



CITY OF FORT LAUDERDALE

**DRAFT**  
**MEETING MINUTES**  
**CITY OF FORT LAUDERDALE**  
**MARINE ADVISORY BOARD**  
**100 NORTH ANDREWS AVENUE**  
**CITY COMMISSION CHAMBERS**  
**8<sup>TH</sup> FLOOR CONFERENCE ROOM**  
**THURSDAY, NOVEMBER 3, 2022 – 6:00 P.M.**

**Cumulative Attendance**  
**January-December 2022**

Ted Morley, Chair	P	7	2
Steve Witten, Vice Chair	P	7	2
Michael Boyer	A	2	1
Robyn Chiarelli	A	5	4
Bob Denison	A	5	4
Barry Flanigan	A	8	1
Robert Franks	P	6	0
Elisabeth George	P	2	0
James Harrison	A	8	1
Brewster Knott	P	2	1
Norbert McLaughlin	P	8	1
Noelle Norvell	P	7	2

As of this date, there are 12 appointed members to the Board, which means 7 would constitute a quorum.

**Staff**

Andrew Cuba, Marine Facilities Manager  
Jonathan Luscomb, Marine Facilities Supervisor  
Carla Blair, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

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

The meeting was called to order at 6:00 p.m. and roll was taken.

**II. Approval of Minutes – October 6, 2022**

**Motion** made by Vice Chair Witten, seconded by Ms. George, to approve. In a voice vote, the **motion** passed unanimously.

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

It was noted that a quorum was present at the meeting.

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

Mr. Cuba read a report provided by Sergeant Travis O'Neil of the Fort Lauderdale Police Department's Marine Unit, which listed the following activity from October 2022:

- 65 calls for service
- 2 burglaries
- 5 marine accidents
- 66 citations

Mr. Cuba also addressed anchoring north of East Las Olas Boulevard, explaining that he had made Sgt. O'Neil aware of a number of concerns at that location. Sgt. O'Neil had replied that Marine Unit Officers check on these units daily and ticket them for any violations. There are two known live-aboard vessels in the subject area, one of which belongs to the bridge tender for the Sunrise Bridge. There have been backflow valve inspections, although no issues have been found. The Marine Unit will deploy dye tablets in the future.

### **V. Dock Waiver – 1215 Seminole Drive / James & Darlene Barron**

Frank Mamando, representing the Applicants, recalled that this Item first came before the Board in October 2022. The Applicant proposes the installation of a 95 ft. x 6 ft. concrete dock, as well as two 39 ft. concrete piers separated by 62 ft. 10 in.

Mr. Mamando noted that the Board had expressed concern with the previous Application because the proposed boat lift would not have met the property's setback requirements. The Applicants have agreed to remove the boat lift and bring the piers closer to the center of the property. He showed a number of slides of the proposed plans.

The project has been approved by the U.S. Army Corps of Engineers and the Florida Department of Environmental Resources. The proposed structures and piles will not exceed 30% of the width of the waterway, which is approximately 300 ft. from wet face to wet face at the subject location. The proposed structures are necessary for the safe mooring of the Applicants' vessels, particularly during severe weather and high wind events. They will also protect the vessels from high wakes on the lake.

The proposed project would rehabilitate the existing dock and slips and bring the property up to the City's new Code for seawall height. The Applicant is seeking a 14 ft. extension of the 25 ft. setback from the wet face of the seawall for both piers. Mr. Mamando concluded that the revised plans take the Board's concerns from the October meeting into consideration.

Mr. McLaughlin requested clarification of the distance between the property line and the angle at the end of the proposed dock. Mr. Mamando clarified that this would be 10 ft. No mooring pile would be added beyond this dock so it would remain within the setback requirement.

Mr. McLaughlin also asked what size boat the Applicant plans to dock at the location. Mr. Mamando estimated that this would be a roughly 40 ft. boat.

Mr. McLaughlin asked if any objections have been raised by the property's neighbor(s). Mr. Cuba advised that notice of tonight's meeting was provided to both adjacent neighbors and any other residents within 300 ft. of the subject property. He had not received any letters of opposition to the project.

Chair Morley asked if the Applicant plans to dock small vessels at the two finger piers. Mr. Mamando replied there are no such plans at this time.

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

**Motion** made by Mr. McLaughlin, seconded by Ms. George, to approve. In a voice vote, the **motion** passed unanimously.

**VI. Dock Waiver – 801 SW 6<sup>th</sup> Street / Christina Kirwin**

**VII. Dock Waiver – 777 SW 6<sup>th</sup> Street / Ed Kirwin**

Andrew Schein, representing the Applicants in Items VI and VII, requested that he be allowed to present both Applications at the same time. The Board did not object to this presentation.

Mr. Schein explained that an application to place mooring piles 65 ft. from the property line was approved by the Board in 2018. When that application went before the City Commission, however, it failed by a 2-2 vote. In July 2022, the owner submitted an application to place mooring piles 62 ft. from the property line. The Board did not recommend the new application for approval by the Commission.

Mr. Schein advised that his understanding of the previously submitted application was that more information was needed. The Applicant is now submitting an Application to place mooring piles 60 ft. from the property line, which is a 5 ft. reduction from the original 2018 application and 2 ft. less than the July 2022 application.

Mr. Schein noted that a "point lot" located west of the subject site juts out approximately 55 to 60 ft. into the waterway, which affects how boats move through the area leading

up to a bridge. He showed a distance separation map from another individual's dock waiver application across the waterway, which showed a navigable waterway width of 180 ft. He pointed out that the Applicant's request is to extend the mooring piles 25 ft. farther into the waterway than the existing pilings at 35 ft. Even after these pilings at 60 ft. are added, the widest part of the waterway would be 155 ft.

Mr. Schein added that he had seen an email from a business located on this portion of the waterway which objected to the Application. The basis of the objection was that the pilings would constitute an obstruction. Mr. Schein showed a graphic of the type of towing maneuver that would need to occur in order for the piles to act as an obstruction, pointing out that the cited maneuver is not typical of most boats being towed down the river in the subject area. He felt the concern would be located "significantly further north" than the subject property, and pointed out that the Applicant has a 55 ft. boat legally docked at the subject site.

Mr. Schein also noted that the letter of objection suggested that the Applicant planned to dock a 120 ft. boat at the subject site. He observed that a boat extending that length into the waterway would be "blatantly illegal" under Code, and noted that the letter's assertion was speculative only. He concluded that the Applicant's only request is for mooring piles at 60 ft.

Mr. Schein continued that he has reached out to some of the commercial operators located on the river with respect to the Application. These included the operator of the *Jungle Queen*, which did not object to the pilings. While the operator of the *Jungle Queen* acknowledged that a boat extending further into the waterway could affect navigability, Mr. Schein reiterated that the Applicant did not plan to moor a vessel that would extend further than the proposed mooring piles and would be willing to stipulate that they would not place a vessel that would exceed this length at the location.

Mr. Schein showed videos of towing vessels on the waterway near the subject property, noting that the nearby point lot creates a natural alcove in which boats can be stored without interfering with navigability. He also pointed out that because the location is on the widest part of the river, boats come into the area quickly and slow down as the river narrows approaching the bridge. This can result in significant wake damage. He asserted that the Applicants have spent thousands of dollars over the last 10 years repairing this damage. Mr. Schein also showed a video of the effect of wakes on boats docked at the subject property.

Mr. Schein recalled that when the 2018 application was brought before the Board to request 65 ft. mooring piles, the Board found there were extraordinary circumstances on the subject property at that time. He advised that there have been no substantive changes on this portion of the New River since that time.

Mr. McLaughlin commented that he had visited the subject area and found vessels docked at other locations which were larger than what was approved there. He added

that once a variance has been secured, a boat may extend farther into the waterway than a structure. He pointed out that barges have to use the wide area of the waterway, with nowhere they can lay over.

Mr. McLaughlin continued that it has been stated that the marine industry takes precedence over private boat traffic on the New River, and that commercial operators have indicated they do not want to see additional variances in the subject area. He concluded that this was the basis for his objection to the Applications.

Mr. Schein advised that the request before the Board was not a variance regarding how far a boat may extend into the waterway, but only for the mooring piles. He characterized this objection as penalizing homeowners for what should be changes to the City's Code.

Mr. McLaughlin stated that his view on the issue was not that homeowners are being penalized, but that homeowners want variances to change depending upon the size of the boats they plan to dock on their properties. Mr. Schein stated once more that the Applicant does not plan to dock a boat on their property that would extend past the proposed mooring piles. He added that the Applicant would be willing to accept any conditions of approval the Board might wish to attach to the Application, including a boat size restriction.

