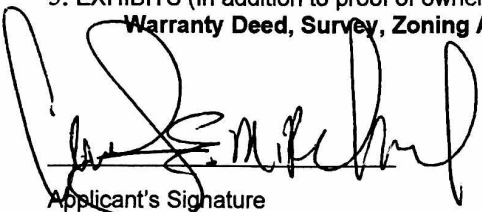
**R.S-8**

LEGAL DESCRIPTION AND FOLIO NUMBER:

**RIO VISTA ISLES UNIT 3 7-47 B LOT 48 S 16.67,49,50 & 51 LESS THAT POR LOT 51 LYING S OF LINE 60 N OF & PARA WITH S/L LOT 52 BLK 30  
Folio No. 504211183680**

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).

**Warranty Deed, Survey, Zoning Aerial, Photos, Project Plans**



Applicant's Signature

10/14/21

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**=====

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## **EXHIBIT II SUMMARY DESCRIPTION**

## **Summary Description**

### **805 Cordova Road**

### **TCG Project No. 21-0067**

The project site is located along the Rio Cordova adjacent to the New River at 805 Cordova Road, in Section 11, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida

The property is located along an unnamed canal adjacent to the New River, which is a tidal water. The nearest direct connection to the Atlantic Ocean is approximately 1.8 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  $\pm 156.1$  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 5'x5' platform and a 12'x5' ramp on the uplands, the installation of a  $\pm 160$  sq. ft. "T"-shaped wood dock with  $\frac{1}{2}$  inch spaced deck boards, two (2) access ramps (5'x15'), and two (2) floating docks (60'x8'). As this property is owned by the city, the proposed wood dock, access ramps, and floating docks 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 (DF21-1280 EG) and the Florida Department of Environmental Protection (Delegated). The US Army Corps of Engineers permit has been issued (SAJ-2021-02559).

The following two (2) matters provide justification for this permit 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.

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

**EXHIBIT III  
WARRANTY DEED & BCPA**

**This Document Prepared By:**

David J. Wallace, Esq.  
Dubow Dubow & Wallace  
215 North Federal Highway

**Return to:**

Lawyers 1st Title, 2817 E. Oakland Park Blvd., #201-A,  
Ft. Lauderdale, FL 33306

Parcel ID Number: **504211 18 3670**

## Warranty Deed

**This Indenture**, Made this                    day of **June**                    **2020**                    A.D., **Between**  
**STEPHANIE McMILLAN**, as Alternate Successor Trustee of the Evelyn Fischer Kadala  
**Revocable Trust Agreement dated June 23, 1998, as amended**  
of the County of **Broward**                    , State of **Florida**                    , **grantor**, and  
**Michael Redmond and Carolyn Redmond, husband and wife**  
whose address is: **801 Cordova Road, Fort Lauderdale, FL 33316**  
of the County of **Broward**                    , State of **Florida**                    , **grantees**.

**Witnesseth** that the GRANTOR, for and in consideration of the sum of  
**TEN DOLLARS (\$10)**

and other good and valuable consideration to GRANTOR in hand paid by GRANTEES, the receipt whereof is hereby  
acknowledged, has granted, bargained and sold to the said GRANTEES and GRANTEES' heirs, successors and assigns  
forever, the following described land, situate, lying and being in the County of **Broward**  
State of **Florida**                    to wit:

**Lot 49 and the Southerly 16.67 feet of Lot 48, 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.**

Subject to restrictions, reservations and easements of record,  
if any, and taxes subsequent to December 31, 2019.

The subject real property is not now the homestead of any of the  
Grantors. That none of the Grantors, nor their respective  
spouses, if any, nor any member of their respective immediate  
families, resides on or adjacent to the subject real property.

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons

# Warranty Deed - Page 2

Parcel ID Number: 504211 18 3670

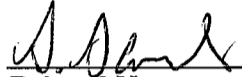
In Witness Whereof, the grantor has hereunto set her hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

**Evelyn Fischer Kadala Revocable Trust  
Agreement dated June 23, 1998, as amended**

  
\_\_\_\_\_  
Printed Name: *David J. Wallace*  
Witness

By:  (Seal)  
**STEPHANIE McMILLAN, Alternate  
Successor Trustee**  
P.O. Address: 900 SE 143th Court, Fort Lauderdale, FL 33316

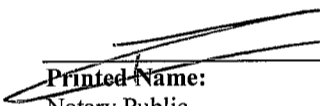
  
\_\_\_\_\_  
Printed Name: *Sherrod Samuels*  
Witness

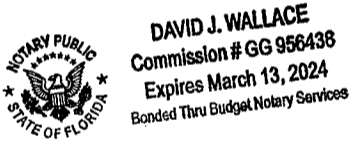
\_\_\_\_\_  
(Seal)  
P.O. Address:

State of Florida  
County of Broward

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 1st day of June, 2020, by STEPHANIE McMILLAN, Alternate Successor Trustee of STEPHANIE McMILLAN, as Alternate Successor Trustee of the Evelyn Fischer Kadala Revocable Trust Agreement dated June 23, 1998, as amended on behalf of the trust

who is personally known to me or who has produced her as identification. PK

  
\_\_\_\_\_  
Printed Name:  
Notary Public  
My Commission Expires:





<b>Site Address</b>	<b>805 CORDOVA ROAD, FORT LAUDERDALE FL 33316-1431</b>	<b>ID #</b>	5042 11 18 3680
<b>Property Owner</b>	REDMOND, MICHAEL & CAROLYN	<b>Millage</b>	0312
<b>Mailing Address</b>	805 CORDOVA RD FORT LAUDERDALE FL 33316-1431	<b>Use</b>	01
<b>Abbr Legal Description</b>	RIO VISTA ISLES UNIT 3 7-47 B LOT 48 S 16.67,49,50 & 51 LESS THAT POR LOT 51 LYING S OF LINE 60 N OF & PARA WITH S/L LOT 52 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)**.

\* 2022 values are considered "working values" and are subject to change.

Property Assessment Values					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2022	\$879,920	\$1,179,810	\$2,059,730	\$1,735,630	
2021	\$879,920	\$1,179,810	\$2,059,730	\$1,735,630	
2020	\$879,920	\$1,113,390	\$1,993,310	\$1,711,670	\$31,958.80

2022 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
<b>Just Value</b>	\$2,059,730	\$2,059,730	\$2,059,730	\$2,059,730
<b>Portability</b>	0	0	0	0
<b>Assessed/SOH</b> 19	\$1,735,630	\$1,735,630	\$1,735,630	\$1,735,630
<b>Homestead</b> 100%	\$25,000	\$25,000	\$25,000	\$25,000
<b>Add. Homestead</b>	\$25,000	0	\$25,000	\$25,000
<b>Wid/Vet/Dis</b>	0	0	0	0
<b>Senior</b>	0	0	0	0
<b>Exempt Type</b>	0	0	0	0
<b>Taxable</b>	\$1,685,630	\$1,710,630	\$1,685,630	\$1,685,630

Sales History				Land Calculations		
Date	Type	Price	Book/Page or CIN	Price	Factor	Type
6/1/2020	WD-E	\$760,000	116536822	\$40.00	21,998	SF
5/1/2018	WD-Q	\$1,600,000	115053560			
9/15/2000	WD	\$700,000	30861 / 1451			
1/2/1996	WD	\$192,500	24355 / 495			
12/29/1995	WD	\$192,500	24355 / 496			
					<b>Adj. Bldg. S.F. (Card, Sketch)</b> 5136	
					<b>Units/Beds/Baths</b> 2/4/4	
					<b>Eff./Act. Year Built: 1972/1953</b>	

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03						F1		
R								
2						2		

## **EXHIBIT IV CURRENT UTILITY BILL**



**Electric Bill Statement**

**For:** Sep 2, 2021 to Oct 4, 2021 (32 days)

**Statement Date:** Oct 4, 2021

**Account Number:** 41531-39052

**Service Address:**

805 CORDOVA RD  
FORT LAUDERDALE, FL 33316

Hello Carolyn Meginley Redmond,  
Here's what you owe for this billing period.

**CURRENT BILL**

**\$422.59**

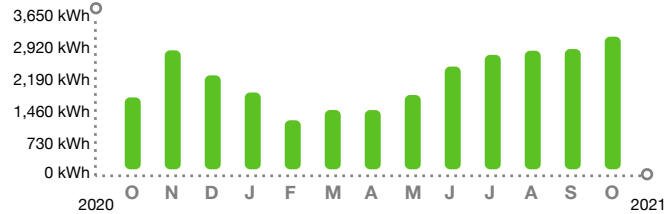
TOTAL AMOUNT YOU OWE

**Oct 25, 2021**

NEW CHARGES DUE BY

Have \$287.89 withdrawn instead of \$422.59. Enroll in FPL Budget Billing®. [FPL.com/AutoBB](https://www.fpl.com/AutoBB)

**ENERGY USAGE HISTORY**



**KEEP IN MIND**

- Enroll in FPL Budget Billing and have Automatic Bill Pay debit \$287.89 instead of \$422.59 on your next withdrawal date. Your monthly bills will become predictable year-round. Enroll at [FPL.com/AutoBB](https://www.fpl.com/AutoBB)
- Payments received after October 25, 2021 are considered late; a late payment charge, the greater of \$5.00 or 1.5% of your past due balance will apply. Your account may also be billed a deposit adjustment.
- The amount due on your account will be drafted automatically on or after October 15, 2021. If a partial payment is received before this date, only the remaining balance due on your account will be drafted automatically.

**BILL SUMMARY**

Amount of your last bill	381.87
Payments received	-381.87
Balance before new charges	0.00
Total new charges	422.59
<b>Total amount you owe</b>	<b>\$422.59</b>

**FPL automatic bill pay - DO NOT PAY**

(See page 2 for bill details.)

Customer Service: (954) 797-5000  
Outside Florida: 1-800-226-3545

Report Power Outages: 1-800-4OUTAGE (468-8243)  
Hearing/Speech Impaired: 711 (Relay Service)



/ 3\* FPL AUTOMATIC BILL PAY - DO NOT PAY \*

The amount enclosed includes the following donation:  
**FPL Care To Share:** \_\_\_\_\_

Make check payable to FPL in U.S. funds and mail along with this coupon to:

CAROLYN MCGINLEY REDMOND  
805 CORDOVA RD  
FORT LAUDERDALE FL 33316-1431

FPL  
GENERAL MAIL FACILITY  
MIAMI FL 33188-0001

Visit [FPL.com/PayBill](https://www.fpl.com/PayBill) for ways to pay.

41531-39052 ACCOUNT NUMBER	\$422.59 TOTAL AMOUNT YOU OWE	Oct 25, 2021 NEW CHARGES DUE BY	\$ Auto pay - DO NOT PAY AMOUNT ENCLOSED
-------------------------------	----------------------------------	------------------------------------	---



**Customer Name:**  
Carolyn Mcginley  
Redmond

**Account Number:**  
41531-39052

### BILL DETAILS

Amount of your last bill	381.87
Payment received - Thank you	-381.87
Balance before new charges	\$0.00

#### New Charges

Rate: RS-1 RESIDENTIAL SERVICE	
Customer charge:	\$8.34
Non-fuel: <small>(First 1000 kWh at \$0.067000) (Over 1000 kWh at \$0.077620)</small>	\$245.61
Fuel: <small>(First 1000 kWh at \$0.025100) (Over 1000 kWh at \$0.035100)</small>	\$105.87
Electric service amount	359.82
Gross receipts tax	9.23
Franchise charge	22.72
Utility tax	30.82
Taxes and charges	62.77
Total new charges	\$422.59
<b>Total amount you owe</b>	<b>\$422.59</b>

**FPL automatic bill pay - DO NOT PAY**

### METER SUMMARY

Meter reading - Meter ACD1644. Next meter reading Nov 2, 2021.

<b>Usage Type</b>	<b>Current</b>	-	<b>Previous</b>	=	<b>Usage</b>
kWh used	71066		67765		3301

### ENERGY USAGE COMPARISON

	<b>This Month</b>	<b>Last Month</b>	<b>Last Year</b>
Service to	Oct 4, 2021	Sep 2, 2021	Oct 2, 2020
kWh Used	3301	2993	1789
Service days	32	30	30
kWh/day	103	100	60
Amount	\$422.59	\$381.87	\$209.72

### Stay connected

The FPL Mobile App is the easiest way to stay connected with us when a disaster strikes. Stay ready - get the app today!

[Download now >](#)

### Savings to sing about

Use FPL Energy Manager to monitor, analyze and simulate savings.

[Learn more >](#)

### Help others in need

Help your neighbors in need by contributing to FPL Care To Share® monthly through your FPL bill.

[Sign up today >](#)

When you pay by check, you authorize FPL to process your payment electronically or as a draft. If your payment is processed electronically, your checking account may be debited on the same day we receive the check and your check will not be returned with your checking account statement. FPL does not agree to any restrictions, conditions or endorsements placed on any bill statement or payments such as check, money order or other forms of payment. We will process the payment as if these restrictions or conditions do not exist.

## EXHIBIT V VESSEL REGISTRATION

Mail To:  
MICHAEL THOMAS REDMOND  
805 CORDOVA ROAD  
FORT LAUDERDALE, FL 33316

# FLORIDA VESSEL REGISTRATION

CO/AGY 1 / 17

T# 1371633039  
B# 1377921

FL/DO # **FL8146SV**      DECAL **03032950**      Expires **Midnight Sat 4/2/2022**

YR/MK	<b>2020/QRK</b>	BODY	<b>VS</b>	TITLE	<b>140600212</b>	Reg. Tax	163.50	Class Code	100
HIN	<b>QRK54464L920</b>	PROPUL	<b>OUTBRD</b>	FUEL	<b>GAS</b>	Init. Reg.		Tax Months	22
HULL	<b>FBGLSS</b>	TYPE	<b>INFLAT</b>	LENGTH	<b>26'2"</b>	County Fee	81.76	Back Tax Mos	
USE	<b>PLSRE</b>					Mail Fee		Credit Class	
DL/FEID	<b>R355558751220</b>					Sales Tax		Credit Months	
Date Issued	<b>12/1/2020</b>	ENG DRIVE				Voluntary Fees			
		ST OPER				Grand Total	245.26		

**MICHAEL THOMAS REDMOND**  
**805 CORDOVA ROAD**  
**FORT LAUDERDALE, FL 33316**

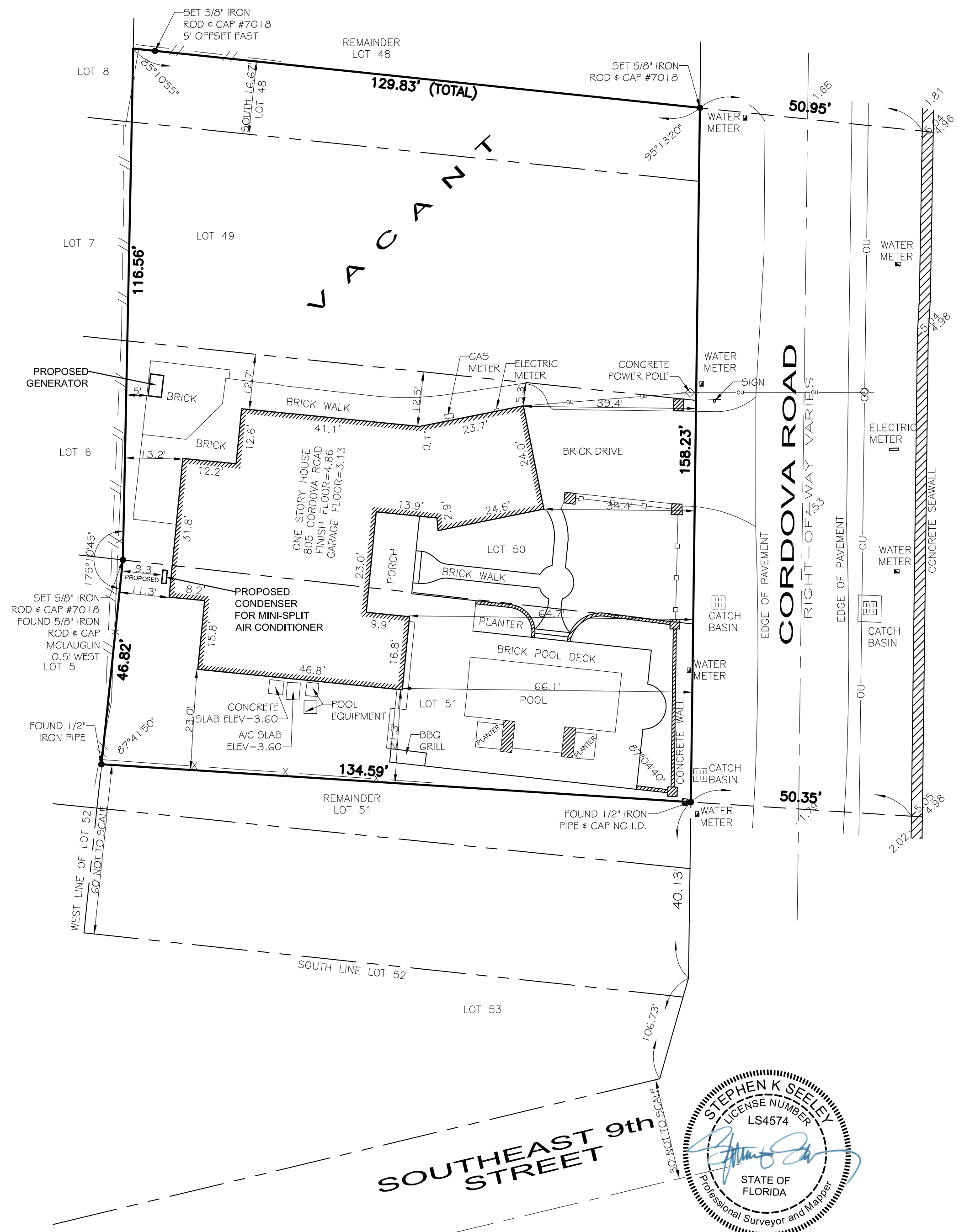
## IMPORTANT INFORMATION

1. Your registration must be updated to your new address within 30 days of moving.
2. Registration renewals are the responsibility of the registrant and shall occur during the 30-day period prior to the expiration date shown on this registration. Renewal notices are provided as a courtesy and are not required for renewal purposes.

## EXHIBIT VI ORIGINAL SURVEY

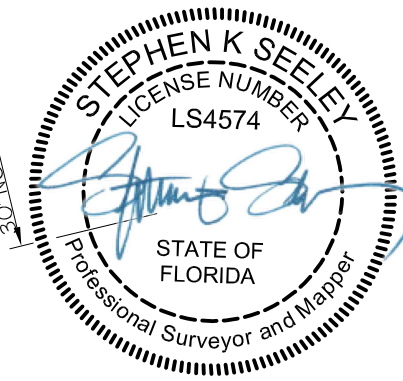
**DESCRIPTION:**

THE SOUTH 16.67 FEET OF LOT 48 AND ALL OF LOT 49, BLOCK 30, TOGETHER WITH LOTS 50 AND 51, LESS AND EXCEPT THAT PORTION OF SAID LOT 51 LYING SOUTH OF A LINE BEING 60 FEET NORTH OF (AS MEASURED ALONG THE WEST LINE THEREOF) AND PARALLEL TO THE SOUTH LINE OF LOT 52 OF SAID 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 SITUATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.