Chair Morley asked why the Applicant would moor a boat parallel to the seawall with outboard piles instead of breasting it off the dock to minimize wake damage. Mr. Schein responded that the owner has a lot of boats docked at the property, some of which belong to visiting relatives.

Chair Morley continued that it appeared the property owner purchased the property with the knowledge that he could not fit all of his boats there without requesting a waiver. Mr. Schein stated that the Applicant can fit his 55 ft. vessel on the property, but characterized the issue as one of safety.

Mr. McLaughlin stated again that once an owner has put mooring piles 60 ft. into the waterway, there would be nothing to stop them from docking a significantly larger boat on the property. He added that boats within the 30% restriction are still very close to encroaching upon the navigable waterway, and reiterated that there is no guarantee the Applicant would not attempt to dock a boat larger than 55 ft. on the property.

Mr. Schein advised that the issue described by the Board members is larger than the Applicant's waiver request, and that he would support a change to Code which used location-based waiver criteria specific to the area; however, he stated again that the Applicant would take any necessary action, such as entering into a restrictive covenant, to ensure the Board that their intent was not to dock a larger vessel on the property.

Mr. Franks commented that with boats of significant size, such as the *Jungle Queen*, using the river, it can be difficult for vessels to pass one another on the waterway, which necessitates the use of large open areas for this purpose. Mr. Schein pointed out that whether the Applicant is granted mooring piles or not, there will continue to be boats docked at the property.

Mr. McLaughlin stated that the only restriction that can be placed on the size of a boat docked on the subject property is to “keep the structures in close” so it is clear that a vessel 100 ft. or larger cannot safely be docked there. He objected to the proposed pilings because they would not restrict the owner from docking a larger vessel on the property. Mr. Schein reiterated that the Applicant is willing to accept a condition of approval which would restrict the size of the boat docked on the site to 55 ft. Mr. McLaughlin pointed out that previous applicants have agreed to similar conditions, but these conditions are not enforced, particularly if the property is sold to a new owner.

Mr. Schein advised that if the Board recommends denial of the Applications, he hoped they would be based upon the merits of the Applications themselves and not speculation on what could possibly be done at the site.

Ms. Norvell suggested that if the Applicant did not plan to dock a larger vessel than 60 ft. on the subject property, they could request that the mooring piles be extended at a lesser distance, such as 15 ft., rather than 35 ft. She asked if the Applicant had considered a different configuration of structures on the property rather than adding pilings. Mr. Schein explained that the subject properties are separate rather than combined, although they are owned by family members.

Ms. George requested further clarification of why a restriction entered into by the Applicant, restricting the size of the boat on his property, could not be enforced. Chair Morley explained that there would be nothing against which Code Enforcement could take action. Mr. Schein stated that the Applicant was willing to enter into a separate legal mechanism with the City which would provide a basis for enforcement.

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

Chair Morley noted that while the two Applications had been presented together, the Board would vote upon each Application separately. He requested a motion on the Application for 801 SW 6<sup>th</sup> Street.

**Motion** made by Vice Chair Witten, seconded by Mr. Franks, to reject 801. In a roll call vote, the **motion** passed unanimously (7-0).

Chair Morley requested a motion on the Application for 777 SW 6<sup>th</sup> Street.

**Motion** made by Vice Chair Witten, seconded by Mr. Knott, to reject. In a voice vote, the **motion** passed unanimously (7-0).

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

Mr. McLaughlin observed that while structures on a property trigger variance requests, he felt the trigger should be the furthest extension of the vessel docked there. He pointed out that if a boat lift, for example, requires a variance of 5 ft., the bow of the boat on that lift may extend beyond the lift itself. He suggested that the Board consider recommending a change in how variances are determined to the City Commission, which would take the length of the boat into consideration.

Chair Morley commented that there is currently no restriction on docked vessels other than falling within the uniform 30% of the width of the waterway. This would mean any recommendation such as the one described by Mr. McLaughlin would require a Code modification.

Mr. Cuba pointed out that the 30% restriction typically works; however, there are some circumstances on the New River which can contribute to concerns. Chair Morley also recalled that the Board has previously discussed the possibility of recommending a moratorium on waivers on the New River, due to the designation of that waterway as a commercial corridor. He pointed out that the New River's navigable waterway is considered to extend from bank to bank rather than identifying a channel.

Chair Morley asked if the Board had interest in sending a communication to the City Commission to recommend a moratorium on waivers on the New River in light of concerns regarding safety and navigation of commercial operators. Mr. Cuba stated that he could place a discussion of these concerns on the Board's December Agenda.

Chair Morley continued that it is important for the Board to consider both sides of this issue, balancing the needs of homeowners against those of commercial operators. He asked the Board members to consider related topics they may wish to discuss at the December meeting.

The Board members further discussed conditions on the New River, with Vice Chair Witten stating that the interests of commercial operators should not be neglected in favor of the interests of residents. He added that some of the waivers granted on this waterway in recent years probably should not have been granted, resulting in a more aggressive stance on these issues by the Board.

Mr. Cuba proposed that after the Board has discussed this topic, they may also wish to invite representatives of the marine industry to provide their perspective at a subsequent meeting as well.

### **IX. Adjournment**

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

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by K. McGuire, Prototype, Inc.]

# ITEM V

## MEMORANDUM MF NO. 22-26

DATE: November 15, 2022

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities Manager

RE: December 1, 2022 MAB Meeting – Application for Dock Permit – Rick J Burgess / 711 Cordova Road

Attached for your review is an application from Rick J Burgess / 711 Cordova Road.

### APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for the installation of 50'+/- long x 8'+/- wide marginal dock, access steps, and a 14'+/-x10'+/- 4-post boat lift extending a maximum distance of 25' +/-from the property line on public property abutting the waterway adjacent to 711 Cordova Road. City Code Section 8-144 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.
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

December 1, 2022

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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.
7. The public swale area shall be kept open at all times as means of reasonable ingress and egress to the public, but the permit holder shall have the right to exclude the public from the dock area.
8. Vessels berthed within the Dock Area must not encroach into the northerly or southerly extension of the 5' set-back required for the RS-8 zoning district for Applicant's (Permit Holder's) Property.
9. All installed docks must be either (i) floating docks that can adapt to sea level rise over their useful life span; or (ii) fixed docks installed at a minimum height consistent with the requirements of section 47-19.3(f); or (iii) fixed docks the height of which are even with the City's seawall, whichever (ii) or (iii) is the greater.
10. Except as to a tender, there shall be no rafting of vessels from the moored vessel.
11. The permit shall guarantee from the permit holder to the city to indemnify and hold the city harmless for any damage or injury to any person using such facilities.
12. Per 8-144 (6), penetration of the City's seawall to support the dock of attach improvements is prohibited, barring specified considerations.
13. The Applicant has the responsibility to execute and deliver a Declaration of Covenants Running With the Land Respecting A City Issued Dock Permit to the City Attorney's Office no later than ten (10) days prior to the Commission meeting date.
14. The violation of any provisions of Code Section 8-144 or violations of any of the terms or conditions relative to the granting or renewal of a dock permit shall be unlawful and may constitute cause for revocation of the permit.

AC

Attachment

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

APPLICATION FOR DOCK PERMIT ( RENEWAL )

Applicant Name : Rick J Burgess

Address: 711 Cordova Road  
Fort Lauderdale, FL 33316

Type of Agreement: Renewal Dock permit

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To: Marine Advisory Board:

I own 711 Cordova Road and previously had a permitted dock across from the house which was demolished for the seawall construction.

I sold my boat at that time and do not own a vessel now but will supply evidence of ownership to the City upon purchase.

I am requesting approval to build a marginal dock measuring 50' x 8' with a 4 post boat lift measuring 14' x 10'. The proposed dock plan

attached at page 18 shows that the dock and lift will not exceed 25' from the property line. There will be steps to the dock on the landward side of the seawall ( with no penetration of the seawall ). The

dock will be for my personal use. The dock plans (prepared by Yacht Lifters) are attached along with a survey showing the 5' side yard setback extending into the Rio Cordova Canal ( page 18, and Exhibit A at page 19 ). The City previously approved the landscaping in the public swale area (the sea grape hedge and the two clusters of three Christmas Tree Palms

shown in the photo attached at page 15.)

Regards,  
Rick Burgess

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

**THIS CORRECTIVE QUIT-CLAIM DEED IS BEING RECORDED TO CORRECT THE DEED RECORDED JUNE 2, 2022 UNDER INSTRUMENT # 118184562 TO REFLECT TWO WITNESSES TO THE SIGNATURES OF EDWARD J. BOHNE, III AND ELIZABETH E. BOHNE.**

**CORRECTIVE QUIT-CLAIM DEED**

THIS QUIT-CLAIM DEED, executed this 16<sup>th</sup> day of August, 2022, by Edward J. Bohne, III and Elizabeth E. Bohne, husband and wife, whose post office address is: 721 Cordova Road, Fort Lauderdale, FL 33316, and Rick J. Burgess, a single man, whose post office address is: 711 Cordova Road, Fort Lauderdale, FL 33316, First Party, to Rick J. Burgess, whose post office address is: 711 Cordova Road, Fort Lauderdale, FL 33316, Second Party:

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

LOT 46, LESS THE SOUTH 16.67 FEET (MEASURED ALONG THE FRONT OR EAST LOT LINE) OF SAID LOT 46, BLOCK 30, "RIO VISTA ISLES, UNIT 3", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, AT PAGE 47, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Parcel Identification No: (the North ½ of 504211-18-3650)

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

IN WITNESS WHEREOF, the said First Party has signed and sealed these presents the date and year first above written.

Signed, sealed and delivered  
in the presence of:

*Cheryl Lee*  
Witness (as to both)  
Printed Name: Cheryl Lee

*Vanessa N. Economy*  
Witness (as to both)  
Printed Name: VANESSA N. Economy

*Edward J. Bohne III*  
Edward J. Bohne III

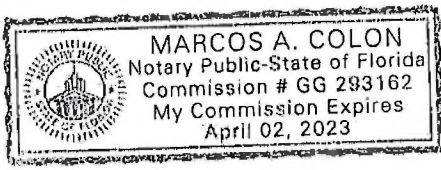
*Elizabeth E. Bohne*  
Elizabeth E. Bohne

STATE OF FLORIDA  
COUNTY OF BROWARD

SS.:

The foregoing instrument was acknowledged before me this 8 day of August, 2022, by Edward J. Bohne, III and Elizabeth E. Bohne, who ✓ are personally known, or who     have produced a valid driver's license for identification.

*Marcos A. Colon* (SEAL)  
Notary Public  
My Commission Expires: \_\_\_\_\_



Signed, sealed and delivered  
in the presence of:

Kimberly Kiersted  
Witness  
Printed Name: Kimberly Kiersted

RJ Burgess  
Rick J. Burgess

Haley Liningier  
Witness  
Printed Name: Haley Liningier

STATE OF FLORIDA  
COUNTY OF BROWARD

SS.:

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of August, 2022, by Rick J. Burgess, who  is personally known, or who \_\_\_ has produced a valid driver's license for identification.

Michelle A. McLeod (SEAL)  
Notary Public  
My Commission Expires: May 23, 2023



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

### QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED, executed this 31<sup>st</sup> day of May, 2022, by Edward J. Bohne, III and Elizabeth E. Bohne, husband and wife, whose post office address is: 721 Cordova Road, Fort Lauderdale, FL 33316, and Rick J. Burgess, a single man, whose post office address is: 711 Cordova Road, Fort Lauderdale, FL 33316, First Party, to Rick J. Burgess, whose post office address is: 711 Cordova Road, Fort Lauderdale, FL 33316:

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

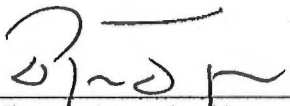
LOT 46, LESS THE SOUTH 16.67 FEET (MEASURED ALONG THE FRONT OR EAST LOT LINE) OF SAID LOT 46, BLOCK 30, "RIO VISTA ISLES, UNIT 3", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, AT PAGE 47, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.


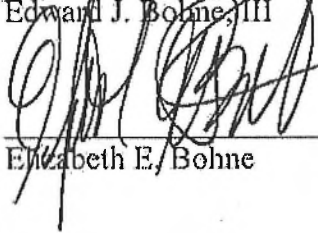
Parcel Identification No: (the North ½ of 504211-18-3650)

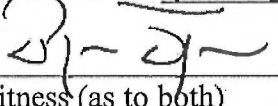
TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said First Party, either in law or equity, to the only proper use, benefit and behoof of the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

IN WITNESS WHEREOF, the said First Party has signed and sealed these presents the date and year first above written.

Signed, sealed and delivered  
in the presence of:

  
\_\_\_\_\_  
Witness (as to both)  
Printed Name: RAFAEL MENDEZ


  
\_\_\_\_\_  
Edward J. Bohne, III  
  
\_\_\_\_\_  
Elizabeth E. Bohne

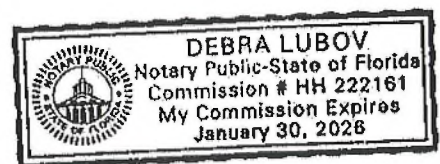
  
\_\_\_\_\_  
Witness (as to both)  
Printed Name: RAFAEL MENDEZ

STATE OF FLORIDA  
COUNTY OF BROWARD

SS.:

The foregoing instrument was acknowledged before me this 31 day of May, 2022, by Edward J. Bohne, III and Elizabeth E. Bohne, who  are personally known, or who \_\_\_ have produced a valid driver's license for identification.

  
\_\_\_\_\_  
Notary Public (SEAL)  
My Commission Expires: 1-30-26



Signed, sealed and delivered  
in the presence of:

[Signature]  
Witness  
Printed Name: Michelle Newman

[Signature]  
Rick J. Burgess

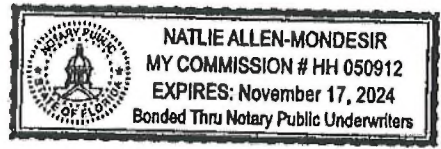
[Signature]  
Witness  
Printed Name: Karon K. Castillo

STATE OF FLORIDA  
COUNTY OF BROWARD

SS.:

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of May, 2022, by Rick J. Burgess, who ✓ is personally known, or who     has produced a valid driver's license for identification.

[Signature] (SEAL)  
Notary Public  
My Commission Expires: November 17, 2024



Prepared by and return to:

Evette Arguinzoni  
Paralegal  
Balocco & Abril, PLLC  
4332 East Tradewinds Avenue  
Lauderdale By The Sea, FL 33308  
954-530-4731  
File Number: Bohne 22-137

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this 25th day of May, 2022 between William Jubb Corbet, Jr., an unremarried widower whose post office address is 2009 Marietta Drive, Fort Lauderdale, FL 33316, grantor, and Edward J. Bohne, III and Elizabeth E. Bohne, husband and wife, whose post office address is 721 Cordova Road, Fort Lauderdale, FL 33316, and Rick J. Burgess, whose post office address is 711 Cordova Road, Fort Lauderdale, FL 33316, as tenants in common, each as to an undivided 50% interest, grantee:

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

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

Lots Forty-Six (46) and Forty-Seven (47), excepting therefrom the South 33.34 feet of Lot Forty-Seven (47), (measured along the front or East line of Said Lot Forty-Seven), in Block Thirty (30) of Unit 3 including Revised Plat of Unit No. 1 and Unit No. 2 of Rio Vista Isles, according to the Plat thereof, recorded in Plat Book 7, Page 47, of the Public Records of Broward County, Florida, said lands situate, lying and being in Broward County, Florida.

Parcel Identification Number: 504211-18-3650

**SUBJECT TO** land use designation, 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.

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

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

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2021.

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:

[Signature]  
Witness Name: Nancy Zilka

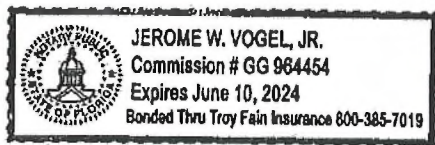
William Jubb Corbet Jr by  
Margaret G. Corbet his attorney-in-fact (Seal)  
William Jubb Corbet, Jr., by Margaret G. Corbet his attorney-in-fact

[Signature]  
Witness Name: Jerome W. Vogel, Jr.

State of Florida  
County of Broward

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 22 day of May, 2022 by Margaret G. Corbet as attorney-in-fact for William Jubb Corbet, Jr., who  is personally known or  has produced a driver's license as identification.

[Notary Seal]



[Signature]  
Notary Public  
Printed Name JEROME W. VOGEL, JR.  
My Commission Expires Commission # GG 964454 Expires June 10, 2024 Bonded Thru Troy Fain Insurance 800-385-7019

3

Prepared by:  
JOSEPH M. BALOCCO, ESQ.  
1323 SE Third Avenue  
Fort Lauderdale, FL 33316

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

THIS INDENTURE, made this 16<sup>th</sup> day of March, 2011 BETWEEN JOAN C. DRISCOLL, a single woman, Grantor, located at the following address: 1800 SW 75<sup>th</sup> Terrace Plantation, FL 33317 and RICK J. BURGESS, Grantee, located at the following address: 711 Cordova Road, 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 45, Block 30, RIO VISTA ISLES UNIT 3, according to the map or plat thereof, recorded in Plat Book 7, Page 47, of the Public Records of Broward County, Florida.