**NOTES**

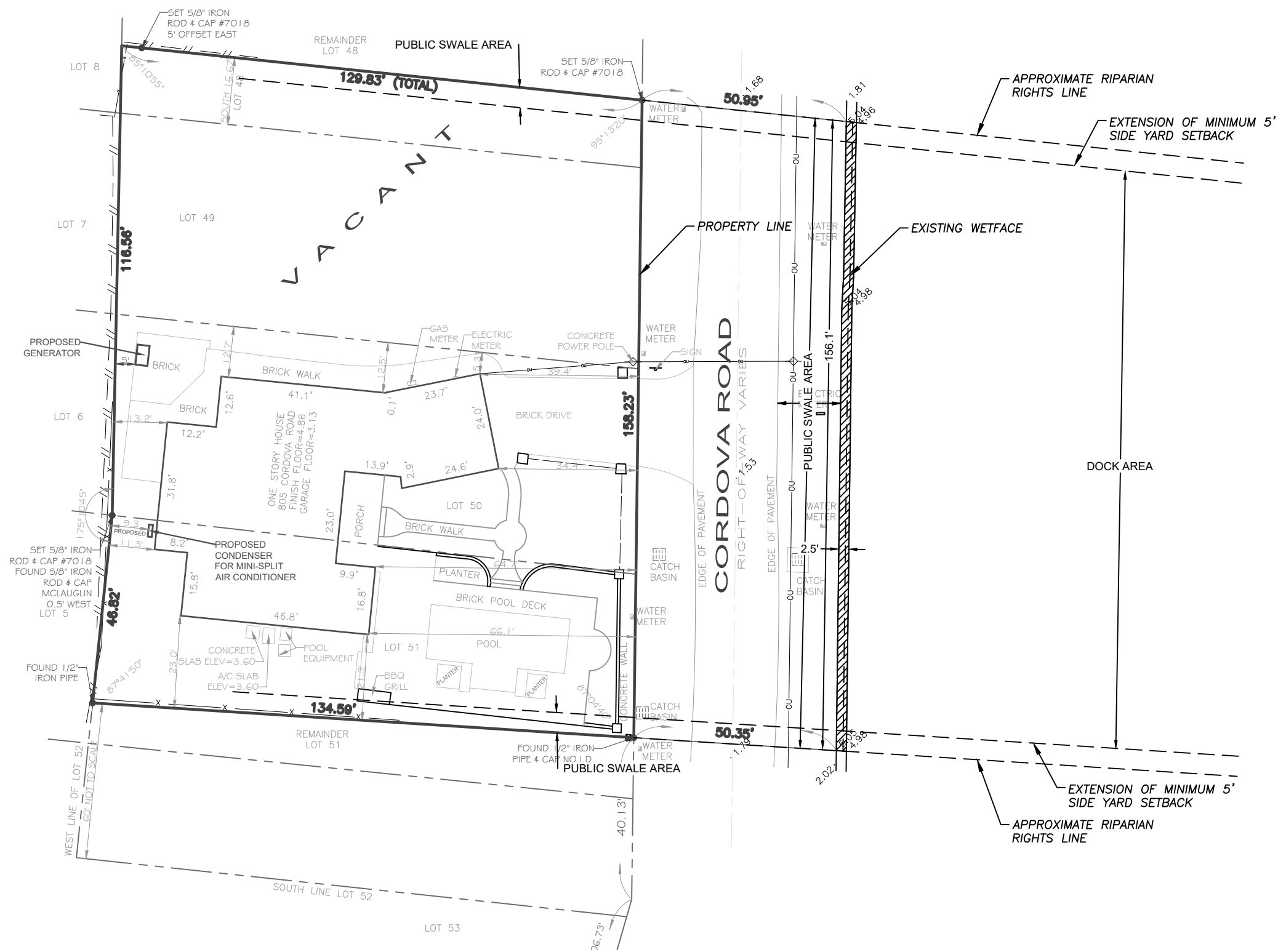
- 1) THE LAND DESCRIPTION SHOWN HEREON WAS PROVIDED BY THE CLIENT. EASEMENTS AND RIGHTS-OF-WAY PER RECORD PLAT HAVE BEEN SHOWN HEREON. NO FURTHER SEARCH FOR MATTERS OF RECORD HAS BEEN MADE BY THIS FIRM.
- 2) THIS SURVEY IS PREPARED FOR THE SOLE AND EXCLUSIVE USE OF THE PARTIES AS SURVEYED FOR AND AS CERTIFIED TO AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL.
- 3) ELEVATIONS SHOWN HEREON ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988.
- 4) BENCHMARK- CITY OF FT. LAUDERDALE BRASS DISC IN SIDEWALK AT SOUTHWEST CORNER OF BRIDGE OVER SOUTHEAST 10TH STREET @ CORDOVA RD ELEVATION=4.28 (NAVD88)
- 5) ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.



THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY STEPHEN K SEELEY ON THE DATE ADJACENT TO THE SEAL. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

REVISION	DATE	BY	SKETCH OF BOUNDARY SURVEY			STEPHEN K. SEELEY, FOR THE FIRM PROFESSIONAL SURVEYOR & MAPPER FLORIDA REGISTRATION NO. 4574	<b>GIBBS</b> LAND SURVEYORS
ADD SEAWALL	06-11-21	CM	JOB #:RN9094	DATE: 08-05-20	DRAWN BY:CM		
			SCALE: 1"=20'	SHEET	CHECKED BY: SKS		
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER							

**EXHIBIT VII  
'EXHIBIT A'**



### LEGEND

- SUBJECT SITE (0.51 AC)
- EXISTING SHEET PILE SEAWALL TO REMAIN (±156.1 LN. FT.)

M.H.W. = 0.32' NAVD88 M.L.W. = (-)2.10' NAVD88  
 NOTE: SURVEY INFORMATION PROVIDED BY STEPHEN K. SEELEY. ELEVATIONS SHOWN AS NAVD88.

THIS DRAWING AND ALL APPURTENANT MATTER CONTAINS INFORMATION PROPRIETARY TO THE CHAPPELL GROUP, INC. AND IS LOANED SUBJECT TO RETURN UPON DEMAND AND MUST NOT BE REPRODUCED, COPIED, LOANED, REVEALED, NOR LISTED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS SPECIFICALLY FURNISHED WITHOUT EXPRESSED WRITTEN CONSENT OF THE CHAPPELL GROUP, INC.  
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**THE Chappell GROUP INC.**  
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 Pompano Beach, Florida 33060  
 tel. 954.782.1908  
 fax. 954.782.1108  
[www.thechappellgroup.com](http://www.thechappellgroup.com)

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

**805 CORDOVA ROAD**  
 PREPARED FOR:  
**TOM KRIPS CONSTRUCTION, INC.**

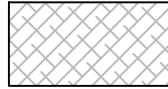
EXHIBIT A		
Date: 10/11/2021	Sheet : <b>1</b>	of : <b>1</b>
Proj No.: 21-0067		

## **EXHIBIT VIII STANDARD LANDSCAPE PLAN**

## LEGEND



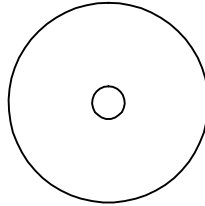
**ST. AUGUSTINE SOD,  
TIGHT SEAMS, FULL COVERAGE**



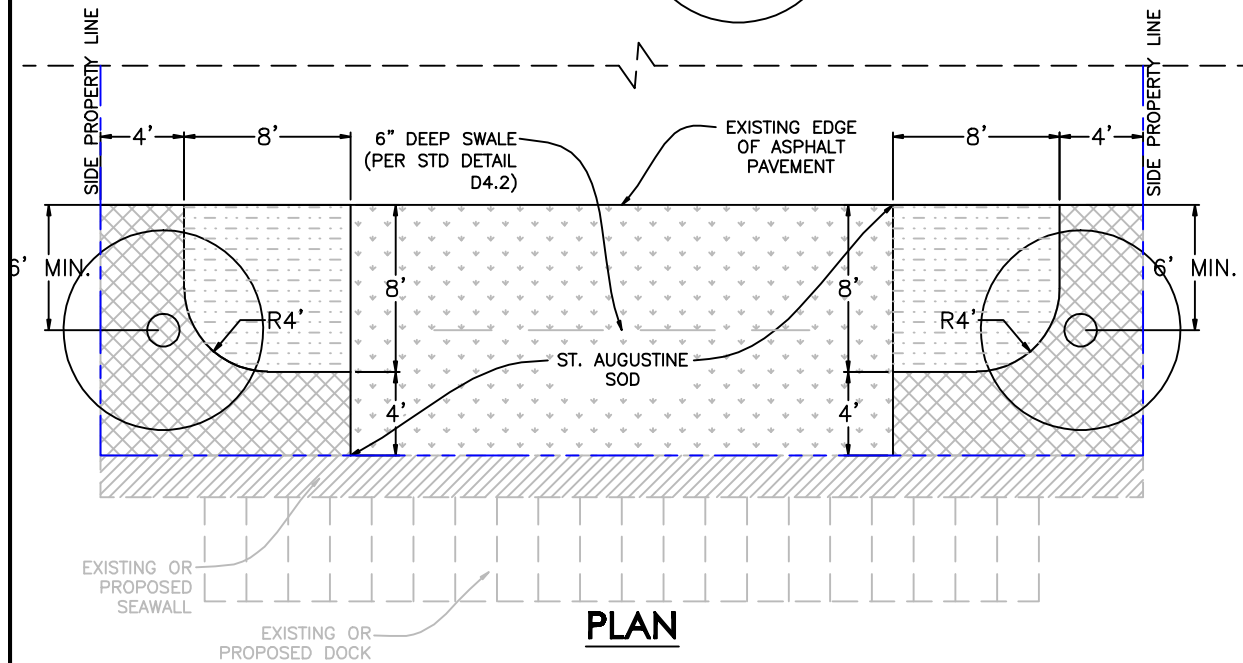
**MUHLY GRASS:  
18" - 24" TALL  
18" - 24" ON CENTER**



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



**12' SILVER BUTTONWOOD 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**

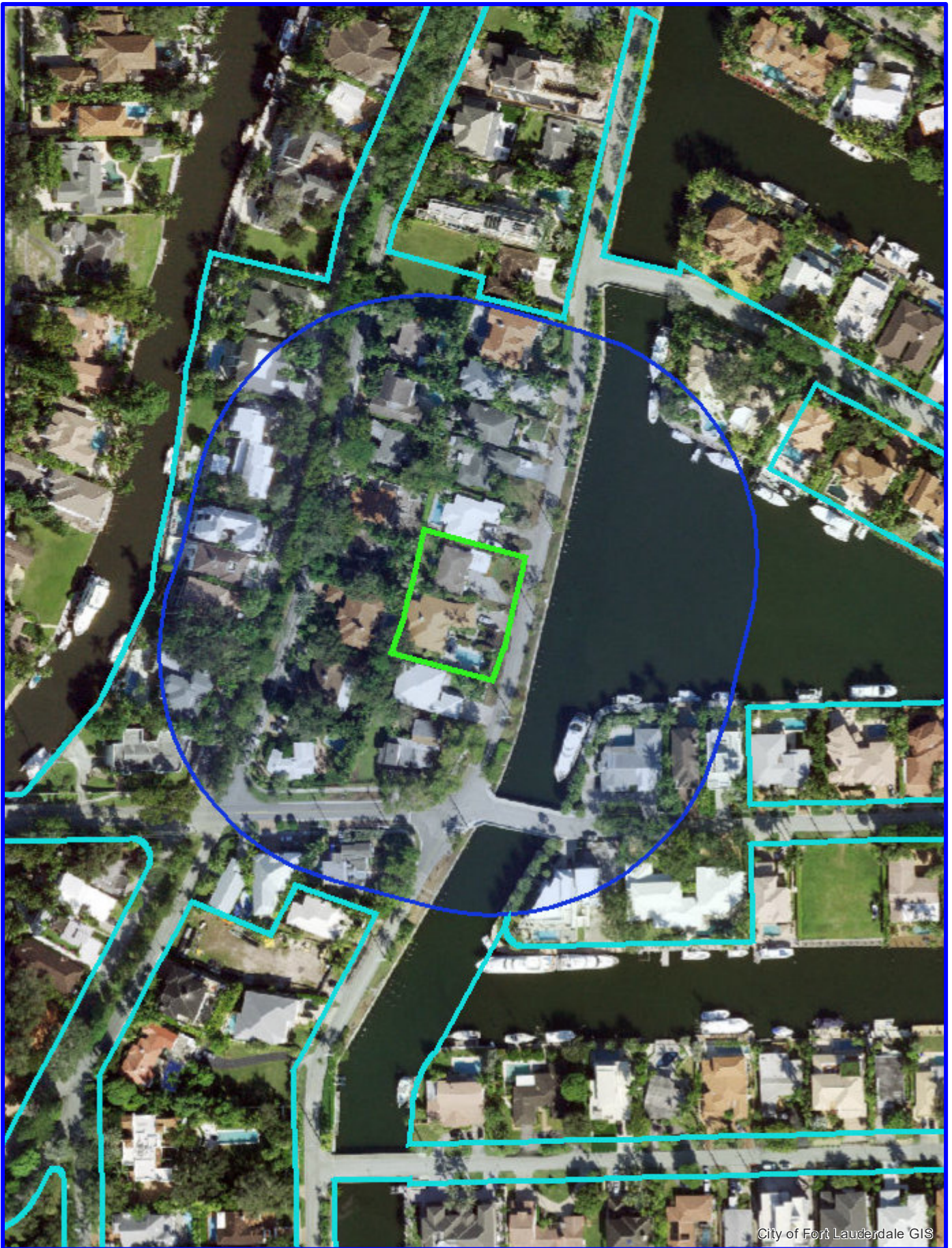
**REVISED:**

**URBAN DESIGN & PLANNING  
ENGINEERING DIVISION**

**LANDSCAPING PLAN (ROW)**

**SCALE:  
1"=10'**

## **EXHIBIT IX ZONING AERIAL**



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

805 Cordova Road



0 90 180 Feet

**GIS**  
Fort Lauderdale

## **EXHIBIT X SITE PHOTOGRAPHS**



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

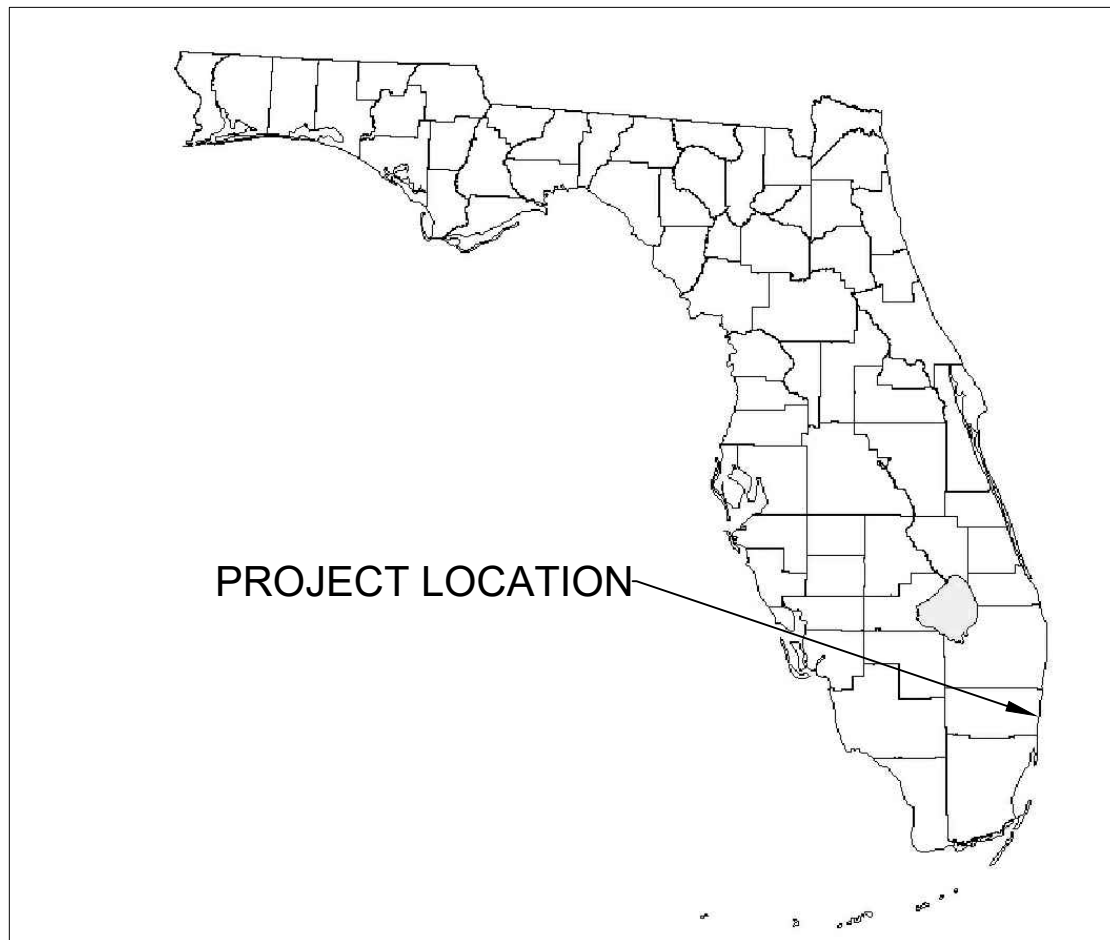


**2. Southern portion of the subject site, facing north along the Rio Cordova.**

## **EXHIBIT XI PROJECT PLANS**

# 805 CORDOVA ROAD

## PLAN SET



LOCATION MAP (N.T.S.)

### DRAWING INDEX

SHEET 1: COVER

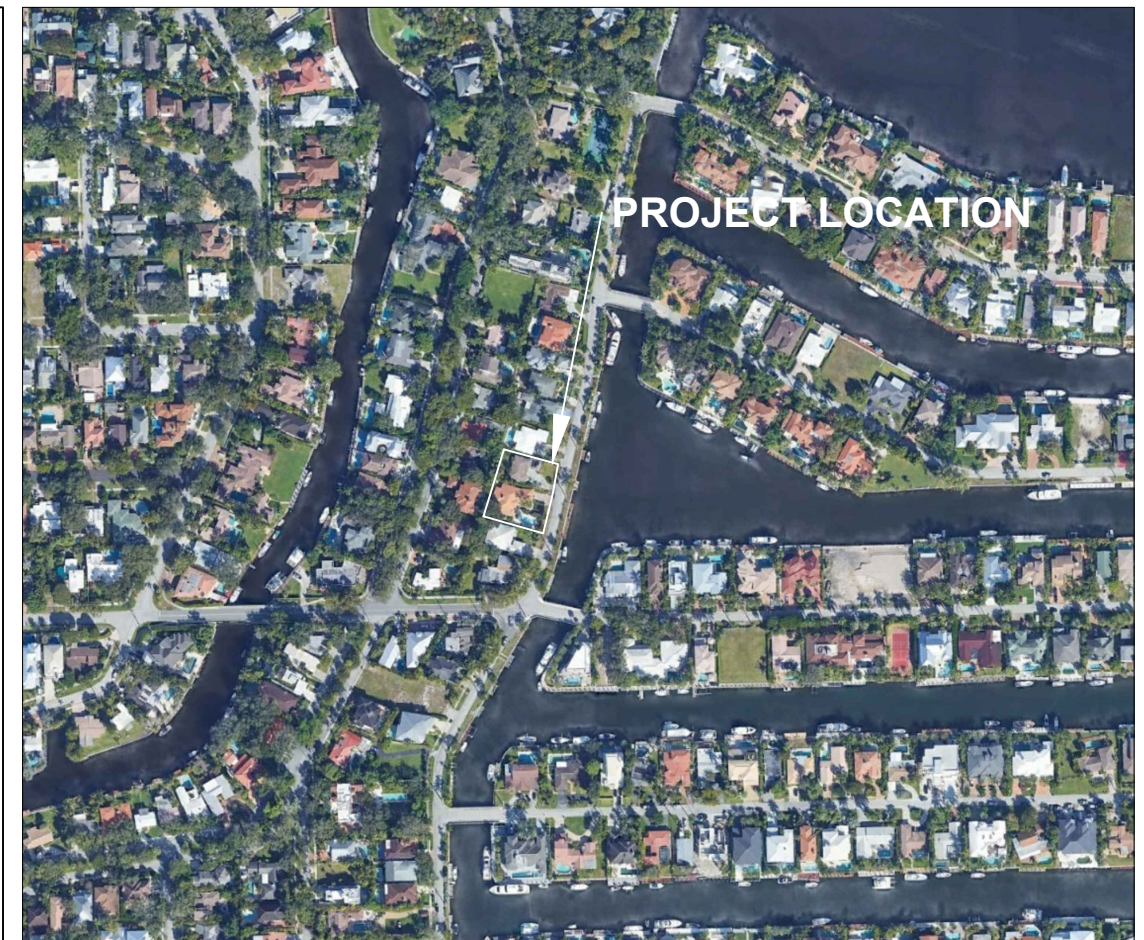
SHEET 2: EXISTING  
CONDITIONS

SHEET 3: PROPOSED  
CONDITIONS

SHEET 4: SECTION A

SHEET 5: SECTION B

SHEET 6: DETAILS



VICINITY AERIAL (N.T.S.)