Tax Folio No. 504211-18-3640

Subject to: Covenants, easements and restrictions of record, if any; matters of plat, if any; existing zoning and government regulations; and taxes for the year 2011.

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:

Vicki Summers  
Witness Signature

Vicki Summers  
Witness Printed Name

Joseph M. Balocco  
Witness Signature

Joseph M. Balocco  
Witness Printed Name

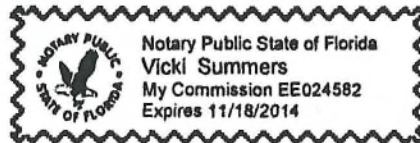
Joan C. Driscoll  
JOAN C. DRISCOLL

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of March, 2011 by JOAN C. DRISCOLL, who        is personally known to me or Y has produced a valid drivers license as identification.

Vicki Summers (SEAL)  
Notary Public

My Commission Expires:



**PROPERTY SUMMARY**

**Tax Year:** 2023  
**Property ID:** 504211183640  
**Property Owner(s):** BURGESS, RICK J  
**Mailing Address:** 711 CORDOVA RD FORT LAUDERDALE, FL 33316  
**Physical Address:** 711 CORDOVA ROAD FORT LAUDERDALE, 33316

**Property Use:** 01-02 (\$30 Base Rate) House  
Guest house  
**Millage Code:** 0312  
**Adj. Bldg. S.F.:** 4721  
**Bldg Under Air S.F.:** 4665  
**Effective Year:** 1987  
**Year Built:** 1986  
**Units/Beds/Baths:** 2 / 3 / 3

**Deputy Appraiser:** Residential Department  
**Appraisers Number:** 954-357-6831  
**Email:** [realprop@bcpa.net](mailto:realprop@bcpa.net)  
**Zoning:** RS-8 - RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY  
**Abbr. Legal Des.:** RIO VISTA ISLES UNIT 3 7-47 B LOT 45, BLK 30 TOG WITH LOT 46 LESS S 16.67 (MEASURED ALG FRONTOR E LOT LINE) OF SAID LOT 46, BLK 30

**PROPERTY ASSESSMENT**

Year	Land	Building / Improvement	Agricultural Saving	Just / Market Value	Assessed / SOH Value	Tax
2023	\$447,600	\$1,881,520	0	\$2,329,120	\$1,349,950	
2022	\$447,600	\$1,881,520	0	\$2,329,120	\$1,349,950	\$24,814.15
2021	\$268,560	\$1,040,180	0	\$1,308,740	\$911,110	\$16,702.51

**EXEMPTIONS AND TAXING AUTHORITY INFORMATION**

	County	School Board	Municipal	Independent
Just Value	\$2,329,120	\$2,329,120	\$2,329,120	\$2,329,120
Portability	0	0	0	0
Assessed / SOH 12	\$1,349,950	\$1,349,950	\$1,349,950	\$1,349,950
Granny Flat				
Homestead 100%	\$25,000	\$25,000	\$25,000	\$25,000
Add. Homestead	\$25,000	0	\$25,000	\$25,000
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exemption Type	0	0	0	0
Affordable Housing	0	0	0	0
Taxable	\$1,299,950	\$1,324,950	\$1,299,950	\$1,299,950

**SALES HISTORY FOR THIS PARCEL**

Date	Type	Price	Book/Page or Cin
08/08/2022	Rerecorded Deed Correction Non-Sale Title Change	\$100	118345578
05/31/2022	Quit Claim Deed Non-Sale Title Change	\$100	118184562
05/22/2022	Multi Warranty Deed Disqualified Sale	\$1,400,000	118173807
03/16/2011	Warranty Deed	\$940,000	47793 / 1790
05/01/1993	Warranty Deed	\$425,000	20655 / 274

**LAND CALCULATIONS**

Unit Price	Units	Type
\$40.00	11,190 SqFt	Square Foot

**RECENT SALES IN THIS SUBDIVISION**

Property ID	Date	Type	Qualified/ Disqualified	Price	CIN	Property Address
504211181310	10/26/2022	Multi Special Warranty Deed	Excluded Sale	\$2,950,000	118490629	1130 S FEDERAL HWY FORT LAUDERDALE, FL 33316
504211181330	10/26/2022	Multi Special Warranty Deed	Excluded Sale	\$2,950,000	118490629	S FEDERAL HWY FORT LAUDERDALE, FL 33316
504211181340	10/26/2022	Multi Special Warranty Deed	Excluded Sale	\$2,950,000	118490629	1140 S FEDERAL HWY FORT LAUDERDALE, FL 33316
504211180450	10/24/2022	Warranty Deed	Qualified Sale	\$2,365,000	118477312	1330 SE 11 ST FORT LAUDERDALE, FL 33316
504211183030	10/04/2022	Special Warranty Deed	Qualified New Construction	\$3,237,400	118473450	1020 S RIO VISTA BLVD FORT LAUDERDALE, FL 33316

**SPECIAL ASSESSMENTS**

Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
Ft Lauderdale Fire-rescue (03) Residential (R) 1						(F1) 1.00		

**SCHOOL**


**Harbordale Elementary: A**  
**Sunrise Middle: C**  
**Fort Lauderdale High: A**

**ELECTED OFFICIALS**

Property Appraiser	County Comm. District	County Comm. Name	US House Rep. District	US House Rep. Name
Marty Kiar	4	Lamar P. Fisher	22	Ted Deutch

Florida House Rep. District	Florida House Rep. Name	Florida Senator District	Florida Senator Name	School Board Member





**PINNELL SURVEY, INC.**  
 PROFESSIONAL SURVEYORS AND MAPPERS  
 5300 WEST HILLSBORO BOULEVARD, SUITE 215-A  
 COCONUT CREEK, FLORIDA 33073  
 PHONE: (954)418-4940 FAX: (954)418-4941  
 LICENSED BUSINESS #6657

PROJECT ADDRESS: 711 CORDOVA ROAD  
 FORT LAUDERDALE, FLORIDA 33316


CERTIFY TO:  
 1. RICK J. BURGESS

LEGAL DESCRIPTION:  
 LOTS 45 AND 46, LESS THE SOUTH 16.67 FEET (MEASURED ALONG THE FRONT OR EAST LOT LINE) OF SAID LOT 46, BLOCK 30, "RIO VISTA ISLES, UNIT 3", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, AT PAGE 47, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

ENCROACHMENT NOTES:  
 1) 6 FOOT WOOD FENCE CROSSES OVER THE WESTERLY PROPERTY LINE.  
 2) 6 FOOT WOOD FENCES, 6 FOOT C.B.S. WALL AND COLUMN CROSS OVER THE NORTHERLY PROPERTY LINE.  
 3) C.B.S. RESIDENCE AND CONCRETE CROSS OVER THE SOUTHERLY PROPERTY LINE.

GENERAL NOTES:  
 1) TYPE OF SURVEY: BOUNDARY  
 2) IF THIS SURVEY HAS BEEN REVISED AS INDICATED IN THE REVISION BOX SHOWN HEREON, THEN ANY AND ALL PREVIOUS VERSIONS OF THIS SURVEY PREPARED BY PINNELL SURVEY, INC. ARE NULL & VOID.  
 3) THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, UNLESS IT HAS BEEN ELECTRONICALLY SIGNED AND SEALED.  
 4) THE PROPERTY SHOWN HEREON WAS NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD BY PINNELL SURVEY, INC. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT DEPICTED ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY, FOR WHICH THE SUBJECT PROPERTY IS LOCATED IN.  
 5) UNLESS OTHERWISE NOTED, FIELD MEASUREMENTS ARE IN AGREEMENT WITH RECORD MEASUREMENTS.  
 6) ELEVATIONS SHOWN HEREON ARE BASED ON THE NAVD '88, UNLESS OTHERWISE NOTED.  
 7) UNDERGROUND IMPROVEMENTS AND UTILITIES ARE NOT LOCATED.  
 8) FENCE AND WALL OWNERSHIP IS NOT DETERMINED.  
 9) THIS DRAWING IS THE PROPERTY OF PINNELL SURVEY, INC. AND SHALL NOT BE USED OR REPRODUCED, WHOLE OR IN PART WITHOUT WRITTEN PERMISSION & AUTHORIZATION FROM PINNELL SURVEY, INC.  
 10) ALL EASEMENTS SHOWN ON THE ATTACHED DRAWING ARE PER THE RECORD PLAT (UNLESS OTHERWISE NOTED).  
 11) BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF SOUTH 13°32'28" WEST ALONG THE EASTERLY LINE OF LOTS 45 AND 46, BLOCK 30 OF RIO VISTA ISLES, UNIT 3, PLAT BOOK 7, PAGE 47 BROWARD COUNTY RECORDS.  
 12) BY GRAPHIC PLOTTING ONLY, THE PROPERTY SHOWN HEREON IS LOCATED WITHIN A FLOOD ZONE "AE" WITH A BASE FLOOD ELEVATION OF 5 FEET, AS SHOWN ON F.L.R.M. MAP 125105-0557-H, BEARING A MAP EFFECTIVE DATE OF 08/16/14 AND AN INDEX MAP REVISION DATE OF 08/16/14.  
 13) REFERENCE BENCHMARK: CITY OF FORT LAUDERDALE B.M. ON BRIDGE AT S.E. 8TH STREET & CORDOVA ROAD, ELEVATION=5.898'(NGVD '29) / 4.311'(NAVD '88)  
 14) REFERENCE BENCHMARK ELEVATION DATUM WAS CONVERTED FROM NGVD '29 TO NAVD '88 USING CORPSSON 8.0.1.  
 15) DATE FIELDWORK PERFORMED: 02/21/22 (FIELD BOOK 641, PAGE 65)  
 16) DRAWN BY: Q.D.J. CHECKED BY: J.P.

CERTIFICATION:  
 THIS IS TO CERTIFY THAT I HAVE RECENTLY SURVEYED THE PROPERTY DESCRIBED IN THE FOREGOING TITLE CAPTION AND HAVE SET OR FOUND MONUMENTS AS INDICATED ON THIS SKETCH AND THAT SAID ABOVE GROUND SURVEY AND SKETCH ARE ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE UNDER RULE 5A-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA STATE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS.



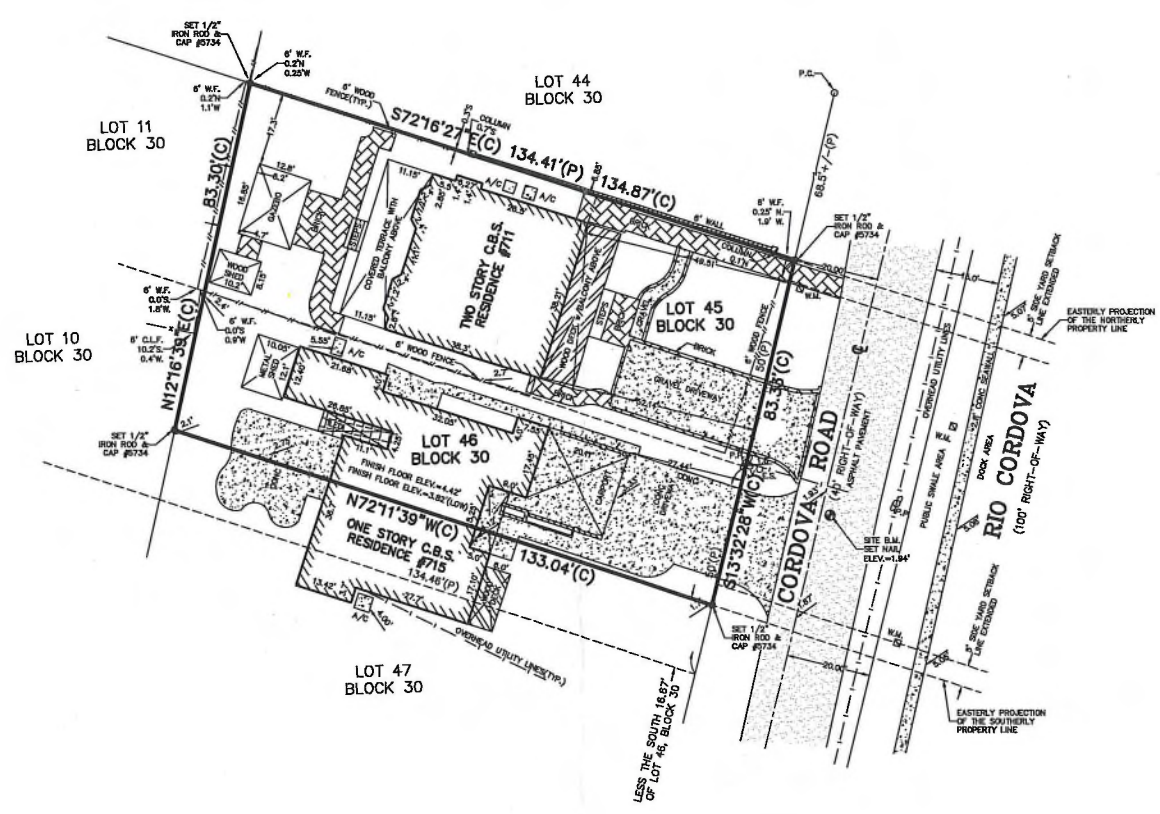
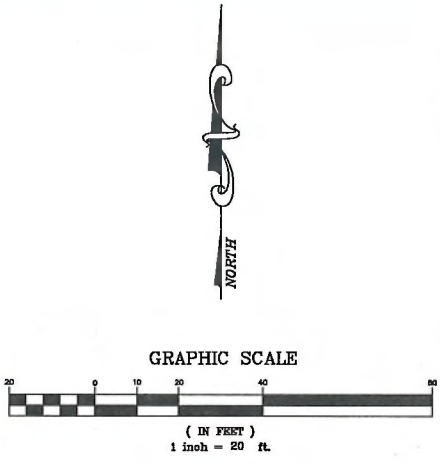
JASON H. PINNELL  
 PROFESSIONAL SURVEYOR & MAPPER  
 LICENSE NO. 5734 - STATE OF FLORIDA

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

REVISIONS:

REVISION	DATE	CHECKED BY
UPDATE AND ADD ELEVATIONS ON SEAWALL (22-1839)	09/06/22	K.M.
EXTENSION OF THE PROPERTY LINES & EXTENSION OF SETBACKS PER EMAIL	09/12/22	K.M.

PROJECT NAME: BURGESS PROJECT NO.: 22-1086



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

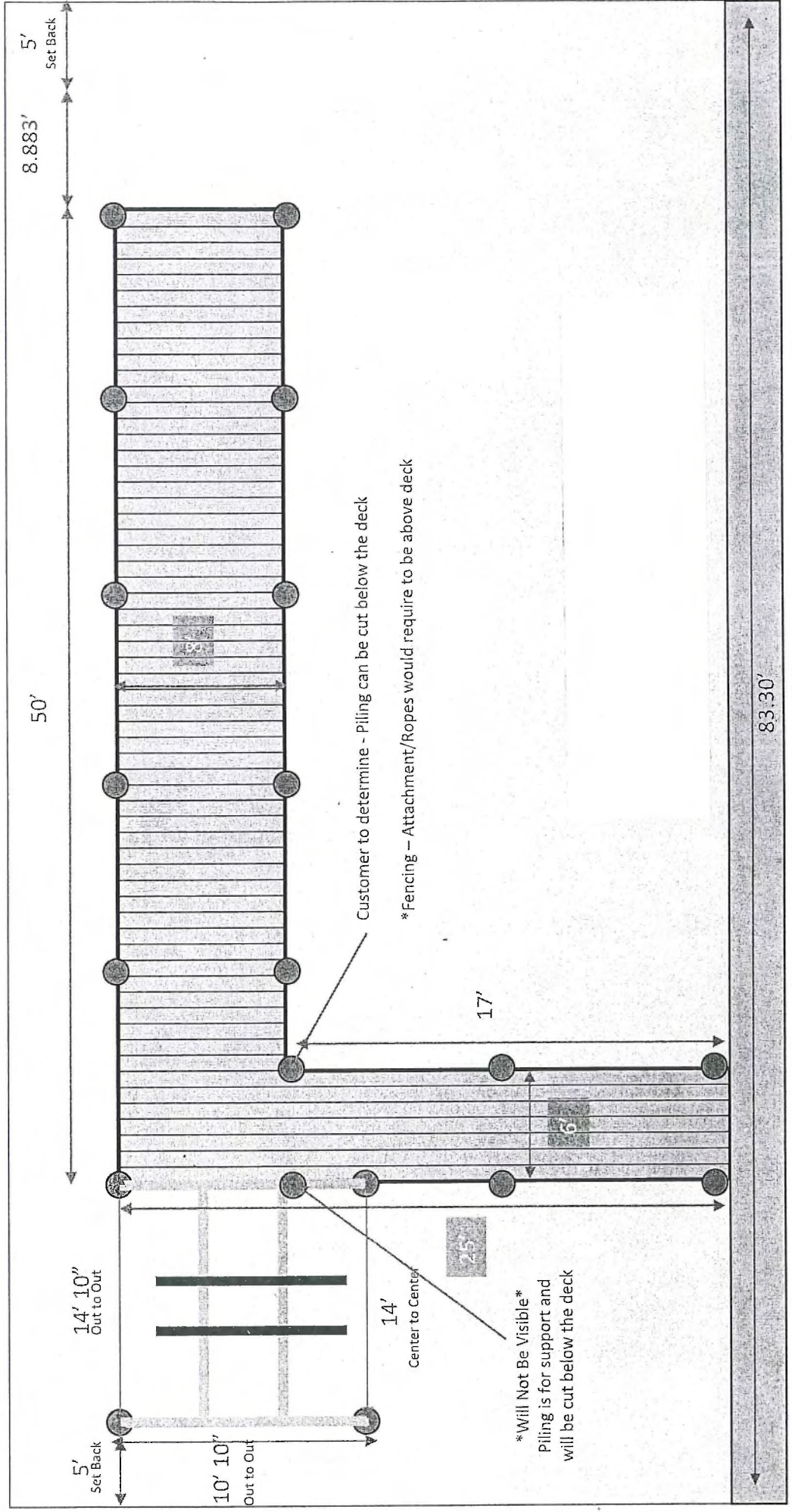
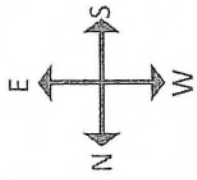
14A