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tel. 954.782.1908  
fax. 954.782.1108  
[www.thechappellgroup.com](http://www.thechappellgroup.com)

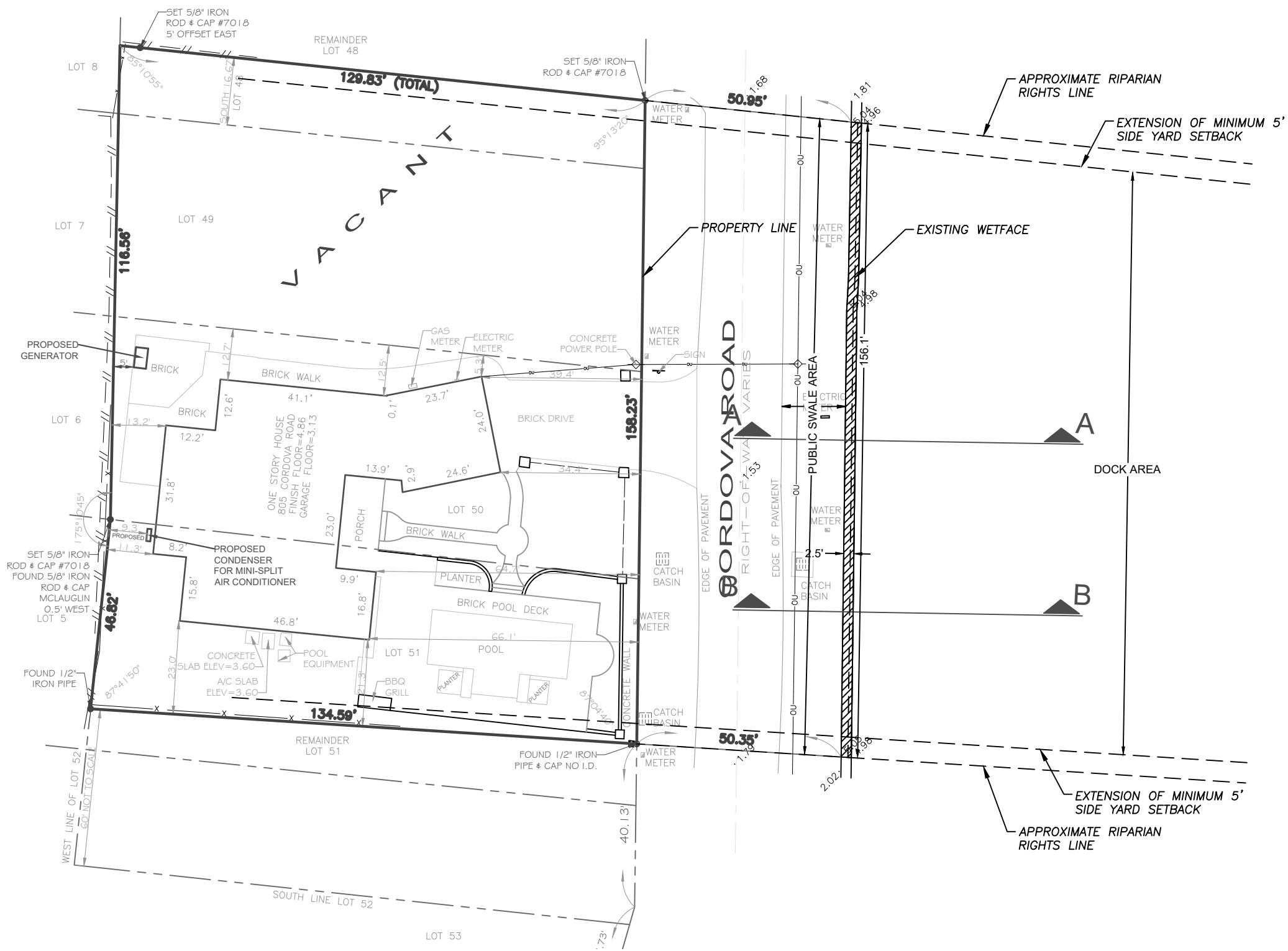
- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Tree Surveys/Appraisals

805 CORDOVA ROAD

PREPARED FOR:  
TOM KRIPS CONSTRUCTION, INC.

COVER

Date: 10/11/2021	Sheet : <b>1</b>	of : <b>6</b>
Proj No.: 21-0067		



**LEGEND**

- SUBJECT SITE (0.51 AC)
- EXISTING SHEET PILE SEAWALL TO REMAIN (±156.1 LN. FT.)

M.H.W. = 0.32' NAVD88 M.L.W. = (-)2.10' NAVD88  
 NOTE: SURVEY INFORMATION PROVIDED BY STEPHEN K. SEELEY. ELEVATIONS SHOWN AS NAVD88.

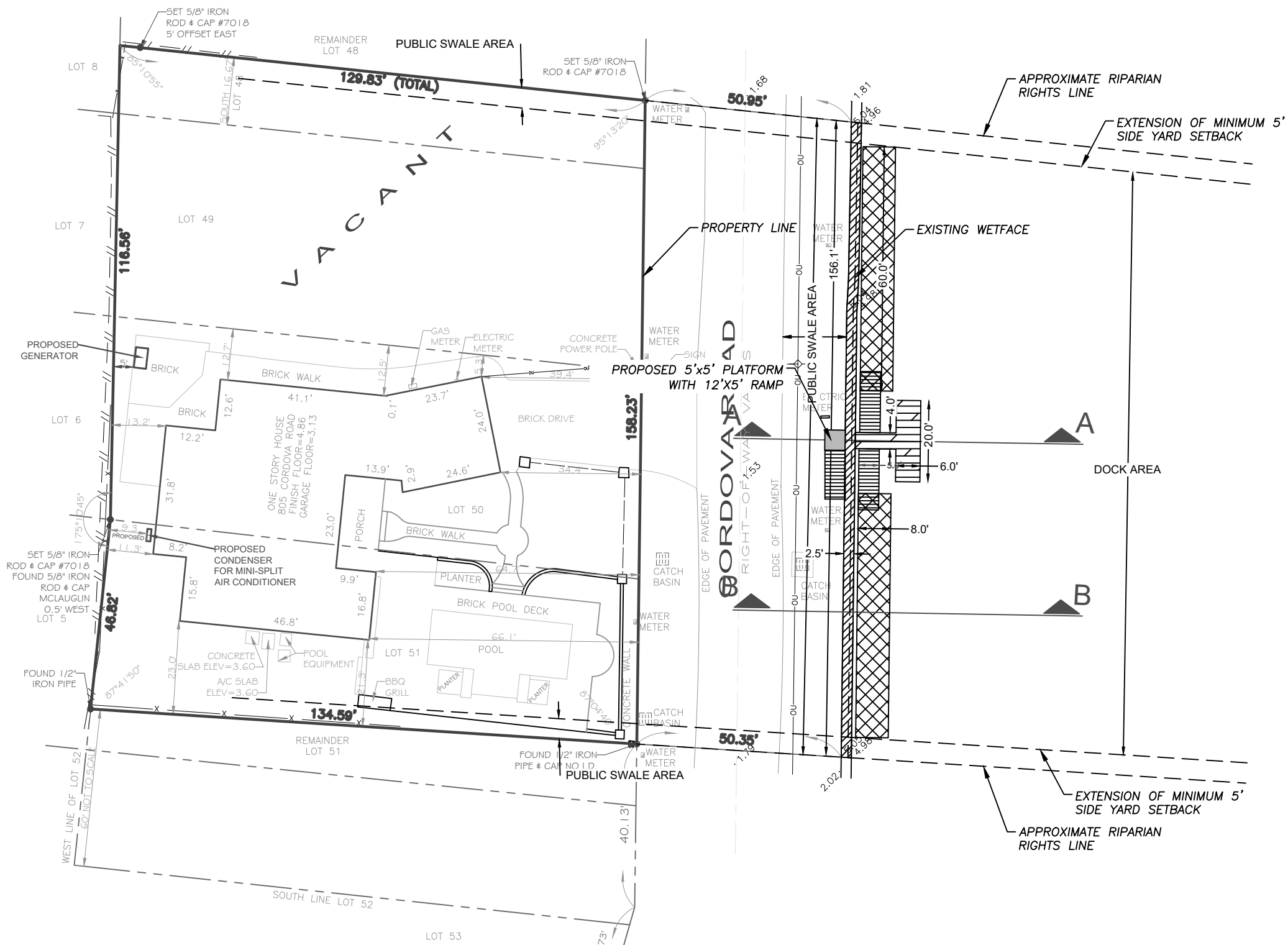
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



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**805 CORDOVA ROAD**  
 PREPARED FOR:  
**TOM KRIPS CONSTRUCTION, INC.**

EXISTING CONDITIONS		
Date: 10/11/2021	Sheet : <b>2</b>	of : <b>6</b>
Proj No.: 21-0067		



**LEGEND**

-  SUBJECT SITE (0.51 AC)
-  EXISTING SHEET PILE SEAWALL TO REMAIN (±156.1 LN. FT.)
-  PROPOSED COMPOSITE FIXED DOCK W/ 1/2 INCH SPACED DECK BOARDS (±160 SQ. FT.)
-  PROPOSED FLOATING DOCKS (±960 SQ. FT.)
-  PROPOSED RAMPS (±150 SQ. FT.)

M.H.W. = 0.32' NAVD88 M.L.W. = (-)2.10' NAVD88  
 NOTE: SURVEY INFORMATION PROVIDED BY STEPHEN K. SEELEY. ELEVATIONS SHOWN AS NAVD88.

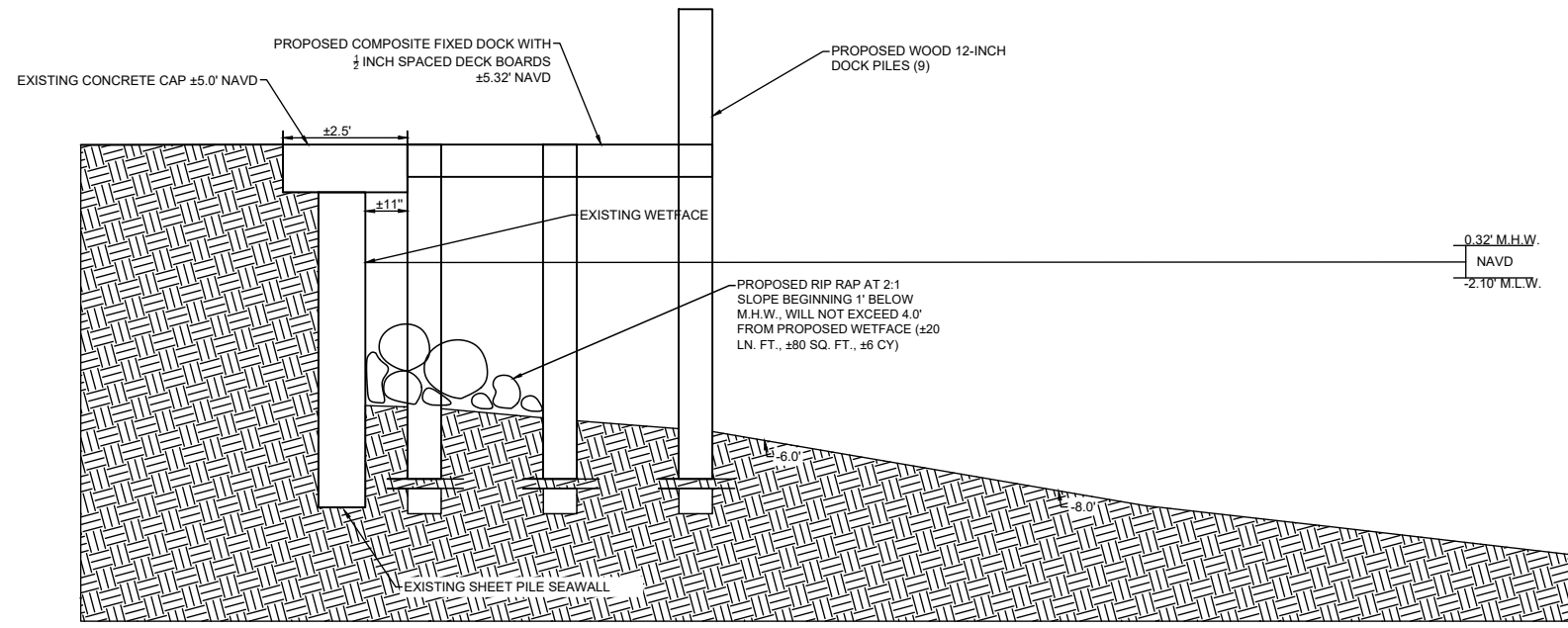
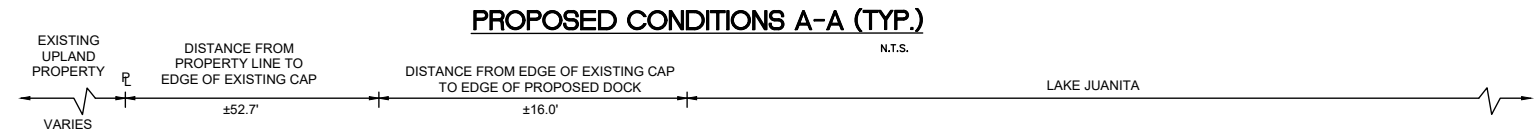
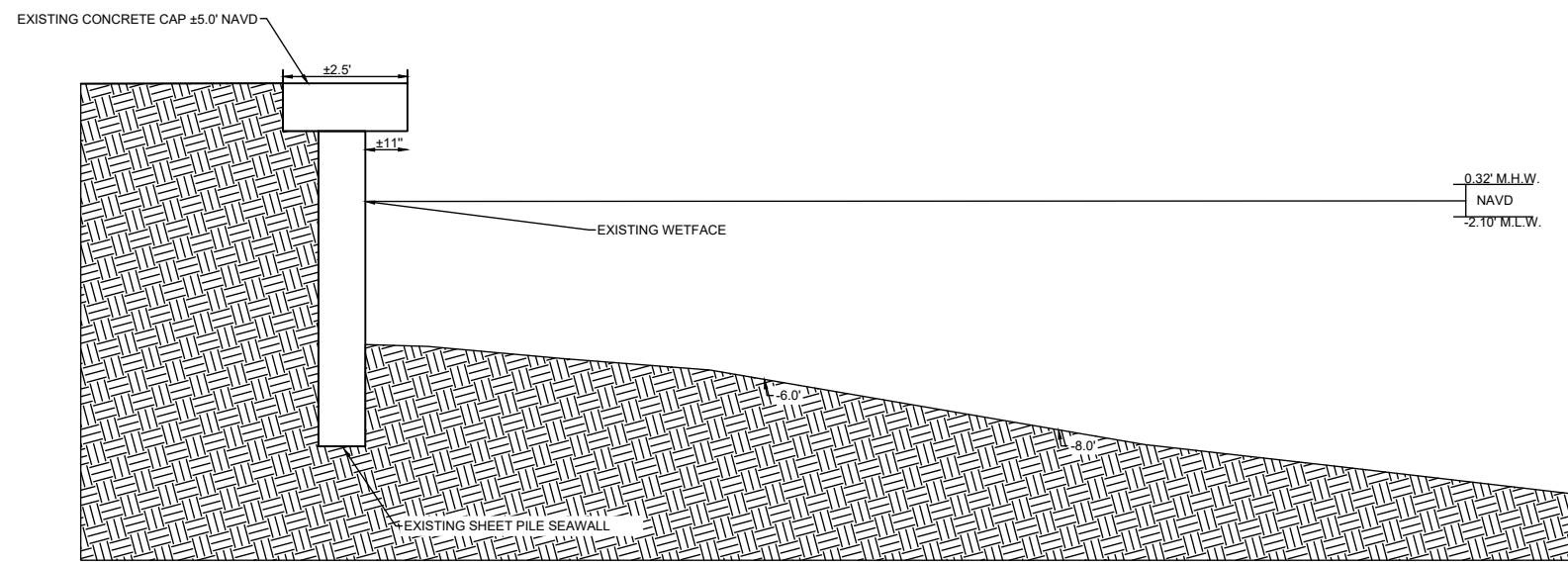
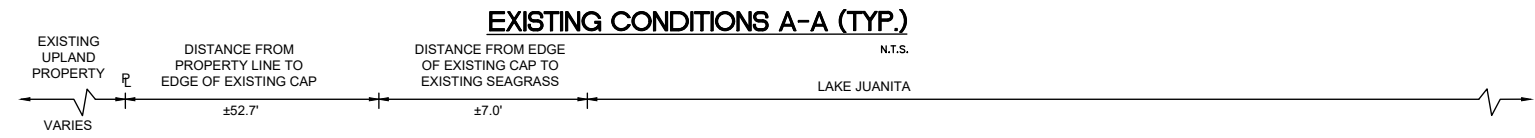
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PROPOSED CONDITIONS		
Date: 10/11/2021	Sheet : <b>3</b>	of : <b>6</b>
Proj No.: 21-0067		