15







Customer to determine - Piling can be cut below the deck

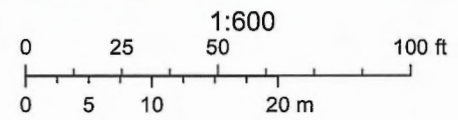
\* Fencing - Attachment/Ropes would require to be above deck

\* Will Not Be Visible\*  
 Piling is for support and will be cut below the deck





August 8, 2022





**Electric Bill Statement**

**For:** Oct 4, 2022 to Nov 2, 2022 (29 days)

**Statement Date:** Nov 2, 2022

**Account Number:** 88952-76486

**Service Address:**

711 CORDOVA RD  
FORT LAUDERDALE, FL 33316

Hello Rick J Burgess,  
Here's what you owe for this billing period.

**CURRENT BILL**

**\$195.19**

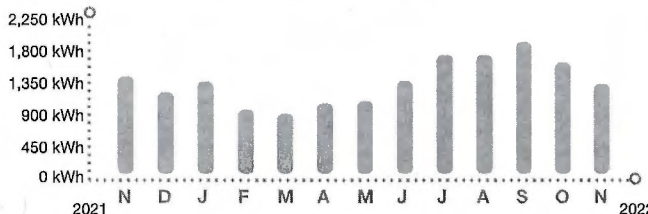
TOTAL AMOUNT YOU OWE

**Nov 23, 2022**

NEW CHARGES DUE BY

Receive predictable bills  
all year long. Enroll in  
FPL Budget Billing®  
FPL.com/BB

**ENERGY USAGE HISTORY**



**BILL SUMMARY**

Amount of your last bill	244.17
Payments received	-244.17
Balance before new charges	0.00
Total new charges	195.19
<b>Total amount you owe</b>	<b>\$195.19</b>

(See page 2 for bill details.)

**KEEP IN MIND**

- Payments received after November 23, 2022 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.

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)



/ 27

7102889527648609159100000

RICK J BURGESS  
711 CORDOVA RD  
FORT LAUDERDALE FL 33316-1429

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:

FPL  
GENERAL MAIL FACILITY  
MIAMI FL 33188-0001

Visit [FPL.com/PayBill](http://FPL.com/PayBill)  
for ways to pay.

88952-76486	\$195.19	Nov 23, 2022	\$
ACCOUNT NUMBER	TOTAL AMOUNT YOU OWE	NEW CHARGES DUE BY	AMOUNT ENCLOSED

21

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 VI

## MEMORANDUM MF NO. 22-27

DATE: November 15, 2022

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities Manager

RE: December 1, 2022 MAB – Application - Dock Waiver of Distance Limitations  
–1645 EL, LLC – Ellen Latham / 1645 E Lake Drive

Attached for your review is an application from 1645 EL, LLC – Ellen Latham, 1645 East Lake Drive (see **Exhibit 1**).

### APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for the construction of a 30+/- x19+/- 33,000 pound eight-post boat lift. The proposed lift encroaches more than 25' from the property line into the adjacent Sylvan Lake, requiring a Dock Waiver of Distance Limitations. The boat lift extends a maximum distance of 30+/- from the property line into the Mercedes River/Sylvan Lake, where the waterway width is indicated as 128+/-, as shown on page 7 in the application package and summarized in Table 1:

**TABLE 1**

<b>PROPOSED STRUCTURES</b>	<b>STRUCTURE DISTANCE FROM PROPERTY LINE</b>	<b>PERMITTED DISTANCE WITHOUT WAIVER</b>	<b>DISTANCE REQUIRING A WAIVER</b>
<b>Eight-Post Boat Lift</b>	<b>30'+/-</b>	<b>25'</b>	<b>5'+/-</b>

The City's Unified Land and Development Regulations (UDLR), Section 47-19.3.C limits the maximum distance of mooring structures to 25% or 25', whichever is less, from the property line into the waterway. Section 47.19.3.E authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances. The applicant's summary description specifies that the boat lift is necessary to safely moor the owner's vessel, due to wakes resulting from adjacent water sports activity zone in Lake Sylvan.

### PROPERTY LOCATION AND ZONING

The property is located within the Harbor Beach RS 4.4 Residential Single Family / Low Density District.

## RECOMMENDATIONS

Should the Marine Advisory Board consider approval of the application, the resolution under consideration for approval by the City Commission should include at least the following:

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 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, and verification of receipt of all applicable Federal and State permits.

AC

Attachment

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



# **AMERICAN SEAWALL**

## **MARINE CONSTRUCTION, INC.**

P.O. Box 10523  
Pompano Beach, FL 33061  
(954) 943-1555

### **COVER SHEET**

**1645 East Lake Drive  
Ft. Lauderdale, FL 33316**

**Dock Waiver Application  
Owner: 1645 EL, LLC / Ellen Latham**

#### **Table of Contents**

- 1. Summary Description**
- 2. Original Site Plan + Survey**
- 3. Photos of Existing Dock**
- 4. Aerial Photo**
- 5. Project Plans**
- 6. Application**
- 7. Property Appraiser Proof of Ownership**
- 8. Width of Canal**



# AMERICAN SEAWALL

## MARINE CONSTRUCTION, INC.

P.O. Box 10523  
Pompano Beach, FL 33061  
(954) 943-1555

November 8, 2022

To: City of Ft. Lauderdale Marine Advisory Board  
FROM: Kyle Martinez – American Seawall Marine Construction, Inc.  
RE: 1645 EL, LLC / Ellen Latham Boat Lift Extension  
1645 E. Lake Drive  
Ft. Lauderdale , FL 33316

Dear Board Members,

Due to the location of 1645 E. Lake Drive, Ft. Lauderdale and its proximity to this Water Sports Activity Zone and the large number of vessels mooring in Lake Sylvan, the need to raise this Boat with a Protective Boat Lift Device, is pertinent to accommodate and Protect The Owner's Vessel.

The Existing Code for a Lift; to extend no more than 25 feet. We are requesting for 5 additional feet into the Waterway for a total of 30 feet. This will accommodate and protect the vessel from damage from wakes and other possible accidents from the high volume of Water Sports and wakes that they cause. Also, the vessel mooring in the Lake are using the Bridge next to the house as an upland loading area.

Thank you,

Kyle Martinez – President  
American Seawall Marine Construction, Inc.



• Indicates Marker  
 Scale 1" = 40'

**AS-BUILT SEAWALL ELEVATION CERTIFICATE**  
 PORTION OF LOT 10 & ALL OF LOT 12  
 HARBOR BEACH, UNIT TWO (P.B. 24, PG. 26, B.C.R.)  
 1645 EAST LAKE DRIVE, FORT LAUDERDALE, FLORIDA

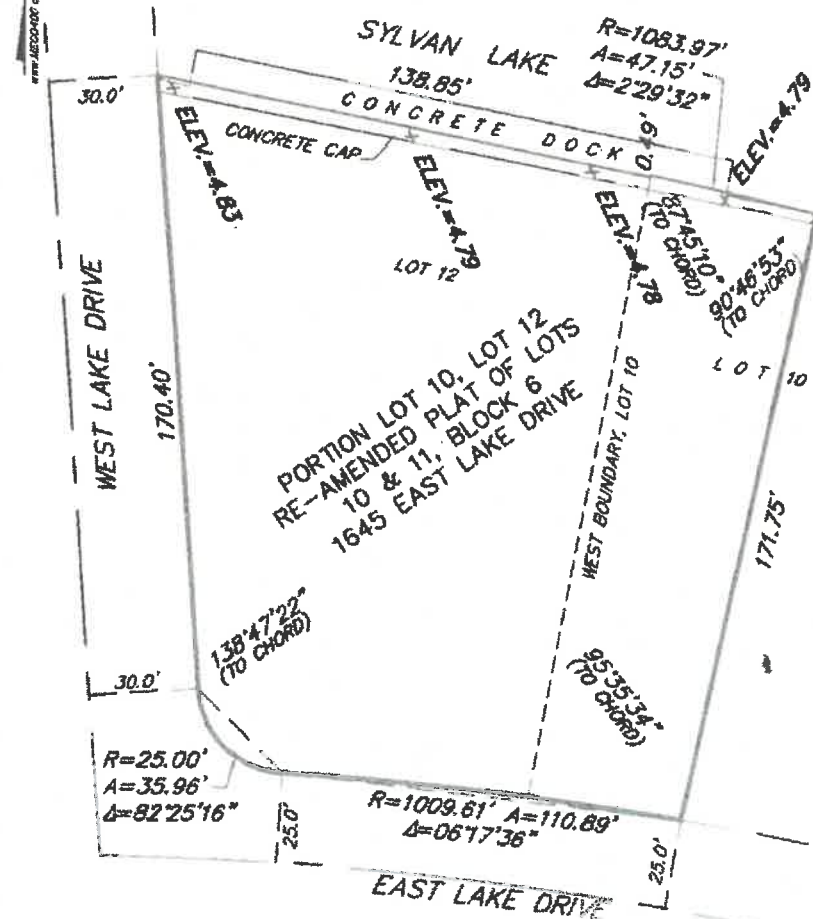
**LEGAL DESCRIPTION:**

A portion of LOT 10 and all of LOT 12, RE-AMENDED PLAT OF LOTS 10 AND 11, BLOCK 6, according to the plat thereof, as recorded in Plat Book 24, Page 26, of the public records of Broward County, Florida.

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



**Block Plan**  
 Not To Scale



**Legend**

- M.C. = McLaughlin Cap
- Elev. = Elevation
- W/L = with
- O/S = Offset
- Conc. = Concrete
- M. = Measured
- P. = Plat
- C.R.S. = Concrete, Block, Stucco

**GENERAL NOTES:**

- 1) This drawing is not valid unless sealed with an embossed surveyors seal.
- 2) Reference Bench Mark: City of Fort Lauderdale Benchmark #SE 59, 4.18 (NAVD 88)
- 3) Elevations shown refer to North American Vertical Datum (1988), and are indicated thus: Elev. = +4.76
- 4) 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 8.0.1) obtained from <http://www.tech.army.mil/>
- 5) THIS IS NOT A BOUNDARY SURVEY.

**CERTIFICATION:**

We hereby certify that this survey meets the "Standards of Practice" 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 17th day of December, 2020.

**McLAUGHLIN ENGINEERING CO.**

**Jerald A. McLaughlin**  
 Registered Land Surveyor No. 5269  
 State of Florida

**"NOT VALID UNLESS SEALED WITH AN AUTHORIZED SURVEYOR'S SEAL"**

FIELD BOOK NO. 593/52  
 JOB ORDER NO. V-5677

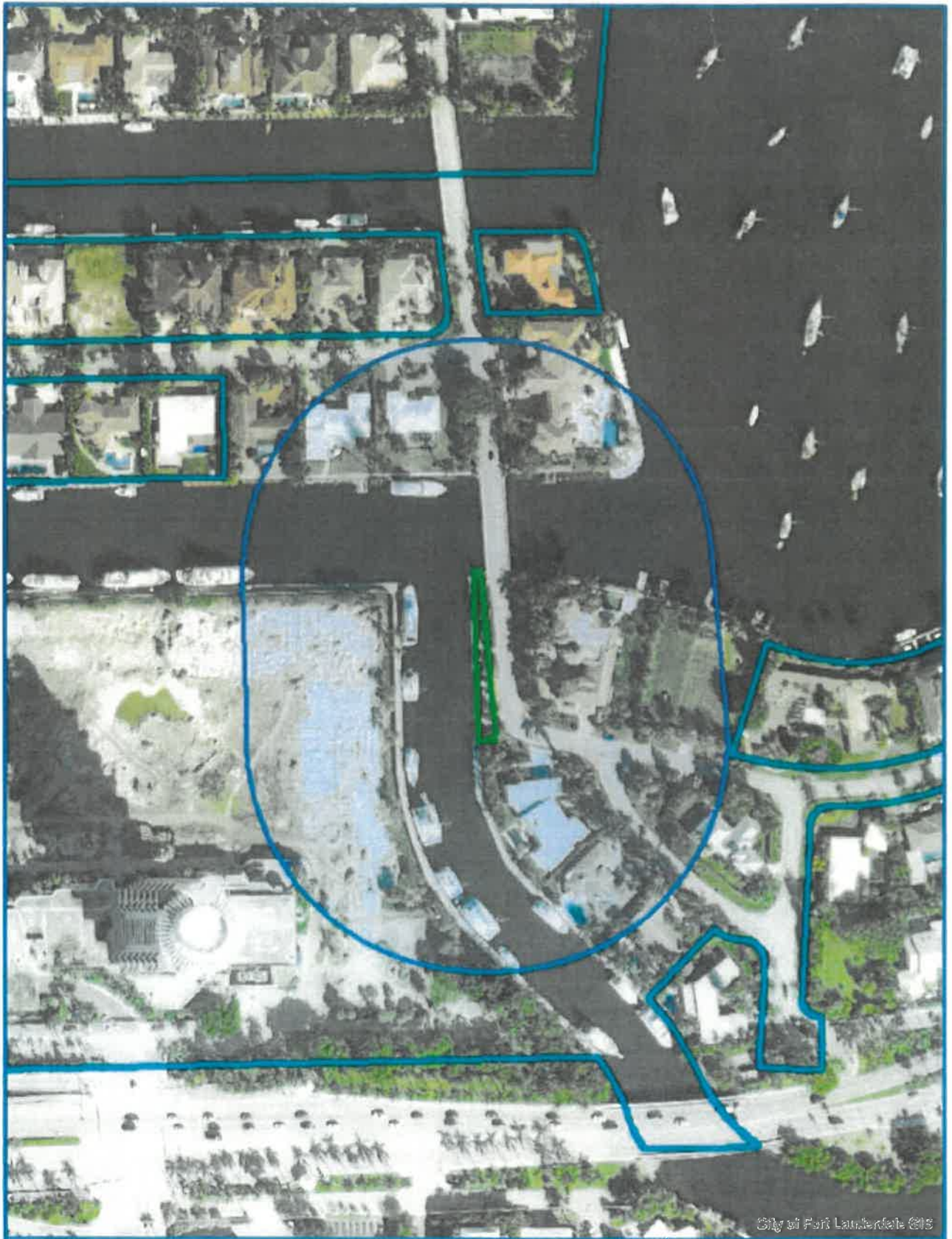
DRAWN BY: RT  
 CHECKED BY:



Folio # 5042 13 05 0140



Folio # 5042 13 05 0140



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

Map Created by GIS Mapper

1645 E Lake Drive

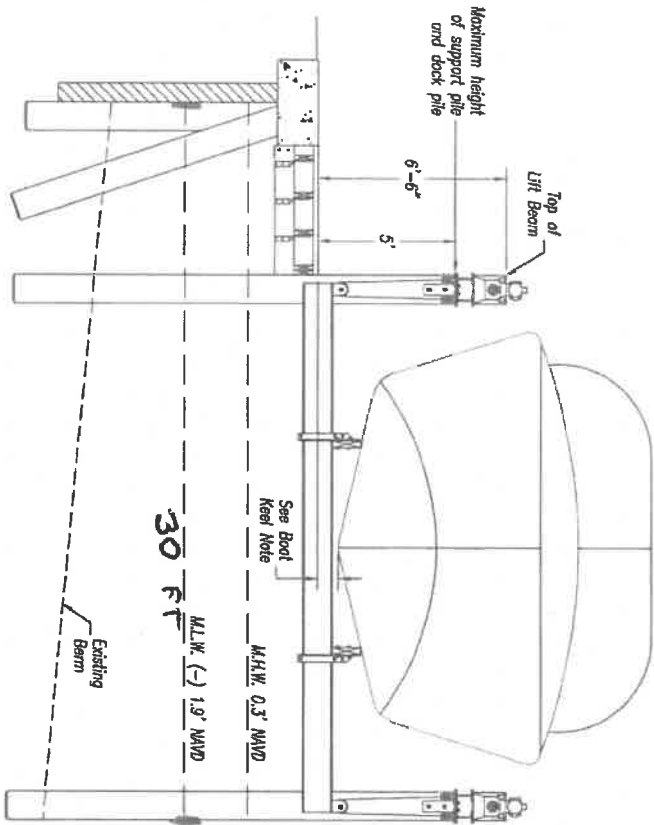


0 90 180 Feet

**GIS**  
Fort Lauderdale

Printed on: 10/24/2022





**33,000# Boatlift Section**

Scale: 1/4" = 1'-0"