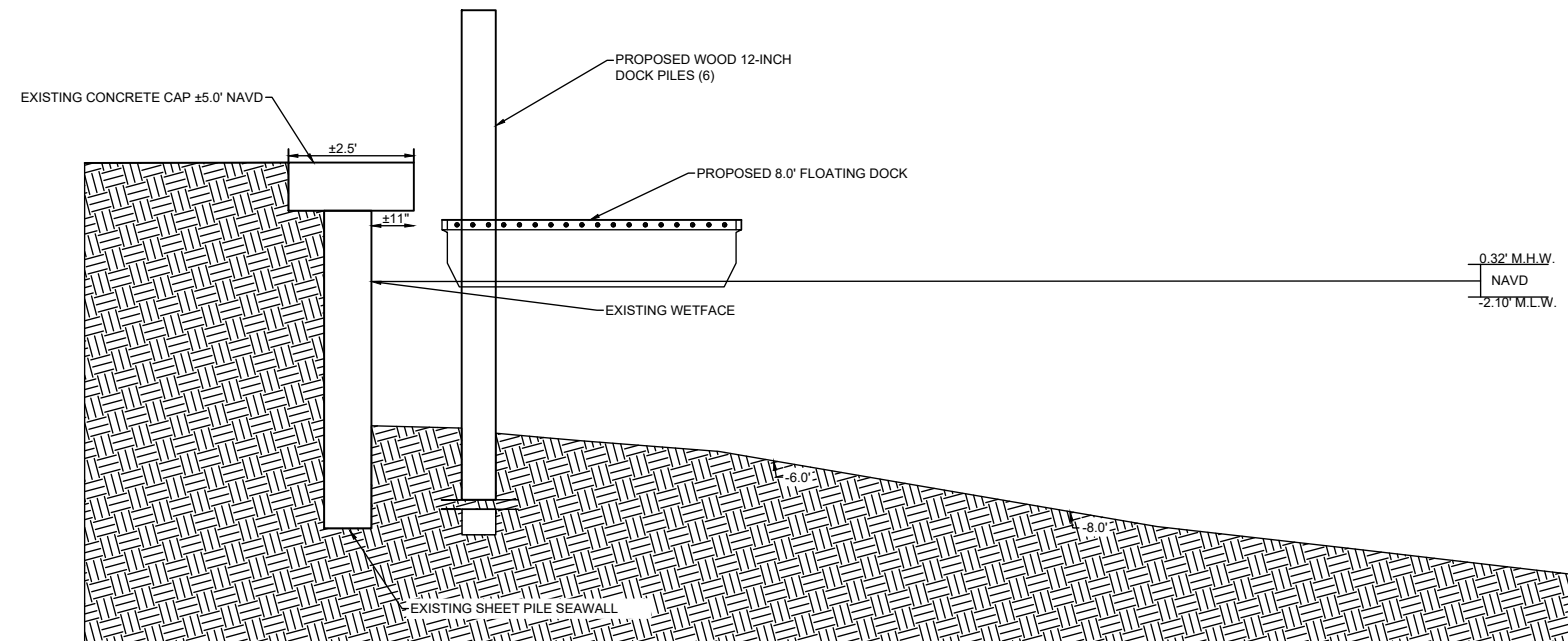
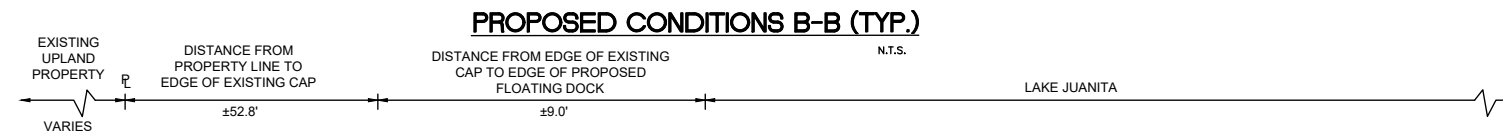
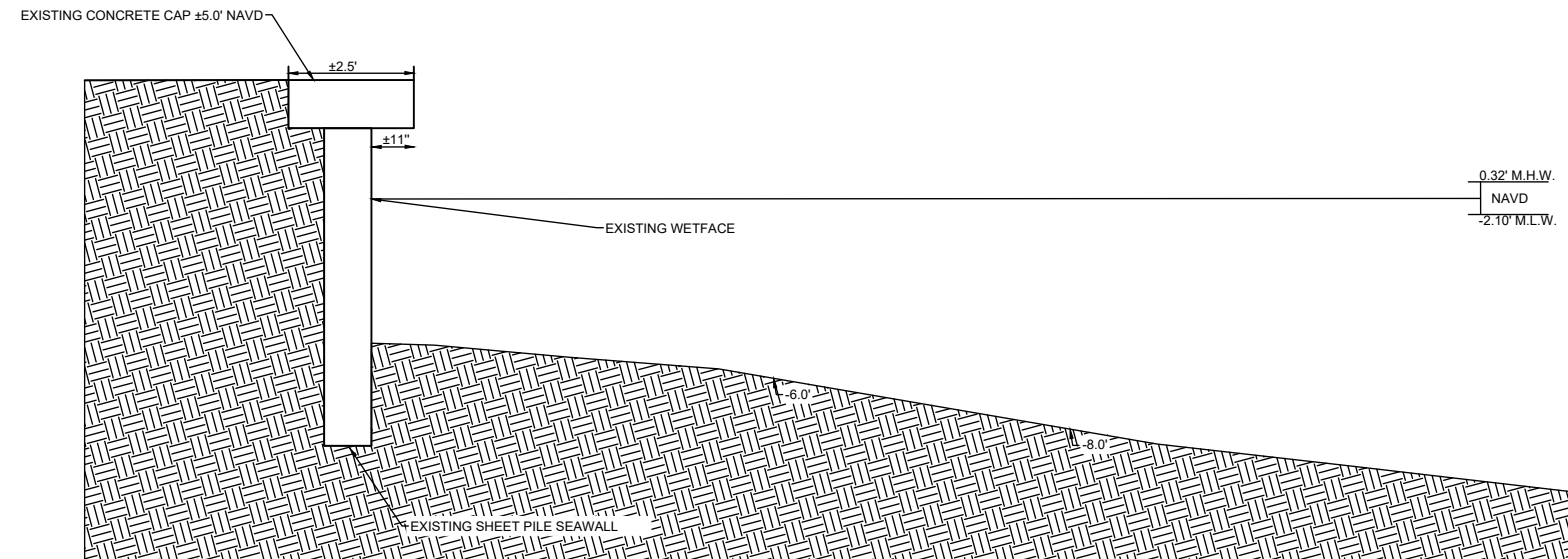
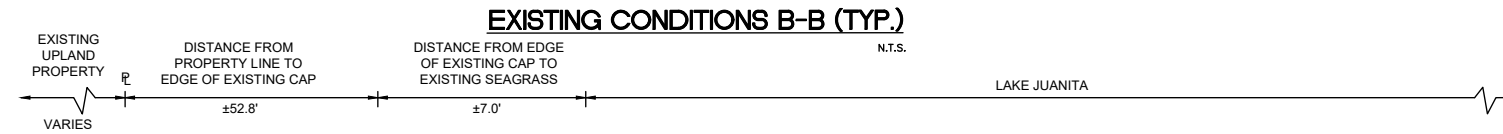
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**805 CORDOVA ROAD**  
 PREPARED FOR:  
**TOM KRIPS CONSTRUCTION, INC.**

SECTION A		
Date: 10/7/2021	Sheet : <b>4</b>	of : <b>6</b>
Proj No.: 21-0067		



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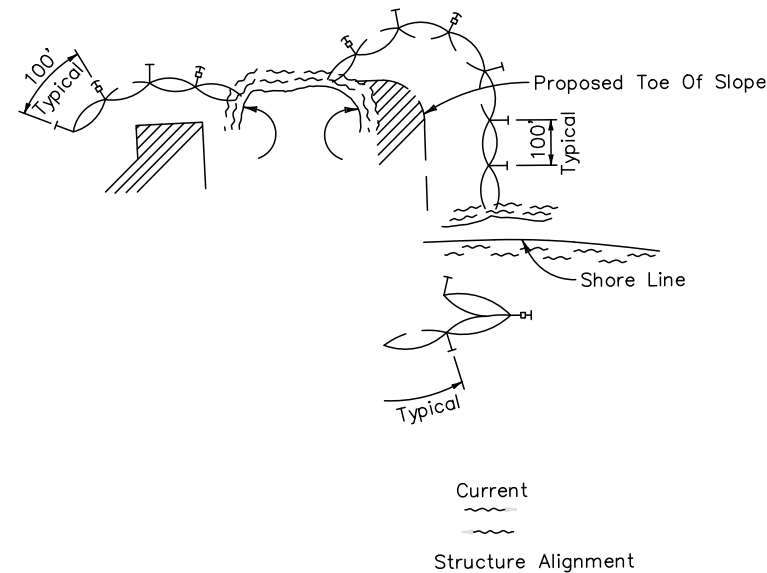
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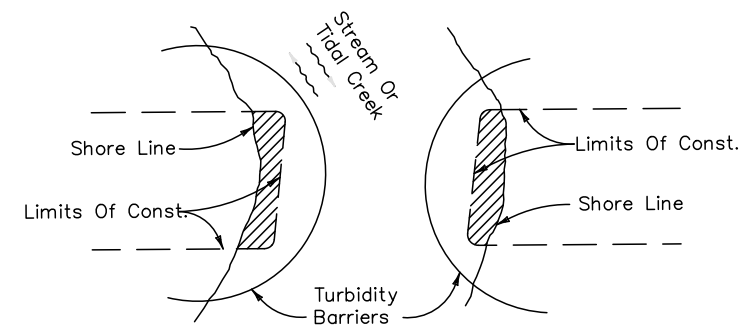
**805 CORDOVA ROAD**  
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SECTION B		
Date: 10/7/2021	Sheet :	of :
Proj No.: 21-0067	<b>5</b>	<b>6</b>

## CONSTRUCTION BARGE (TYP.)



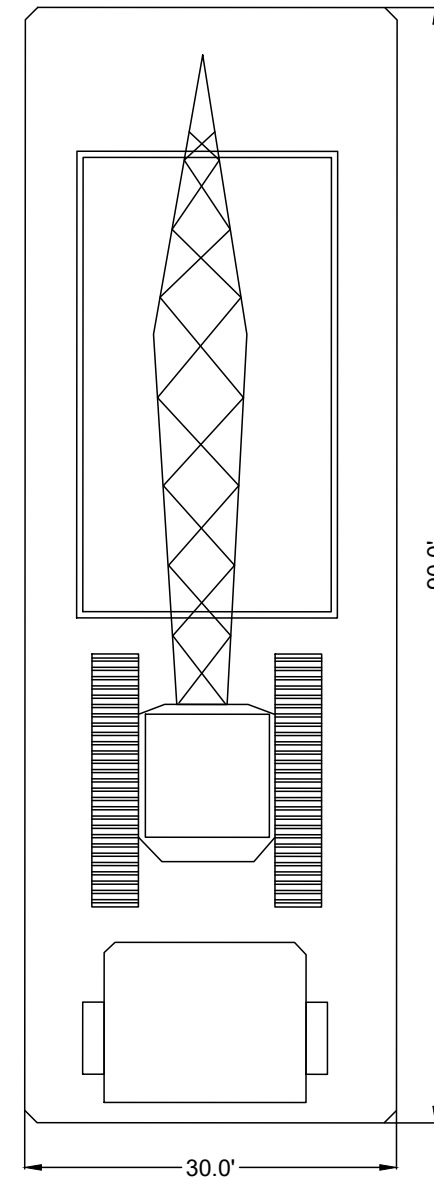
- LEGEND**
- Pile Locations
  - ▨ Dredge Or Fill Area
  - Mooring Buoy w/Anchor
  - Anchor
  - Barrier Movement Due To Current Action



**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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**805 CORDOVA ROAD**  
PREPARED FOR:  
**TOM KRIPS CONSTRUCTION, INC.**

#### DETAILS

Date: 7/23/2021	Sheet : <b>6</b>	of : <b>6</b>	
Proj No.: 21-0067			

**EXHIBIT XII  
EXISTING DOCK PERMITS IN THE VICINTY**

## EXISTING DOCK PERMITS 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 <sup>th</sup> Terrace	2021
116 SE 11 <sup>th</sup> Ave	2019
1516 Ponce De Leon Drive	2021
1700 Brickell Drive	2019
<b>Subject Site</b>	<b>Requested Nov 2021</b>

**EXHIBIT XIII  
LETTERS OF SUPPORT**

**LETTERS OF SUPPORT**



ADDRESS	OWNER
721 Cordova Rd	Edward & Elizabeth Bohne
811 Cordova Rd	Sattee Qualified Personal Res Tr
901 Cordova Rd	Matthew Friedman

October 11, 2021

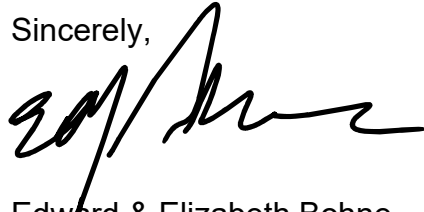
Michael & Carolyn Redmond  
805 Cordova Road  
Fort Lauderdale, FL 33316

RE: 805 Cordova Road  
City of Fort Lauderdale Dock Permit

Dear Mr. Michael Redmond & Mrs. Carolyn Redmond,

I have reviewed the attached plans (Attachment A), for the proposed project to install a wood "T"-shaped dock, riprap, two (2) access ramps, and two (2) floating docks. I understand that the proposed project will require a dock permit through the City of Fort Lauderdale for the Private Use of a Public Property Abutting Waterways along with permitting through the regulatory agencies. I reside at 721 Cordova Rd, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward & Elizabeth Bohne". The signature is stylized and cursive, with a large initial "E" and "B".

Edward & Elizabeth Bohne  
721 Cordova Road  
Fort Lauderdale, FL 33316

October 11, 2021

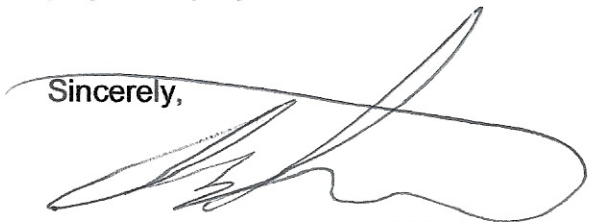
Michael & Carolyn Redmond  
805 Cordova Road  
Fort Lauderdale, FL 33316

RE: 805 Cordova Road  
City of Fort Lauderdale Dock Permit

Dear Mr. Michael Redmond & Mrs. Carolyn Redmond,

I have reviewed the attached plans (Attachment A), for the proposed project to install a wood "T"-shaped dock, riprap, two (2) access ramps, and two (2) floating docks. I understand that the proposed project will require a dock permit through the City of Fort Lauderdale for the Private Use of a Public Property Abutting Waterways along with permitting through the regulatory agencies. I reside at 811 Cordova Rd, and support the project as proposed.

Sincerely,



*Andrew M SATTLE, TR*  
Sattler Qualified Personal Res Tr  
811 Cordova Road  
Fort Lauderdale, FL 33316

October 14, 2021

Michael & Carolyn Redmond  
805 Cordova Road  
Fort Lauderdale, FL 33316

RE: 805 Cordova Road  
City of Fort Lauderdale Dock Permit

Dear Mr. Michael Redmond & Mrs. Carolyn Redmond,

I have reviewed the attached plans (Attachment A), for the proposed project to install a wood "T"-shaped dock, riprap, two (2) access ramps, and two (2) floating docks. I understand that the proposed project will require a dock permit through the City of Fort Lauderdale for the Private Use of a Public Property Abutting Waterways along with permitting through the regulatory agencies. I reside at 901 Cordova Rd, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Friedman", written in a cursive style.

Matthew Friedman  
901 Cordova Road  
Fort Lauderdale, FL 33316

Sec. 8-144. - Private use of public property abutting waterways.

The city commission, by resolution duly adopted, may grant a dock permit for the use by private persons of certain public property abutting or touching a waterway, including some public property described in section 8-143 as set forth herein, except: (i) areas being utilized as municipal docks for which docking fees are being charged and collected and those areas under license by the city; (ii) street ends as more particularly defined herein; (iii) city parks; (iv) subject to certain conditions set forth in subsection (17) hereof. Upland parcels with property lines that abut or are contiguous to a navigable waterway independent of that described in section 8-143(a), and (v), certain upland parcels falling within the ambit of the Florida Supreme Court case of *Burkart v. City of Fort Lauderdale*, 168 So. 2d 65 (Fla. 1964) and more particularly defined below in subsection (18) hereof, said dock permits may be granted under the following conditions and restrictions, to-wit:

- (1) Application for a dock permit under this section shall be accompanied by an administrative fee, the amount of which shall be reflective of the cost of administering the application, review and adoption of resolution granting a permit for the use by private persons of public property abutting or touching a waterway and shall be established from time to time by the city commission by duly adopted resolution. As to upland parcels, the application shall also be accompanied by a survey of the upland parcel and adjacent waterway qualifying for the dock permit with the side property lines and side yard setback lines extended into the abutting waterway. The application shall further be accompanied by a sketch and description illustrating the specific location and dimensions of the dock area and public swale area, as more particularly defined below, to be reviewed and recommended for approval to the city commission. An application for a dock permit may be filed by contract vendee prior to obtaining fee simple title to the upland parcel, provided, however, the granting of a dock permit will not be effective until such time as the conveyance of fee simple title of the upland parcel to the applicant has been recorded in the Public Records of Broward County, Florida.
  - (a) Ten (10) days prior to adoption of the resolution granting a dock permit, the applicant shall: (i) execute a covenant running with the land, in a form and content acceptable to the city attorney, binding the obligation of maintenance, repair, and reconstruction and timely removal of the dock and appurtenant seawall to the applicant/permit holder and qualifying upland parcel and providing for a claim of lien to be recorded against the qualifying upland parcel for costs expended by the city in maintaining, repairing, or reconstructing the permitted dock upon the failure permit holder's obligations relative thereto and removal of the permitted dock upon failure of the dock permit holder to remove the dock within the time specified in subsection 4(c) hereof, which such covenant shall be recorded by the city in the Public Records of Broward County, Florida, at the permit holder's

expense. In the event a claim of lien is recorded against the upland parcel and the city is thereafter reimbursed for the costs underlying the claim of lien, the city shall record a release, discharge or satisfaction of the claim of lien. In the event the dock and all appurtenances are timely removed, the covenant running with the land shall be released and discharged by the city, executed by the city manager or deputy city manager and such release or discharge shall be recorded by the city in the Public Records of Broward County, Florida, at the expense of the permit holder.

- (2) The dock permit granted herein shall not be effective until such time as: (i) a certified copy of the resolution granting the dock permit has been recorded in the Public Records of Broward County, Florida by the city at the expense of the applicant/permit holder; (ii) together with a recorded copy of the covenant running with the land as referenced in subsection 1(a) above; and (iii) a copy of the recorded resolution and covenant running with the land is filed with the city's office of marine facilities. In order to optimize and preserve the existing character of the surrounding neighborhood, applicants for a permit under this section are limited to owners of upland parcels as hereinafter defined.
  - (a) An "upland parcel" is a parcel of land that by extending the side property lines thereof to perpendicularly intersect with the boundary lines of the adjacent waterway defined in section 8-143, where the upland parcel lies directly across the street from the public property abutting or touching a waterway identified in city code section 8-143, for which one may qualify for applying for a dock permit ("Public Dock Permit Parcel"). To qualify as an upland parcel, a principal building must be situated thereon. The owner(s) of the upland parcel, including contract vendees thereof, shall be the only person(s) eligible to apply for a dock permit for the public dock permit parcel across the street from the upland parcel.
  - (b) For a public dock permit parcel for an upland parcel where there is a curvature to the boundaries of the waterway, the office of marine facilities shall make recommendations to the marine advisory board with respect to criteria: (i) the length of the dock; (ii) the size and dimensions of the envelope within which a vessel may be berthed; (iii) dock area and public swale area as defined below. In its review, the marine advisory board shall make recommendations to the city commission as to: (i), (ii) and (iii) above, as well as other relevant terms and conditions. Applicants for a dock permit under this subsection 2(b) shall be limited to owners of upland parcels for which side property lines intersect in a non-perpendicular manner with the boundary lines of the adjacent waterway as defined in section 8-143.
- (3) To allow the general public's access to the waterway abutting the public dock permit

parcel, the permitted length of a marginal permitted dock shall not exceed the width of the corresponding upland parcel as measured from the extension into the waterway of the side yard setbacks for the principal building on the upland parcel. The permitted length of a marginal permitted dock under subsection 2(b) above shall be determined by the city commission upon review of the marine advisory board recommendations. No vessel may be berthed in such a manner that it encroaches into the area proscribed under section 47-19.3(h). The permitted berthing envelope for a vessel shall be determined by the city commission upon review of the marine advisory board recommendations for public dock permit parcels described in subsection 2(b) above. The berthing of a vessel in such a manner that encroaches into the area proscribed under section 47-19.3(h) or exceeds the permitted berthing envelope as determined by the city commission for public dock permit parcels described in section 2(b) hereof shall be unlawful and a violation of this Code as set forth in section 1-6.

- (4) (a) 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 section 47-19.3(f). "Boat slips, docks, boat davits, hoists and similar mooring structures" of the city's Unified Land Development Code and other relevant terms and conditions imposed by the resolution granting the dock permit. Permit holder shall also be required, during the term of the dock permit, to post and maintain a city-issued sign on the dock indicating the Resolution No. that authorized the permit to use the dock.
- (b) The permit to use the dock 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, subject to survivability of the obligation to remove the dock pursuant to subsection 4(c) below and the obligations within the covenant running with the land as set forth in subsection 1(a) hereof.
- (c) Except as set forth in subsection 4(e)(d) below, 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. This provision shall be a continuing obligation that survives expiration of the permit to use the dock.
- (d) In the event a dock permit is granted to a successor applicant for the same public dock permit parcel within the time proscribed in subsection 4(d) hereof, the obligation to remove the dock and all appurtenances thereto shall be discharged as to the former permit holder and a release and discharge of the covenant

running with the upland parcel shall be executed by the city manager or deputy city manager and recorded by the city in the Public Records of Broward County, Florida at the expense of the permit holder.

- (e) The dock permit granted may be revoked by the city commission for good cause shown upon at least ninety (90) days advance notice to the permit holder and an opportunity for the permit holder to be heard.
- (5) All improvements such as docks, seawalls and the like which are made or placed upon the public 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 regulatory authorities having subject matter jurisdiction regarding such matters. All maintenance and repairs shall be performed according to city engineering standards and all applicable regulatory codes including the city's Unified Land Development Code regulations, Florida Building Code and Broward County Amendments thereto.
- (6) All docks installed pursuant to this section 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 elevation 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. Penetrating the city seawall to support the dock or permanently attaching improvements, such as cleats, ladders, ramps, mooring whips or similar devices to the city's seawall is prohibited, unless: (a) specifically recommended pursuant to the dock building permit review process; or (b) where the seawall and dock are being constructed by the dock permit holder; or (c) upon demonstration of hardship, as it relates to accommodations under the Americans with Disability Act, as same may be amended from time to time and as authorized in the resolution granting the dock permit.
- (7) The holder of the permit shall be responsible for maintaining improvements within the dock area, as hereinafter defined and for maintaining and beautifying the public swale area, as hereinafter defined. The public swale area shall be landscaped in accordance with: (i) the established landscape plan for the area in question adopted by the department of sustainable development; or (ii) a landscape plan approved by the department of sustainable development and embodied in the resolution adopted by the city commission granting the permit under this section. Failure to do so shall be grounds for revocation of the permit.
  - (a) For the purposes of this section, the term "dock area" shall mean that area bounded by: (i) the upland cap of the seawall abutting the dock; and (ii) extending over the water the length and width of the dock; and (iii) including the area within which the vessel may be berthed and all appurtenances to the dock area. The length of the dock shall not exceed: (1) the distance between the extension into the waterway of the two (2) side yard setbacks for the principal building on the

corresponding upland parcel; nor (2) the boundaries of the dock as set by the city commission pursuant to subsection 2(b) above, whichever (1) or (2) above is applicable.

- (b) For the purposes of this section, the term "public swale area" shall be the area: (1) within the waterward extension of the side property lines of the upland parcel from the edge of the adjacent publicly dedicated right-of-way closest to the waterway to the wet-faced edge of the seawall cap, excluding therefrom the dock; or (2) the boundaries of the dock as set by the city commission pursuant to subsection 2(b) above, whichever (1) or (2) above is applicable.
- (8) Parking in the public swale area, where allowed, is intended to be temporary in nature. Overnight or long-term parking by persons associated with upland property owners under subsection 2(a) or (b) hereof both with and without a dock permit is discouraged. There shall be no fueling of vessels from tank trucks along the adjacent publicly dedicated right-of-way.
- (9) The holder of such dock permit shall not charge or collect any rent or fees from anyone using such dock constructed on the public dock permit parcel. Signage such as "private dock" may be placed on the dock within the dock area. No signage shall be placed upon or within the public swale area. Only vessels owned by the permit holder and registered with the city as part of the dock permit application or amended thereafter may be moored at the permitted dock. Except as to a tender, there shall be no rafting of vessels from the vessel moored at the permitted dock. The berthing of a vessel at a public dock permit parcel that is not authorized pursuant to the city commission granting a dock permit ("Unauthorized Vessel") shall be unlawful and a violation of the Code pursuant to section 1-6.
- (10) A permit granted to a permit holder to construct a dock or authorization to use an existing dock upon the public dock permit parcel and the acceptance and use of same by the permit holder shall constitute a 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.
- (11) 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.
- (12) The violation of any provisions of this section or any regulations relating thereto hereinafter enacted or violations of any of the terms or conditions relative to the granting or renewal of a dock permit shall be unlawful and a violation of this Code pursuant to section 1-6 and may also constitute cause for revocation of the permit.
- (13) The resolution granting the permit or the administrative approval of the permit for a renewal term may specify additional reasonable terms and conditions pertaining to the

use or improvement of the public dock permit parcel.

- (14) Only public lands which are not needed by the city for public docking purposes are available for private use under the terms hereof, and the supervisor of marine facilities shall furnish to the city manager a complete list of all street-ends and other city-owned property abutting waterways which is not needed for dockage purposes from time to time, provided, however, no dock permits shall be issued under subsection (15), (16), (17), and (18), except in compliance with the terms and conditions thereof.
- (15) No dock permits shall be issued for public dock permit parcels where the public right-of-way terminates at the waterway (e.g. "street ends"). For dock permits that were issued for street-ends prior to June 1, 2019, those dock permits shall continue to remain valid, until expiration of their initial term, and, upon renewal such dock permit shall be subject to the terms and conditions set forth in any renewal permits and this section, other than the prohibition against issuance of dock permits for street-ends.
- (16) To preserve the general public's right to intermittently use and have access to city parks located on waterways, no dock permits shall be issued for parcels where the public right-of-way is located within city-owned land that is used for park purposes. For dock permits that were issued for city-owned land that was used for park purposes at the time of issuance, those dock permits shall continue to remain valid, until expiration of their initial term, and, upon renewal such dock permit shall be subject to the terms and conditions set forth in any renewal permits and in this section, other than the prohibition against issuance of dock permits along public rights-of-way within city-owned lands used for park purposes.
- (17) Other than upland parcels referenced in subsection (18) below, subject to exceptions hereinafter set forth, no dock permits shall be issued for upland parcels that abut and are contiguous to a waterway and have riparian rights relative thereto after July 1, 2025 or after such date that the city raises the seawall with municipal funds, whichever is first. For dock permits that were issued prior to June 1, 2019 for upland parcels that abutted and are contiguous to a waterway and to which riparian rights have attached thereto, those dock permits shall continue to remain valid until expiration of their initial term, and, upon renewal such dock permit shall be subject to the terms and conditions set forth in any renewal permits and this section, other than the prohibition against issuance of dock permits for upland parcels that abut a waterway and have riparian rights. Any permits for these upland parcels issued after June 1, 2019 will require the raising of the seawall by the applicant to the current elevation standard as a condition of the dock permit.
- (18) In accordance with the Florida Supreme Court holding in *Burkart v. City of Fort Lauderdale*, 168 So. 2d 65 (Fla. 1964), dock permits shall not be required for the following lots and blocks set forth on the Plat of IDLEWYLD, as recorded in Plat Book 1,

Page 19 of the Public Records of Broward County, Florida: Lots 1—5 and 11—12 Block 1; Lots 1—6 Blocks 2, 3, 4, 5, 6, and 8; Lots 1-7, Block 8: and Lots 1—3 and 27—32, Block 12 thereof.

(Code 1953, § 11-12; Ord. No. C-68-23, § 2, 6-4-68; Ord. No. C-87-95, § 1, 11-17-87; Ord. No. C-17-28, § 20, 9-13-17; Ord. No. C-19-22, § 1, 10-2-19)

# ITEM VIII

## MEMORANDUM MF NO. 21-29

DATE: October 18, 2021

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: November 4, 2021 MAB Meeting – Application for Dock Permit – Jeffrey Cantor & Myrna Roberts / 1532 Ponce De Leon Drive

Attached for your review is an application from Jeffrey Cantor & Myrna Roberts / 1532 Ponce De Leon Drive (see **Exhibit 1**).

### APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for the installation of a 65' long x 7' wood marginal dock, 30' long x 8' floating dock, associated dock access ramp, and an access platform and ramp (within swale). The dock will extend a maximum distance of +/- 16.5' from the wet face of the seawall on public property abutting the waterway adjacent to 1532 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.

### PROPERTY LOCATION AND ZONING

The property is located within the Rio Vista Isles RS-8 Residential Low Density Zoning District. The dock area is directly adjacent to the Rio 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

November 4, 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. Penetration of the seawall is prohibited unless as otherwise provided in 8-144 (6).
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 seal level rise over their useful life span; or (ii) fixed docks installed at a minimum height consistent with the requirements of section 47-19.3(f); or (iii) fixed docks the height of which are even with the City's seawall, whichever (ii) or (iii) is the greater.
10. Except as to a tender, there shall be no rafting of vessels from the moored vessel.
11. The permit shall guarantee from the permit holder to the city to indemnify and hold the city harmless for any damage or injury to any person using such facilities.
12. The violation of any provisions of Code Section 8-144 or violations of any of the terms or conditions relative to the granting or renewal of a dock permit shall be unlawful and may constitute cause for revocation of the permit. The Applicant is responsible to execute and deliver a Declaration of Covenants Running With The Land to the City Attorney's Office no later than ten (10) days prior to City Commission review date.

AC

Attachment

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

**JEFFREY CANTOR & MYRNA ROBERTS  
1532 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: Jeffrey Cantor & Myrna Roberts

TELEPHONE NO: 954-240-2550 (home) \_\_\_\_\_ (business) EMAIL: Jason H. Haver realestate cor

2. APPLICANT'S ADDRESS (if different than the site address): 1020 SE 13<sup>th</sup> Terrace 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 wood marginal dock, cantilever platform, access ramp, and floating dock.

4. SITE ADDRESS: 1532 Ponce De Leon Drive ZONING: R.S-8

LEGAL DESCRIPTION AND FOLIO NUMBER:  
RIO VISTA ISLES UNIT 3 7-47 B LOTS 20 & 36 AND NLY 25 OF LOTS 19 & 37, BLK 30 DESC AS:  
COMM AT NELY COR OF LOT 36, SLY 75 ALG E/L OF LOTS 36 & 37, WLY 203.70, NLY 76.26 M/L  
ALG W/L OF LOTS 19  
Folio No. 504211183520

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

Jason H. Haver 7-12-2021  
Applicant's Signature Date

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

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

Marine Advisory Board Action Commission Action  
Formal Action taken on \_\_\_\_\_ Formal Action taken on \_\_\_\_\_

Recommendation \_\_\_\_\_  
Action \_\_\_\_\_

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## EXHIBIT II SUMMARY DESCRIPTION

## **Summary Description**

### **1532 Ponce De Leon Drive**

### **TCG Project No. 21-0060**

The project site is located along an unnamed canal adjacent to the New River at 1532 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 an unnamed canal adjacent to the New River, 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 unnamed canal, the incoming tidal waters (flood) at the site move to the north and the outgoing waters (ebb) move to the south.

The project site consists of an existing  $\pm 75$  in. 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  $\pm 455$  sq. ft. wood dock (65'x7') and a  $\pm 25$  sq. ft. cantilever platform (5'x5') with a 12'x4' access ramp and a  $\pm 240$  sq. ft. floating dock (30'x8') waterward of the existing seawall and the installation of a  $\pm 25$  sq. ft. cantilever platform (5'x5') with a 12'x4' access ramp landward of the existing seawall within the public swale area. The property owners currently do not have a vessel but if one is purchased, information will be provided to the City Marine Facilities. As this property is owned by the city, the proposed wood dock, cantilever platform, ramp, and floating dock 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 (DF21-1235), Florida Department of Environmental Protection (Delegated), and US Army Corps of Engineers (SAJ-2021-02559).

The following two (2) 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.

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

**EXHIBIT III  
WARRANTY DEED & BCPA**

PREPARED BY AND RETURN TO:

Name: Tyrone G. Gerry, of  
Lexant Title & Escrow, LLC  
Address: 901 S Federal Highway  
Suite 201  
Fort Lauderdale, FL 33316

File No: 19-1-425  
Parcel No.: 504211-18-3520

(Space Above This Line For Recording Data)

**Quit Claim Deed**

THIS QUIT-CLAIM DEED is made as of this 19 day of April, 2019, by CRJC VENTURE GROUP LLC, a Florida Limited Liability Company ("Grantor"), whose post office address is 1532 Ponce De Leon Drive, Fort Lauderdale, FL 33316, given to second party, Jeffrey B. Cantor, a single man and Myrna C. Roberts, a single woman, as joint tenants with rights of survivorship, whose post office address is 1532 Ponce De Leon Drive, Fort Lauderdale, FL 33316 ("Grantee").

WITNESSETH:

For good and valuable consideration of the sum of \$10.00 to Grantor, the receipt whereof is hereby acknowledged, Grantor does hereby quit-claim, grant, bargain, sell, alien, remise, release and convey unto Grantee, its successors and assigns all of Grantor's right, title and interest in and to that certain property interest (the "Property") in Broward County, Florida, as more particularly described as follows:

**Lots 20 and 36 and the Northerly 25 feet of Lots 19 and 37 of Block 30, of Rio Vista Isles, according to the Plat thereof, recorded in Plat Book 7, at Page 47, of the Public Records of Broward County, Florida, and being more particularly described as follows: Commencing at the Northeasterly corner of said Lot 36 and running thence Southerly along the East line of said Lots 36 and 37 a distance of 75 feet to a point, thence Westerly on a line parallel to and 25 feet distance from the Southerly line of said Lots 36 and 20 a distance of 203.70 feet, more or less, to a point in the West line of said Lot 19; thence, Northerly along the Westerly line of said Lots 19 and 20 a distance of 76.26 feet, more or less, to the Northwesterly corner of said Lot 20, thence Easterly along the Northerly line of said Lots 20 and 36 a distance of 185.06 feet, more or less, to the Point of Beginning.**

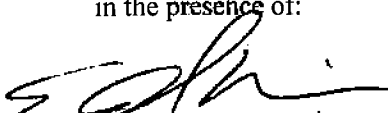
SUBJECT to taxes for 2018 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any, without intention of creation or reimposing same.


**\*\*SIGNATURE PAGE TO FOLLOW\*\***

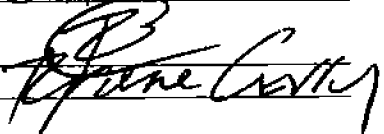
IN WITNESS WHEREOF, the Grantor has caused this Quit-Claim Deed to be executed and delivered the day and year first above written.

Signed, sealed and delivered  
in the presence of:

**CRJC VENTURE GROUP LLC, a Florida Limited  
Liability Company**


  
Print Name: E. Andrew Nice

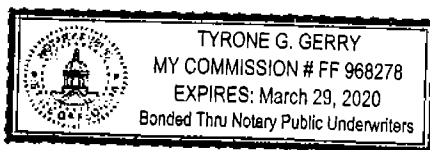
  
MYRNA ROBERTS, MANAGER


  
Print Name: Tyrone Gerry

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 9 day of April, 2019, by MYRNA ROBERTS, MANAGER.

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



Personally Known: \_\_\_\_\_ OR Produced Identification:   
Type of Identification  
Produced: 



<b>Site Address</b>	1532 PONCE DE LEON DRIVE, FORT LAUDERDALE FL 33316	<b>ID #</b>	5042 11 18 3520
<b>Property Owner</b>	CANTOR, JEFFREY B ROBERTS, MYRNA C	<b>Millage</b>	0312
<b>Mailing Address</b>	1020 SE 13 TER FORT LAUDERDALE FL 33316	<b>Use</b>	01
<b>Abbr Legal Description</b>	RIO VISTA ISLES UNIT 3 7-47 B LOTS 20 & 36 AND NLY 25 OF LOTS 19 & 37, BLK 30 DESC AS: COMM AT NELY COR OF LOT 36, SLY 75 ALG E/L OF LOTS 36 & 37, WLY 203.70, NLY 76.26 M/L ALG W/L OF LOTS 19 AND 20, ELY 185.06 M/L TO POB		

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

\* 2021 values are considered "working values" and are subject to change.  
Property Assessment Value

Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2021*	\$595,920	\$449,220	\$1,045,140	\$1,045,140	
2020	\$595,920	\$449,220	\$1,045,140	\$1,045,140	\$19,851.99
2019	\$983,270	\$1,796,860	\$2,780,130	\$2,780,130	\$51,978.89

**2021\* Exemptions and Taxable Values by Taxing Authority**

	County	School Board	Municipal	Independent
<b>Just Value</b>	\$1,045,140	\$1,045,140	\$1,045,140	\$1,045,140
<b>Portability</b>	0	0	0	0
<b>Assessed/SOH</b>	\$1,045,140	\$1,045,140	\$1,045,140	\$1,045,140
<b>Homestead</b>	0	0	0	0
<b>Add. Homestead</b>	0	0	0	0
<b>Wid/Vet/Dis</b>	0	0	0	0
<b>Senior</b>	0	0	0	0
<b>Exempt Type</b>	0	0	0	0
<b>Taxable</b>	\$1,045,140	\$1,045,140	\$1,045,140	\$1,045,140

**Sales History**

Date	Type	Price	Book/Page or CIN
4/19/2019	QCD-T	\$100	115763057
3/8/2017	QCD-T	\$100	114623052
3/4/2016	WD-Q	\$2,800,000	113556171
10/12/1999	DRR	\$100	29952 / 840
8/11/1999	WD	\$725,000	29759 / 438

**Land Calculations**

Price	Factor	Type
\$40.00	14,898	SF
<b>Adj. Bldg. S.F. (Card, Sketch)</b>		4196
<b>Units/Beds/Baths</b>		1/3/3
<b>Eff./Act. Year Built: 2002/2001</b>		

**Special Assessments**

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

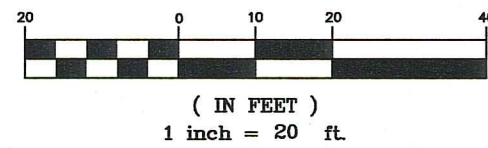
## EXHIBIT IV ORIGINAL SURVEY

prepared by:  
**McLAUGHLIN ENGINEERING COMPANY (LB#285)**

1700 N.W. 64th STREET, SUITE 400  
 FORT LAUDERDALE, FLORIDA 33309  
 PHONE: (954) 763-7611  
 FAX: (954) 763-7615

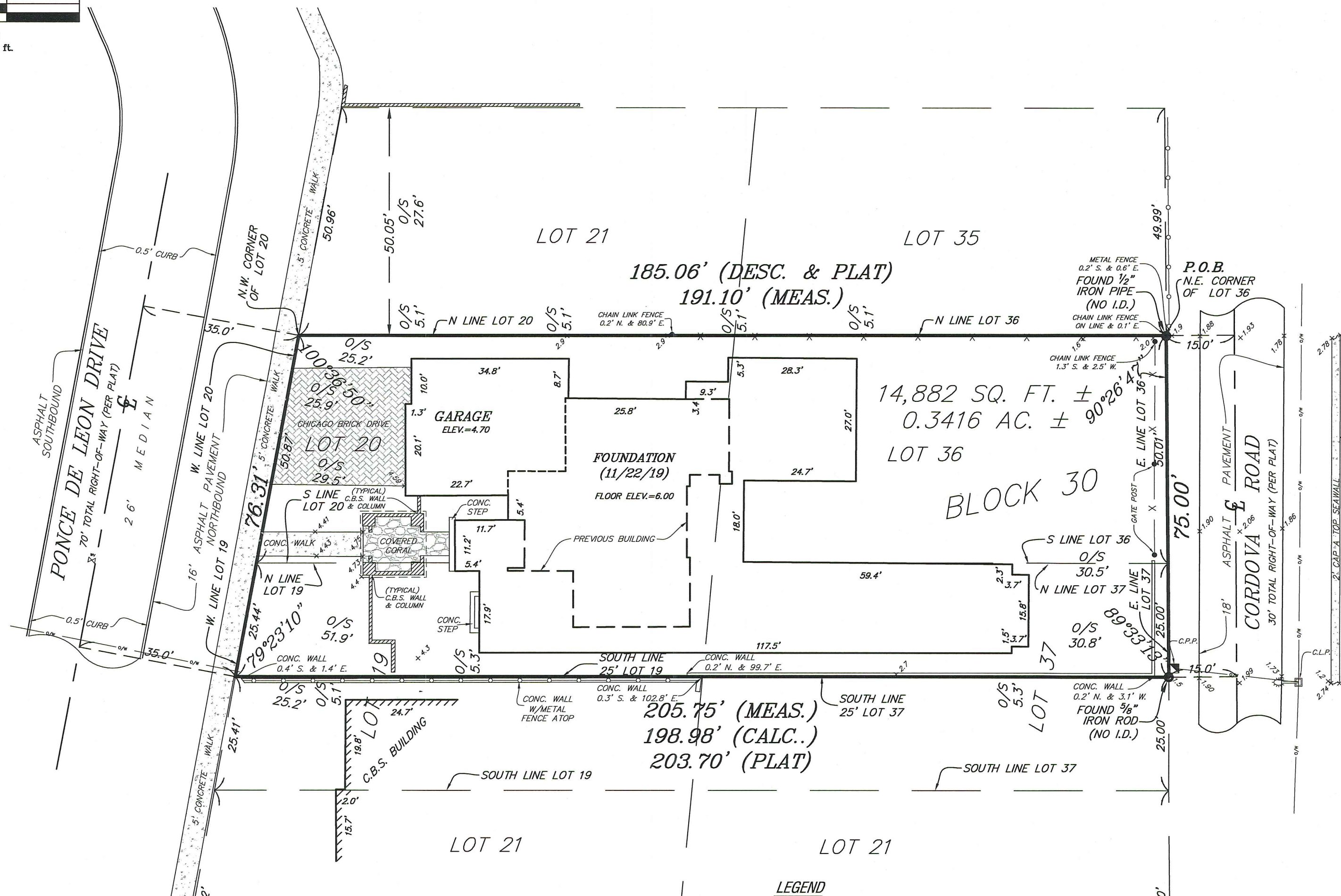
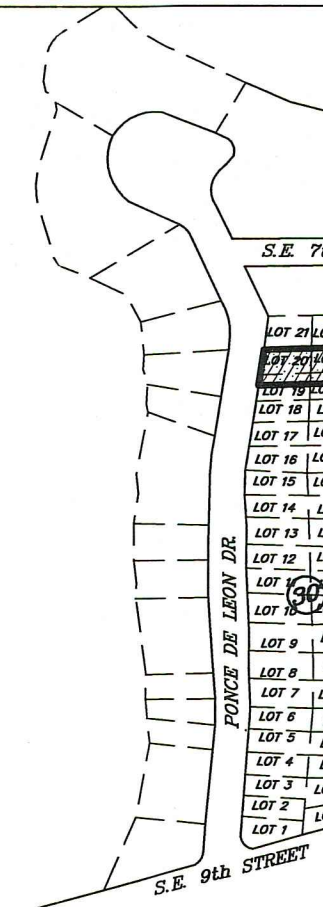


GRAPHIC SCALE



# CONSTRUCTION ASBUILT SURVEY

**LOTS 20 & 36, & THE N. 25' OF LOTS 19 & 37,  
 BLOCK 30, RIO VISTA ISLES,  
 PLAT BOOK 7, PAGE 47, B.C.R.**



**Legal Description**  
 Lots 20 and 36, and the Northerly 25 feet of Lots 19 and 37 and Block 30, RIO VISTA ISLES, according to the plat thereof, recorded in Plat Book 7, Page 47, of the public records of Broward County, Florida, and being more particularly described as follows:  
 Commencing at the Northeasterly corner of said Lot 36 and running thence Southerly along the East line of said Lots 36 and 20 a distance of 75 feet to a point; thence Westerly line parallel to and 25 feet distance from the Southerly line of said Lots 36 and 20 an distance of 205.75 feet, more or to a point in the West line of said Lot 19; thence Northerly along the Westerly line of said Lots 19 and 20 a distance of 76.31 feet, more or less, to the Northwesterly corner line of said Lot 20; thence Easterly along the Northerly line of said Lots 20 and 36 a distance of 191.10 feet, more or less, to a point of Beginning.

Said land situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 14,882 square feet 0.3416 acres, more or less.

**CERTIFIED TO:**  
 Jeffrey B. Cantor  
 Synovus Bank  
 Lexant Title and Escrow LLC  
 WFG National Title Insurance Company

**NOTES:**

- This survey reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Company.
- Underground improvements if any not located.
- This drawing is not valid unless sealed with an authorized surveyors seal.
- Boundary survey information does not infer Title or Ownership.
- All iron rods 5/8", unless otherwise noted.
- Reference Bench Mark: City of Fort Lauderdale BM Brass Disc at intersection of Cordova Road and S.E. 10th Street, Elevation= 5.890 (NGVD29) converted to 4.310 (NAVD88).
- Elevations shown refer to North American Vertical Datum (1988), and are indicated thus:  $\text{Elev.} = 1.99$
- This property lies in Flood Zone "AE", Elev.=5.0 Per Flood Insurance Rate Map No. 12011C0557 H, Dated: August 18, 2014. Community Panel No. 125105.
- Underground Utility locations shown hereon, if any, are based upon paint marks on the ground provided by others. McLaughlin Engineering Company did not confirm the accuracy of this data. The exact location of all utilities should be confirmed prior to design or construction.
- 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)	MHW = MEAN HIGH WATER
A/C = AIR CONDITIONING	MISC. = MISCELLANEOUS
A.K.A. = ALSO KNOWN AS	M.L.P. = METAL LIGHT POLE
A.L.P. = ALUMINUM LIGHT POLE	± = MORE AND LESS
ALTA = AMERICAN LAND TITLE ASSOCIATION	NGS = NATIONAL GEODETIC SURVEY
A OR L = ARC LENGTH	NSPS = NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS
B.C.R. = BROWARD COUNTY RECORDS	NGVD29 = NATIONAL GEODETIC VERTICAL DATUM (1929)
B.F.P. = BACK FLOW PREVENTOR	NAVD88 = NORTH AMERICA VERTICAL DATUM (1988)
B.H. = BULKHEAD	N.S.I.D. = NORTH SPRINGS IMPROVEMENT DISTRICT
B.L. = BASE LINE	NO. = NUMBER
C.A.T.V. = CABLE TV TERMINAL OR BOX	O.R.B. = OFFICIAL RECORDS BOOK
CALC. = CALCULATED	O/S = OFFSET
C.B.S. = CONCRETE, BLOCK AND STUCCO	O/W = OVERHEAD UTILITY LINES
⊕ = CENTERLINE OF RIGHT-OF-WAY	PG. = PAGE
CH = CHORD	P.B. = PLAT BOOK
CH.BRG. = CHORD BEARING	P.B.C.R. = PALM BEACH COUNTY RECORDS
C.C.C.L. = COASTAL CONSTRUCTION CONTROL LINE	P.C. = POINT OF CURVE
C.L.F. = CHAIN LINK FENCE	P.C.D. = POLLUTION CONTROL DEVICE
C.L.P. = CONCRETE LIGHT POLE	P.I. = POINT OF INTERSECTION
C.P.L.M. = CONCRETE POWER LIGHT POLE	P.I.V. = POST INDICATOR VALVE
C.P.P. = CONCRETE POWER POLE	P.O.B. = POINT OF BEGINNING
CO. = COMPANY	P.O.C. = POINT OF COMMENCEMENT
CONC. = CONCRETE	P.R.C. = POINT OF REVERSE CURVE
CO. = CLEAN OUT	P.R.M. = PERMANENT REFERENCE MONUMENT
D.B. = DEED BOOK	R = RADIUS
DESC. = DESCRIPTION FROM FORMER DESCRIPTION	R.C.P. = REINFORCED CONCRETE PIPE
DIA. = DIAMETER	R/W = RIGHT-OF-WAY
D.B.H. = DIAMETER AT BREAST HEIGHT	S.B.T. = SOUTHERN BELL TELEPHONE
ELEC. = ELECTRIC	SV = SEWER VALVE
ELEV. OR EL. = ELEVATION	S.H.W. = SEASONAL HIGH WATER LINE
FL. = FEET	S.T.L. = SURVEY TIE LINE
F.H. = FIRE HYDRANT	TAN. = TANGENT
F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION	TAN.BRG. = TANGENT BEARING
F.P.L. = FLORIDA POWER AND LIGHT CO.	WM. = WATER METER
G.T.M. = GREASE TRAP MANHOLE	W. = WATER VALVE
H.H. = HAND HOLE	W.B.H. = WET FACE OF BULKHEAD
I.C.V. = IRRIGATION CONTROL VALVE	W/F. = WET FACE OF CAP
INV. = INVERT	W.L.P. = WOOD STREET LIGHT POLE
LB. = LICENSE BUSINESS	W.P.L.P. = WOOD POWER STREET LIGHT POLE
MAG. = MAGNET	W.P.P. = WOOD POWER POLE
M.D.C.R. = MIAMI DADE COUNTY RECORDS	W/McL. CAP. = WITH McLAUGHLIN ENGINEERING CO. CAP
MEAS. = FIELD MEASURE	W/W.C. = WITH WITNESS CAP # 285

**CERTIFICATION**  
 We hereby certify that this survey meets the "Standards of 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 25th day of January, 2019.  
 Foundation located this 22nd day of November, 2019.  
 Certifications added this 5th day of December, 2019.

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

**EXHIBIT V  
EXHIBIT "A"**

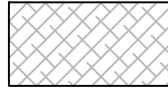


## EXHIBIT VI STANDARD LANDSCAPE PLAN

## LEGEND



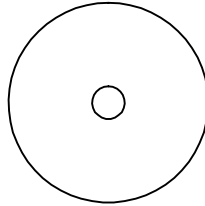
**ST. AUGUSTINE SOD,  
TIGHT SEAMS, FULL COVERAGE**



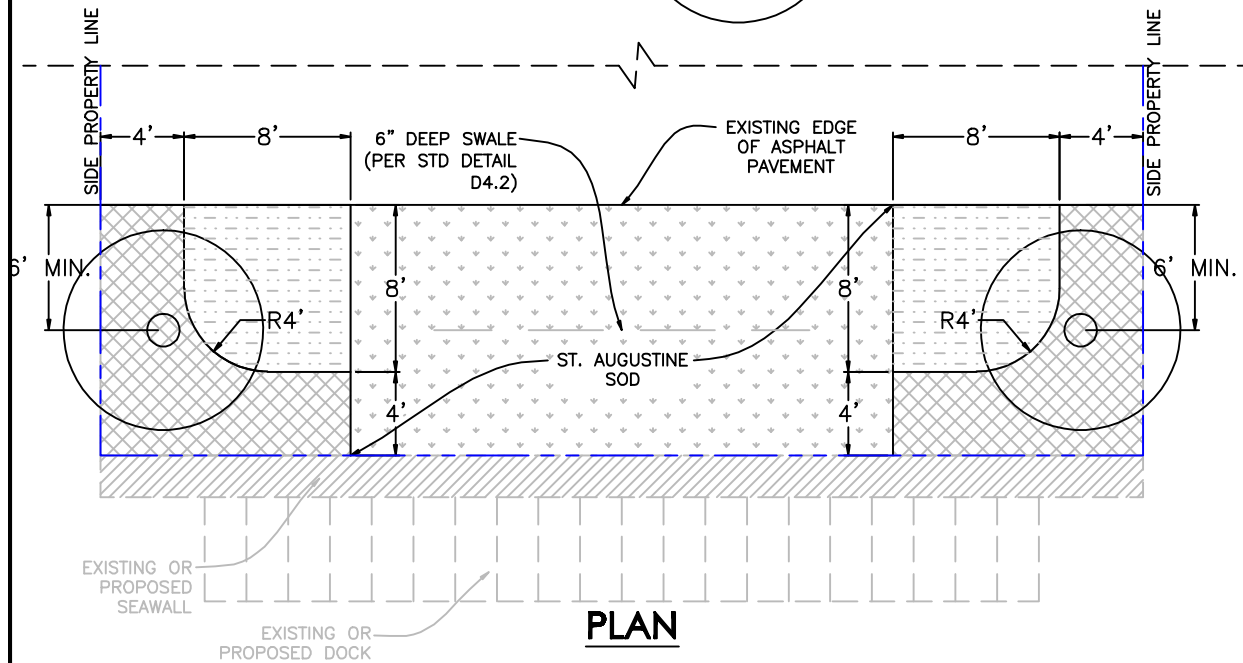
**MUHLY GRASS:  
18" - 24" TALL  
18" - 24" ON CENTER**



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



**12' SILVER BUTTONWOOD 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

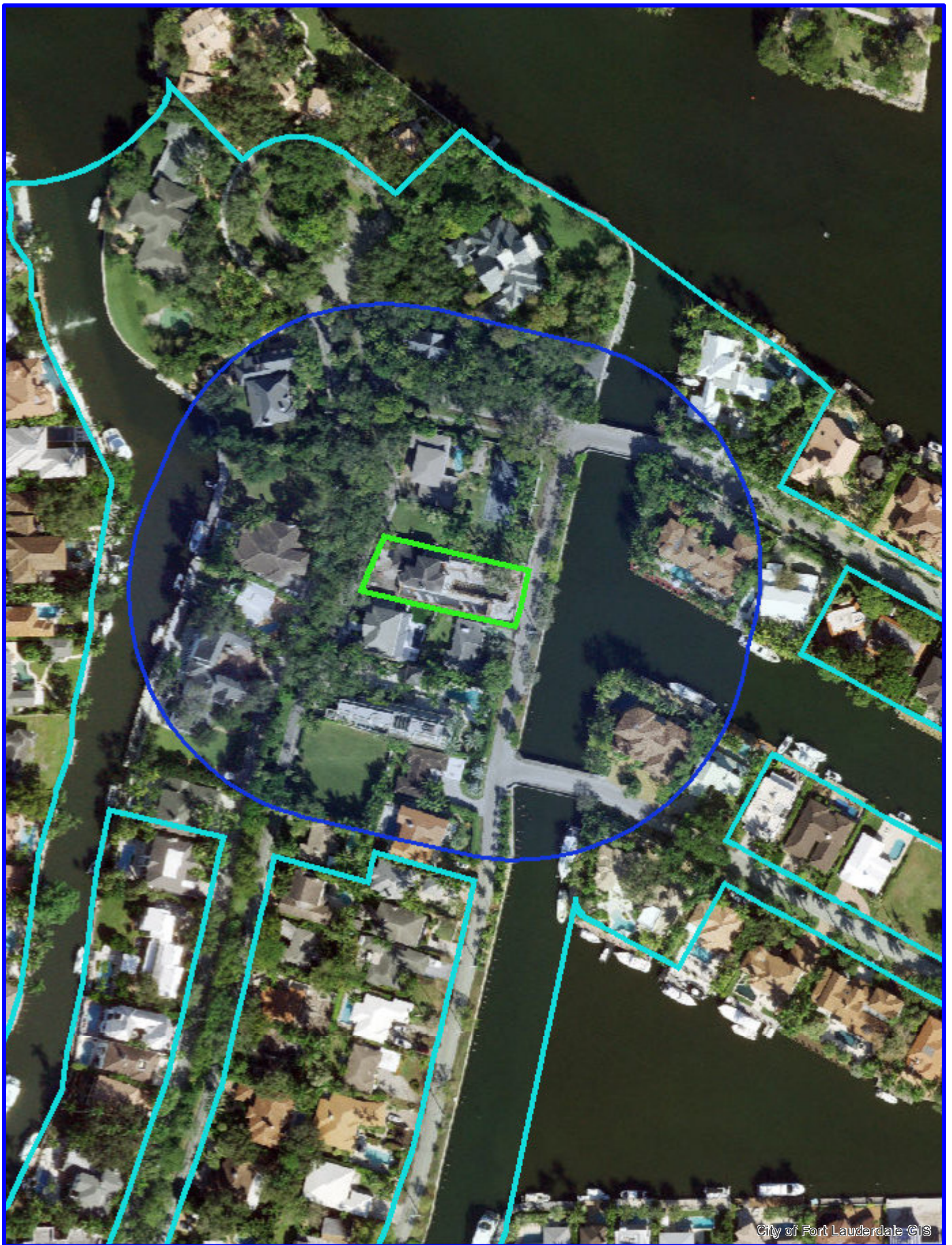
REVISED:

URBAN DESIGN & PLANNING  
ENGINEERING DIVISION

LANDSCAPING PLAN (ROW)

SCALE:  
1"=10'

**EXHIBIT V  
ZONING AERIAL**



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

1532 Ponce De Leon Drive



0 90 180 Feet

**GIS**  
Fort Lauderdale

## EXHIBIT VI SITE PHOTOGRAPHS



**1. Northern portion of the subject site, facing south along the canal.**

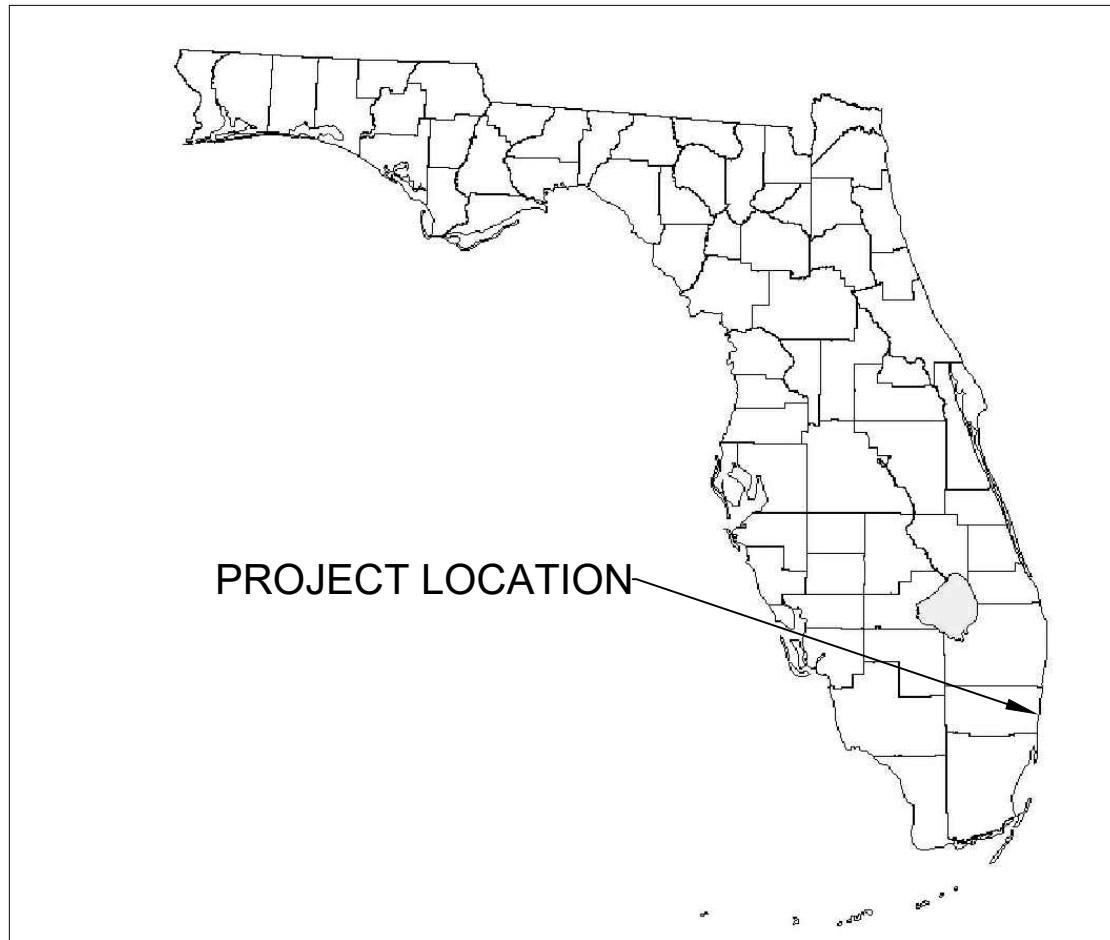


**2. Southern portion of the subject site, facing north along the canal.**

## EXHIBIT VII PROJECT PLANS

# 1532 PONCE DE LEON DRIVE

## PLAN SET



LOCATION MAP (N.T.S.)

### DRAWING INDEX

SHEET 1: COVER

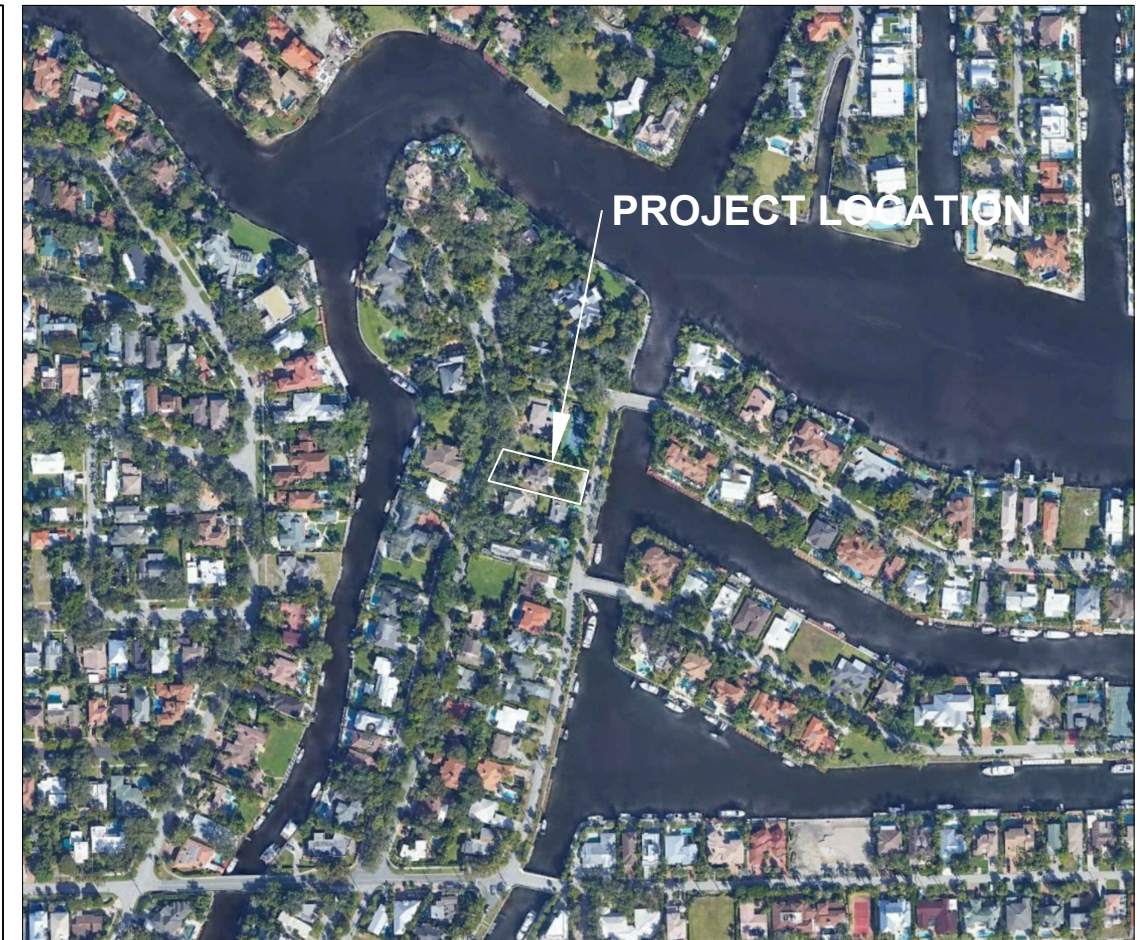
SHEET 2: EXISTING  
CONDITIONS

SHEET 3: PROPOSED  
CONDITIONS

SHEET 4: SECTION A

SHEET 5: SECTION B

SHEET 6: DETAILS



VICINITY AERIAL (N.T.S.)

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[www.thechappellgroup.com](http://www.thechappellgroup.com)

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

## 1532 PONCE DE LEON DRIVE

PREPARED FOR:  
TOM KRIPS CONSTRUCTION, INC.

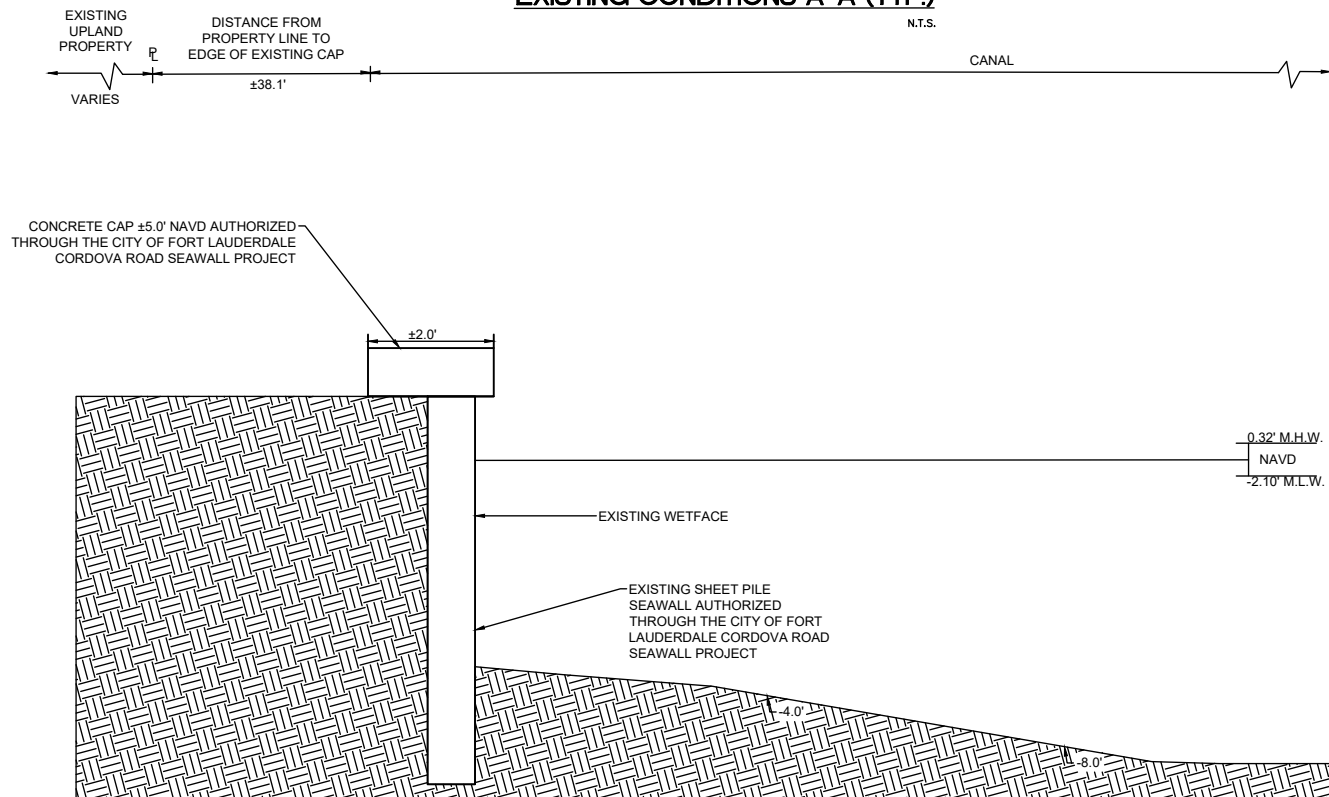
COVER

Date: 9/22/2021	Sheet : <b>1</b>	of : <b>6</b>
Proj No.: 21-0060		

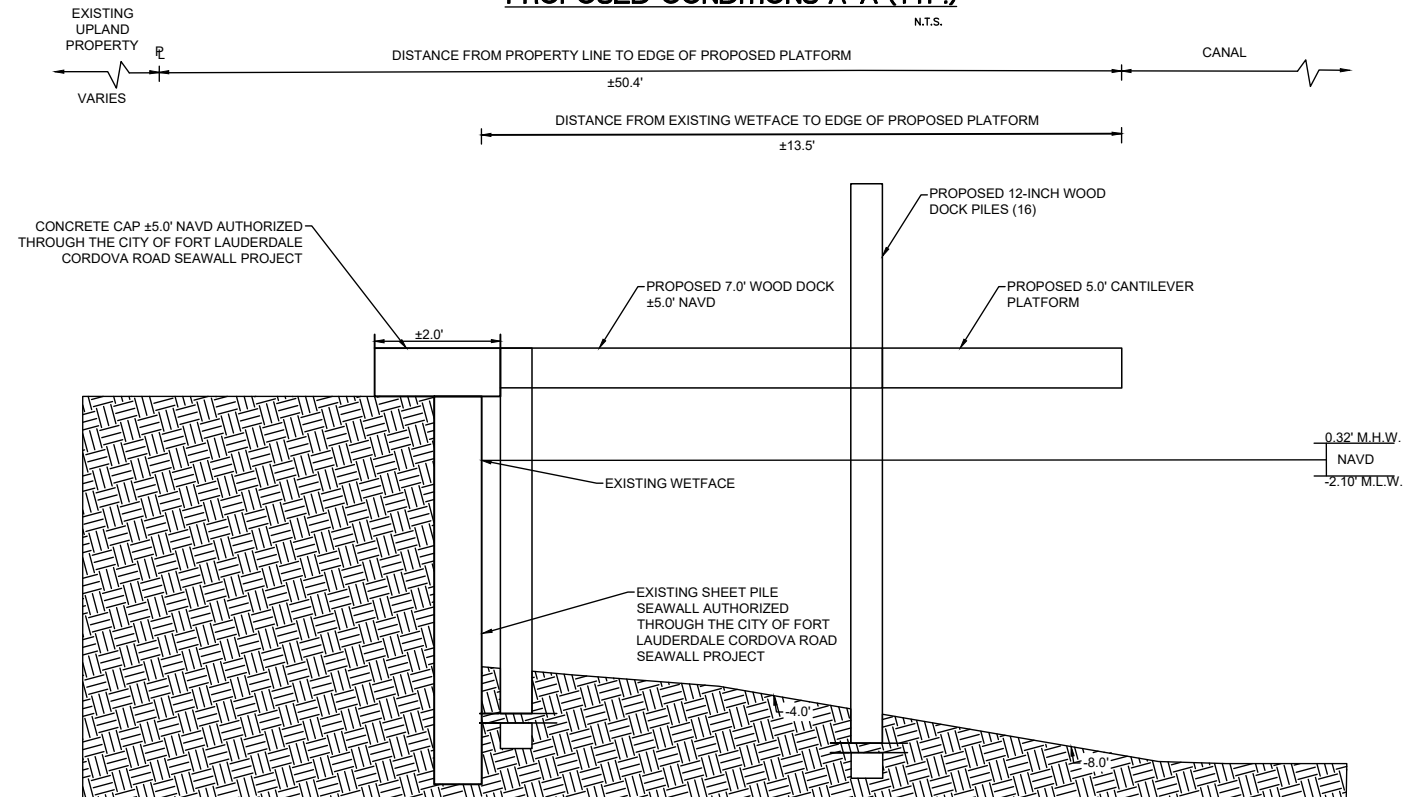




**EXISTING CONDITIONS A-A (TYP.)**



**PROPOSED CONDITIONS A-A (TYP.)**



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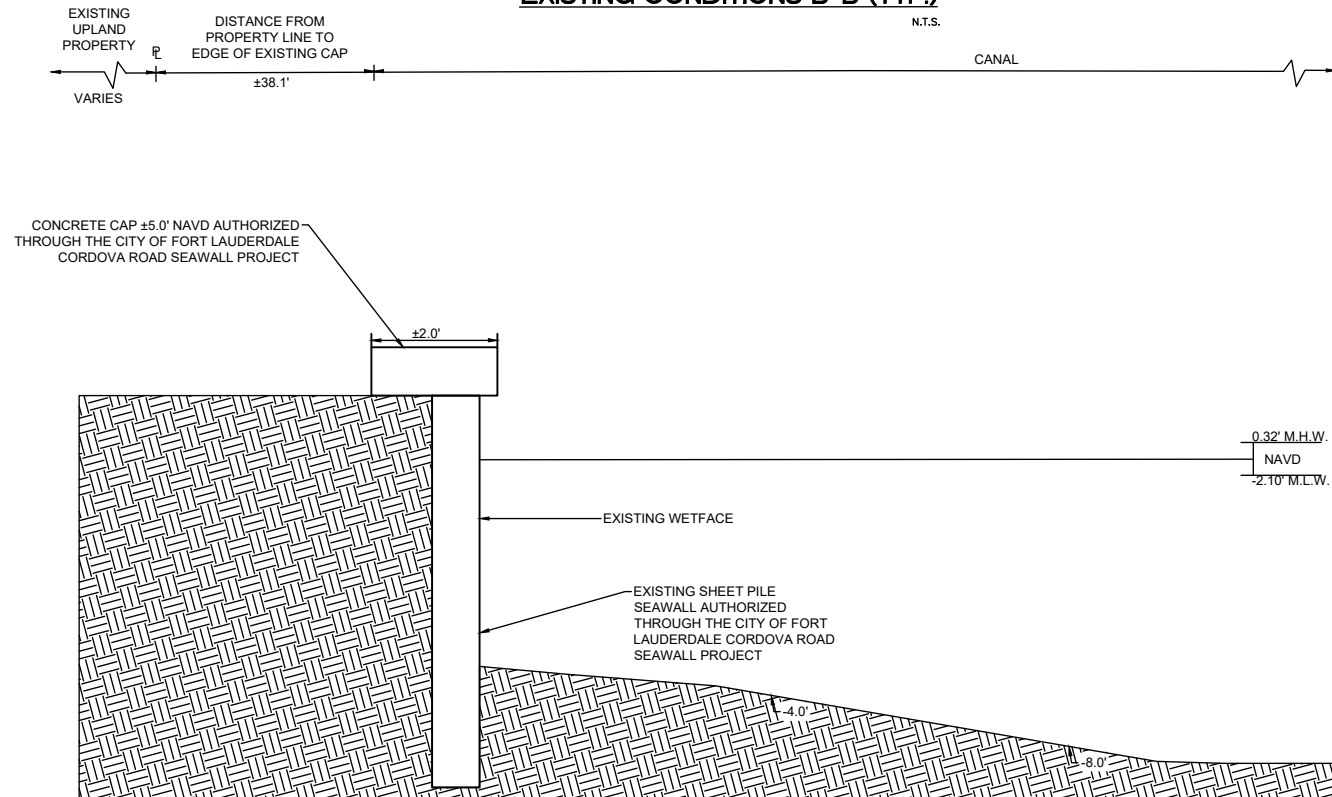
- Environmental Consultants
- Marina & Wetland Permitting
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- T&E Species Surveys
- Tree Surveys/Appraisals

**1532 PONCE DE LEON DRIVE**

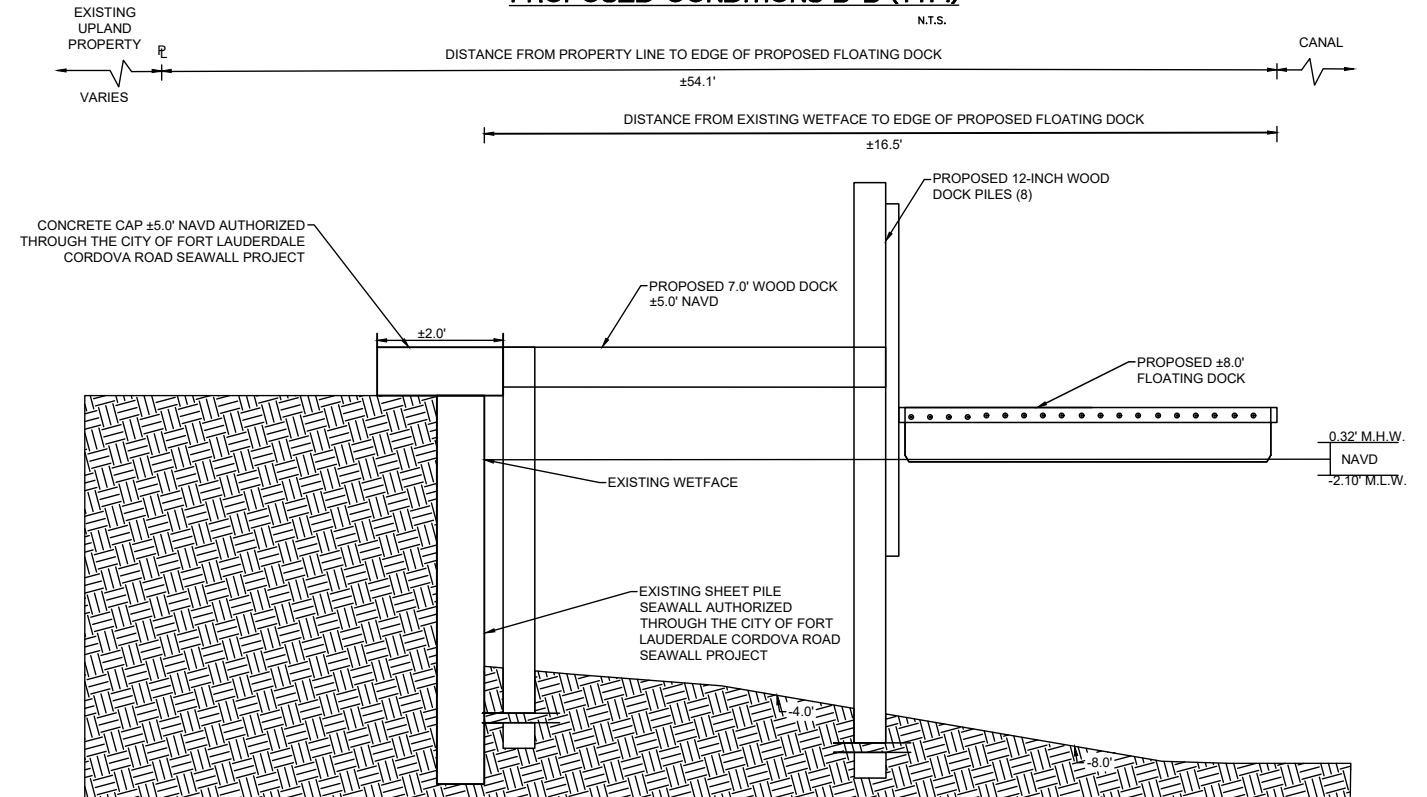
PREPARED FOR:  
**TOM KRIPS CONSTRUCTION, INC.**

SECTION A		
Date: 9/22/2021	Sheet : <b>4</b>	of : <b>6</b>
Proj No.: 21-0060		

**EXISTING CONDITIONS B-B (TYP.)**



**PROPOSED CONDITIONS B-B (TYP.)**



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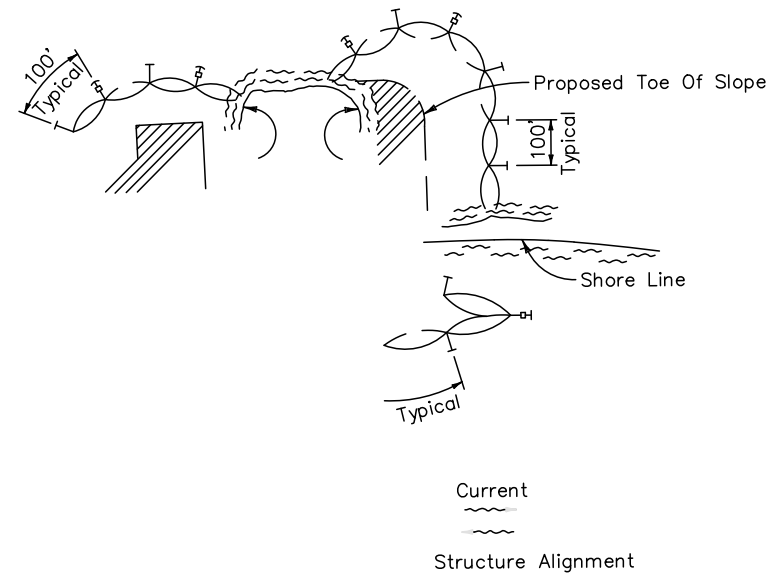
**1532 PONCE DE LEON DRIVE**

PREPARED FOR:  
**TOM KRIPS CONSTRUCTION, INC.**

SECTION B

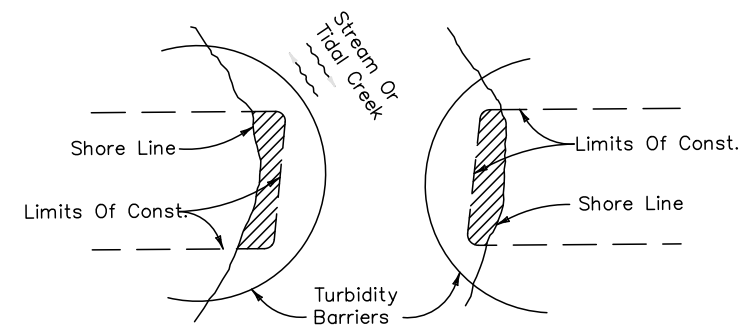
Date: 9/22/2021	Sheet : <b>5</b>	of : <b>6</b>
Proj No.: 21-0060		

## CONSTRUCTION BARGE (TYP.)



### LEGEND

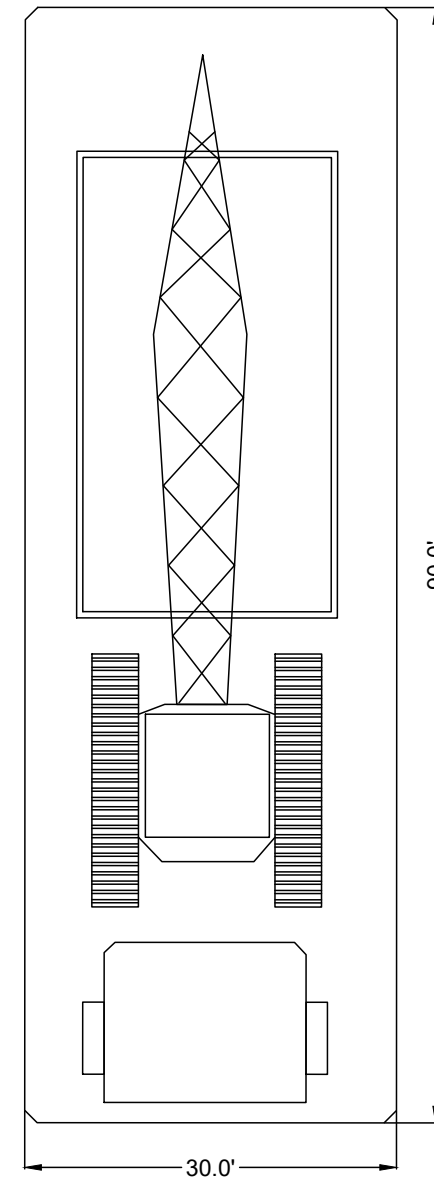
- Pile Locations
- ▨ Dredge Or Fill Area
- ⊕ Mooring Buoy w/Anchor
- ⊖ Anchor
- ⊖ Barrier Movement Due To Current Action



**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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**1532 PONCE DE LEON DRIVE**

PREPARED FOR:  
**TOM KRIPS CONSTRUCTION, INC.**

### DETAILS

Date: 9/22/2021	Sheet : <b>6</b>	of : <b>6</b>	
Proj No.: 21-0060			

## **EXHIBIT VIII EXISTING DOCK PERMITS IN THE VICINTY**

## EXISTING DOCK PERMITS 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 <sup>th</sup> Terrace	2021
116 SE 11 <sup>th</sup> Ave	2019
1700 Brickell Drive	2019
<b>Subject Site</b>	<b>Requested Nov 2021</b>

Sec. 8-144. - Private use of public property abutting waterways.

The city commission, by resolution duly adopted, may grant a dock permit for the use by private persons of certain public property abutting or touching a waterway, including some public property described in section 8-143 as set forth herein, except: (i) areas being utilized as municipal docks for which docking fees are being charged and collected and those areas under license by the city; (ii) street ends as more particularly defined herein; (iii) city parks; (iv) subject to certain conditions set forth in subsection (17) hereof. Upland parcels with property lines that abut or are contiguous to a navigable waterway independent of that described in section 8-143(a), and (v), certain upland parcels falling within the ambit of the Florida Supreme Court case of *Burkart v. City of Fort Lauderdale*, 168 So. 2d 65 (Fla. 1964) and more particularly defined below in subsection (18) hereof, said dock permits may be granted under the following conditions and restrictions, to-wit:

- (1) Application for a dock permit under this section shall be accompanied by an administrative fee, the amount of which shall be reflective of the cost of administering the application, review and adoption of resolution granting a permit for the use by private persons of public property abutting or touching a waterway and shall be established from time to time by the city commission by duly adopted resolution. As to upland parcels, the application shall also be accompanied by a survey of the upland parcel and adjacent waterway qualifying for the dock permit with the side property lines and side yard setback lines extended into the abutting waterway. The application shall further be accompanied by a sketch and description illustrating the specific location and dimensions of the dock area and public swale area, as more particularly defined below, to be reviewed and recommended for approval to the city commission. An application for a dock permit may be filed by contract vendee prior to obtaining fee simple title to the upland parcel, provided, however, the granting of a dock permit will not be effective until such time as the conveyance of fee simple title of the upland parcel to the applicant has been recorded in the Public Records of Broward County, Florida.
  - (a) Ten (10) days prior to adoption of the resolution granting a dock permit, the applicant shall: (i) execute a covenant running with the land, in a form and content acceptable to the city attorney, binding the obligation of maintenance, repair, and reconstruction and timely removal of the dock and appurtenant seawall to the applicant/permit holder and qualifying upland parcel and providing for a claim of lien to be recorded against the qualifying upland parcel for costs expended by the city in maintaining, repairing, or reconstructing the permitted dock upon the failure permit holder's obligations relative thereto and removal of the permitted dock upon failure of the dock permit holder to remove the dock within the time specified in subsection 4(c) hereof, which such covenant shall be recorded by the city in the Public Records of Broward County, Florida, at the permit holder's

expense. In the event a claim of lien is recorded against the upland parcel and the city is thereafter reimbursed for the costs underlying the claim of lien, the city shall record a release, discharge or satisfaction of the claim of lien. In the event the dock and all appurtenances are timely removed, the covenant running with the land shall be released and discharged by the city, executed by the city manager or deputy city manager and such release or discharge shall be recorded by the city in the Public Records of Broward County, Florida, at the expense of the permit holder.

- (2) The dock permit granted herein shall not be effective until such time as: (i) a certified copy of the resolution granting the dock permit has been recorded in the Public Records of Broward County, Florida by the city at the expense of the applicant/permit holder; (ii) together with a recorded copy of the covenant running with the land as referenced in subsection 1(a) above; and (iii) a copy of the recorded resolution and covenant running with the land is filed with the city's office of marine facilities. In order to optimize and preserve the existing character of the surrounding neighborhood, applicants for a permit under this section are limited to owners of upland parcels as hereinafter defined.
  - (a) An "upland parcel" is a parcel of land that by extending the side property lines thereof to perpendicularly intersect with the boundary lines of the adjacent waterway defined in section 8-143, where the upland parcel lies directly across the street from the public property abutting or touching a waterway identified in city code section 8-143, for which one may qualify for applying for a dock permit ("Public Dock Permit Parcel"). To qualify as an upland parcel, a principal building must be situated thereon. The owner(s) of the upland parcel, including contract vendees thereof, shall be the only person(s) eligible to apply for a dock permit for the public dock permit parcel across the street from the upland parcel.
  - (b) For a public dock permit parcel for an upland parcel where there is a curvature to the boundaries of the waterway, the office of marine facilities shall make recommendations to the marine advisory board with respect to criteria: (i) the length of the dock; (ii) the size and dimensions of the envelope within which a vessel may be berthed; (iii) dock area and public swale area as defined below. In its review, the marine advisory board shall make recommendations to the city commission as to: (i), (ii) and (iii) above, as well as other relevant terms and conditions. Applicants for a dock permit under this subsection 2(b) shall be limited to owners of upland parcels for which side property lines intersect in a non-perpendicular manner with the boundary lines of the adjacent waterway as defined in section 8-143.
- (3) To allow the general public's access to the waterway abutting the public dock permit

parcel, the permitted length of a marginal permitted dock shall not exceed the width of the corresponding upland parcel as measured from the extension into the waterway of the side yard setbacks for the principal building on the upland parcel. The permitted length of a marginal permitted dock under subsection 2(b) above shall be determined by the city commission upon review of the marine advisory board recommendations. No vessel may be berthed in such a manner that it encroaches into the area proscribed under section 47-19.3(h). The permitted berthing envelope for a vessel shall be determined by the city commission upon review of the marine advisory board recommendations for public dock permit parcels described in subsection 2(b) above. The berthing of a vessel in such a manner that encroaches into the area proscribed under section 47-19.3(h) or exceeds the permitted berthing envelope as determined by the city commission for public dock permit parcels described in section 2(b) hereof shall be unlawful and a violation of this Code as set forth in section 1-6.

- (4) (a) 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 section 47-19.3(f). "Boat slips, docks, boat davits, hoists and similar mooring structures" of the city's Unified Land Development Code and other relevant terms and conditions imposed by the resolution granting the dock permit. Permit holder shall also be required, during the term of the dock permit, to post and maintain a city-issued sign on the dock indicating the Resolution No. that authorized the permit to use the dock.
- (b) The permit to use the dock 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, subject to survivability of the obligation to remove the dock pursuant to subsection 4(c) below and the obligations within the covenant running with the land as set forth in subsection 1(a) hereof.
- (c) Except as set forth in subsection 4(e)(d) below, 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. This provision shall be a continuing obligation that survives expiration of the permit to use the dock.
- (d) In the event a dock permit is granted to a successor applicant for the same public dock permit parcel within the time proscribed in subsection 4(d) hereof, the obligation to remove the dock and all appurtenances thereto shall be discharged as to the former permit holder and a release and discharge of the covenant

running with the upland parcel shall be executed by the city manager or deputy city manager and recorded by the city in the Public Records of Broward County, Florida at the expense of the permit holder.

- (e) The dock permit granted may be revoked by the city commission for good cause shown upon at least ninety (90) days advance notice to the permit holder and an opportunity for the permit holder to be heard.
- (5) All improvements such as docks, seawalls and the like which are made or placed upon the public 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 regulatory authorities having subject matter jurisdiction regarding such matters. All maintenance and repairs shall be performed according to city engineering standards and all applicable regulatory codes including the city's Unified Land Development Code regulations, Florida Building Code and Broward County Amendments thereto.
- (6) All docks installed pursuant to this section 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 elevation 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. Penetrating the city seawall to support the dock or permanently attaching improvements, such as cleats, ladders, ramps, mooring whips or similar devices to the city's seawall is prohibited, unless: (a) specifically recommended pursuant to the dock building permit review process; or (b) where the seawall and dock are being constructed by the dock permit holder; or (c) upon demonstration of hardship, as it relates to accommodations under the Americans with Disability Act, as same may be amended from time to time and as authorized in the resolution granting the dock permit.
- (7) The holder of the permit shall be responsible for maintaining improvements within the dock area, as hereinafter defined and for maintaining and beautifying the public swale area, as hereinafter defined. The public swale area shall be landscaped in accordance with: (i) the established landscape plan for the area in question adopted by the department of sustainable development; or (ii) a landscape plan approved by the department of sustainable development and embodied in the resolution adopted by the city commission granting the permit under this section. Failure to do so shall be grounds for revocation of the permit.
  - (a) For the purposes of this section, the term "dock area" shall mean that area bounded by: (i) the upland cap of the seawall abutting the dock; and (ii) extending over the water the length and width of the dock; and (iii) including the area within which the vessel may be berthed and all appurtenances to the dock area. The length of the dock shall not exceed: (1) the distance between the extension into the waterway of the two (2) side yard setbacks for the principal building on the

corresponding upland parcel; nor (2) the boundaries of the dock as set by the city commission pursuant to subsection 2(b) above, whichever (1) or (2) above is applicable.

- (b) For the purposes of this section, the term "public swale area" shall be the area: (1) within the waterward extension of the side property lines of the upland parcel from the edge of the adjacent publicly dedicated right-of-way closest to the waterway to the wet-faced edge of the seawall cap, excluding therefrom the dock; or (2) the boundaries of the dock as set by the city commission pursuant to subsection 2(b) above, whichever (1) or (2) above is applicable.
- (8) Parking in the public swale area, where allowed, is intended to be temporary in nature. Overnight or long-term parking by persons associated with upland property owners under subsection 2(a) or (b) hereof both with and without a dock permit is discouraged. There shall be no fueling of vessels from tank trucks along the adjacent publicly dedicated right-of-way.
- (9) The holder of such dock permit shall not charge or collect any rent or fees from anyone using such dock constructed on the public dock permit parcel. Signage such as "private dock" may be placed on the dock within the dock area. No signage shall be placed upon or within the public swale area. Only vessels owned by the permit holder and registered with the city as part of the dock permit application or amended thereafter may be moored at the permitted dock. Except as to a tender, there shall be no rafting of vessels from the vessel moored at the permitted dock. The berthing of a vessel at a public dock permit parcel that is not authorized pursuant to the city commission granting a dock permit ("Unauthorized Vessel") shall be unlawful and a violation of the Code pursuant to section 1-6.
- (10) A permit granted to a permit holder to construct a dock or authorization to use an existing dock upon the public dock permit parcel and the acceptance and use of same by the permit holder shall constitute a 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.
- (11) 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.
- (12) The violation of any provisions of this section or any regulations relating thereto hereinafter enacted or violations of any of the terms or conditions relative to the granting or renewal of a dock permit shall be unlawful and a violation of this Code pursuant to section 1-6 and may also constitute cause for revocation of the permit.
- (13) The resolution granting the permit or the administrative approval of the permit for a renewal term may specify additional reasonable terms and conditions pertaining to the

use or improvement of the public dock permit parcel.

- (14) Only public lands which are not needed by the city for public docking purposes are available for private use under the terms hereof, and the supervisor of marine facilities shall furnish to the city manager a complete list of all street-ends and other city-owned property abutting waterways which is not needed for dockage purposes from time to time, provided, however, no dock permits shall be issued under subsection (15), (16), (17), and (18), except in compliance with the terms and conditions thereof.
- (15) No dock permits shall be issued for public dock permit parcels where the public right-of-way terminates at the waterway (e.g. "street ends"). For dock permits that were issued for street-ends prior to June 1, 2019, those dock permits shall continue to remain valid, until expiration of their initial term, and, upon renewal such dock permit shall be subject to the terms and conditions set forth in any renewal permits and this section, other than the prohibition against issuance of dock permits for street-ends.
- (16) To preserve the general public's right to intermittently use and have access to city parks located on waterways, no dock permits shall be issued for parcels where the public right-of-way is located within city-owned land that is used for park purposes. For dock permits that were issued for city-owned land that was used for park purposes at the time of issuance, those dock permits shall continue to remain valid, until expiration of their initial term, and, upon renewal such dock permit shall be subject to the terms and conditions set forth in any renewal permits and in this section, other than the prohibition against issuance of dock permits along public rights-of-way within city-owned lands used for park purposes.
- (17) Other than upland parcels referenced in subsection (18) below, subject to exceptions hereinafter set forth, no dock permits shall be issued for upland parcels that abut and are contiguous to a waterway and have riparian rights relative thereto after July 1, 2025 or after such date that the city raises the seawall with municipal funds, whichever is first. For dock permits that were issued prior to June 1, 2019 for upland parcels that abutted and are contiguous to a waterway and to which riparian rights have attached thereto, those dock permits shall continue to remain valid until expiration of their initial term, and, upon renewal such dock permit shall be subject to the terms and conditions set forth in any renewal permits and this section, other than the prohibition against issuance of dock permits for upland parcels that abut a waterway and have riparian rights. Any permits for these upland parcels issued after June 1, 2019 will require the raising of the seawall by the applicant to the current elevation standard as a condition of the dock permit.
- (18) In accordance with the Florida Supreme Court holding in *Burkart v. City of Fort Lauderdale*, 168 So. 2d 65 (Fla. 1964), dock permits shall not be required for the following lots and blocks set forth on the Plat of IDLEWYLD, as recorded in Plat Book 1,

Page 19 of the Public Records of Broward County, Florida: Lots 1—5 and 11—12 Block 1; Lots 1—6 Blocks 2, 3, 4, 5, 6, and 8; Lots 1-7, Block 8: and Lots 1—3 and 27—32, Block 12 thereof.

(Code 1953, § 11-12; Ord. No. C-68-23, § 2, 6-4-68; Ord. No. C-87-95, § 1, 11-17-87; Ord. No. C-17-28, § 20, 9-13-17; Ord. No. C-19-22, § 1, 10-2-19)