**BOAT KEEL NOTE:**  
 Boat keel to be a maximum of one foot above minimum seawall elevation when lifted.

Project:  
 Proposed Boatlift

**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: 1645 EL , LLC / Ellen Latham

TELEPHONE NO: 954-214--5752 EMAIL: Nick10@bellsouth.net  
(home/cellular) (business)

2 APPLICANT'S ADDRESS (if different than the site address): P.O. Box 10523 Pompano Beach FL 33061

3 TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: Waiver: Boat Lift to Extend 5 Additional Feet into Waterway

4 SITE ADDRESS: 1645 East Lake Dr. ZONING: Residential  
Ft. Lauderdale, FL 33316

LEGAL DESCRIPTION AND FOLIO NUMBER: Folio # 5042 13 05 0140 / Legal Description:  
HARBOR BEACH UNIT 3 30-33 B LOT 12 TOG WITH A POR DESC AS BEG SW COR LOT 10 REAMEN PLAT OF LOTS 10 & 11, BLK 6  
HARBOR BEACH UNIT 2 24-26B, NE ALG WLY BDRY OF LOT 10 175.46, SELY ALG ARC 47.16 SW 172.03 SWLY ALG ARC 42.76  
TO POB & HARBOR BEACH UNIT 4 35-12 B PARCEL 1 LESS S 20

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

  
Applicant's Signature

11 /08/ 2022  
Date

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

City of Fort Lauderdale

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

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

**Commission Action**  
Formal Action taken on \_\_\_\_\_

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



<b>Site Address</b>	1645 E LAKE DRIVE, FORT LAUDERDALE FL 33316	<b>ID #</b>	5042 13 05 0140
<b>Property Owner</b>	1645 EL LLC	<b>Millage</b>	0312
<b>Mailing Address</b>	1501 SE 13 ST FORT LAUDERDALE FL 33316	<b>Use</b>	00
<b>Abbr Legal Description</b>	HARBOR BEACH UNIT 3 30-33 B LOT 12 TOG WITH A POR DESC AS BEG SW COR LOT 10 REAMEN PLAT OF LOTS 10 & 11, BLK 6 HARBOR BEACH UNIT 2 24-26B, NE ALG WLY BDRY OF LOT 10 175.46, SELY ALG ARC 47.16 SW 172.03 SWLY ALG ARC 42.76 TO POB & HARBOR BEACH UNIT 4 35-12 B PARCEL 1 LESS S 20		

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)**.

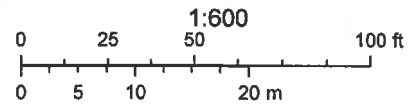
\* 2023 values are considered "working values" and are subject to change.

Property Assessment Values					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2023	\$5,178,210		\$5,178,210	\$5,178,210	
2022	\$5,178,210		\$5,178,210	\$5,069,800	\$94,997.35
2021	\$4,608,910		\$4,608,910	\$4,608,910	\$85,899.44

2023 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
<b>Just Value</b>	\$5,178,210	\$5,178,210	\$5,178,210	\$5,178,210
<b>Portability</b>	0	0	0	0
<b>Assessed/SOH</b>	\$5,178,210	\$5,178,210	\$5,178,210	\$5,178,210
<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>	\$5,178,210	\$5,178,210	\$5,178,210	\$5,178,210

Sales History				Land Calculations		
Date	Type	Price	Book/Page or CIN	Price	Factor	Type
7/17/2019	WD-Q	\$6,150,000	115939624	\$180.00	28,465	SF
12/28/2017	WD-Q	\$6,200,000	114825691	\$16.21	3,363	SF
1/11/2018	DRR-T	\$100	114828016			
8/30/2016	WD-Q	\$5,484,659	113914323			
5/20/2013	WD-T	\$100	111657773			
				<b>Adj. Bldg. S.F.</b>		

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03						F3		
L								
1						31833		



Sec. 47-19.3. - Boat slips, docks, boat davits, hoists and similar mooring structures.

(a) The following words when used in this section shall, for the purposes of this section, have the following meaning:

- (1) *Mooring device* means a subset of mooring structures as defined herein including boat davits, hoists, boat lifts and similar devices that are erected on or adjacent to a seawall or dock and upon which a vessel can be moored. A mooring device does not include docks, slips, seawall or mooring pile.
- (2) *Mooring structure* means a dock, slip, seawall, boat davit, hoist, boat lift, mooring pile or a similar structure attached to land more or less permanently to which a vessel can be moored.
- (3) *NGVD 29* or the National Geodetic Vertical Datum of 1929 means the vertical control datum established for vertical control surveying in the United States of America by the General Adjustment of 1929. The datum is used to measure elevation or altitude above, and depression or depth below, mean sea level (MSL).
- (4) *NAVD88* or the North American Vertical Datum means the vertical control datum of orthometric height established for vertical control surveying in the United States of America based upon the General Adjustment of the North American Datum of 1988.
- (5) *Seawall* means vertical or near vertical structures placed between an upland area and a waterway. For the purposes of Section 47-19.3(f), rip rap is not considered a seawall.
- (6) *Rip rap* means a foundation of unconsolidated boulders, stone, concrete or similar materials placed on or near a shoreline to mitigate wave impacts and prevent erosion.

(b) Boat davits, hoists and similar mooring devices may be erected on a seawall or dock subject to the following limitations on the number and location as follows:

- (1) Except as provided herein, only one (1) mooring device per the first one hundred (100) feet of lot width or portion thereof, and one mooring device for each additional one hundred (100) feet of lot width. A second mooring device may be permitted within the lot area greater than one hundred (100) feet but less than two hundred (200) feet if approved as a Site Plan Level II permit, subject to the following criteria:
  - a. The location of the proposed mooring device will not interfere with the view from adjacent properties to a degree greater than the intrusion already permitted as a result of the berthing of a vessel at applicant's property within the setback and extension limitations provided in the Code.
  - b. The type of mooring device is the least intrusive and most compatible with the view from the waterway.
  - c. No conflict with a neighboring property owner's usage of the waterway will be created as a result of the additional mooring device.

Pursuant to Site Plan Level II review, the development review committee ("DRC") shall determine whether the proposed additional mooring device meets the criteria based on its location and the relationship of applicant's property to abutting properties with regard to height, angle of view of the device from abutting properties and the height, width and length of the mooring device proposed.

Approval of a Site Plan Level II development permit for an additional mooring device shall not be final until thirty (30) days after preliminary DRC approval and then only if no motion is approved by the City Commission seeking to review the application pursuant to the process provided in Section 47-26. The denial of an application for an additional mooring device may be appealed to the City Commission in accordance with the provisions of Section 47-26.

- (2) In addition to the mooring device described in paragraph (b)(1) of this section, one (1) lift designed and used solely for the lifting of a personal watercraft (PWC) per development site is permitted. For purposes of this subsection (2) a PWC is as defined in F.S. Ch. 327.
  - (3) The cross section of the davit, hoist or other mooring device shall not exceed one (1) square foot and have a maximum height of six and one-half (6½) feet above lot grade.
  - (4) The lowest appendage of a vessel may not be hoisted greater than one (1) foot above a seawall cap or if no seawall, above the average grade of the upland property and properties abutting either side of the upland property, whichever is less.
- (c) No boat slips, docks, boat davits, hoists, and similar mooring structures not including mooring or dolphin piles or a seawall, may be constructed by any owner of any lot unless a principal building exists on such lot and such lot abuts a waterway. Mooring structures, not including mooring or dolphin piles, shall not extend into the waterway more than twenty-five (25) percent of the width of the waterway or twenty-five (25) feet whichever is less as measured from the property line.
- (d) Mooring or dolphin piles, shall not be permitted to extend more than thirty (30) percent of the width of the waterway, or twenty-five (25) feet beyond the property line, whichever is less.
- (e) The City Commission may waive the limitations of Sections 47-19.3.(c), 47-19.3.(d) and 47-39.A.1.b.(12).(a) and 47-39.A.1.b.(12).(b) under extraordinary circumstances, provided permits from all governmental agencies, as required, are obtained after approval of the City Commission, after a public hearing and notification to property owners within three hundred (300) feet. In no event shall the extension exceed thirty (30) percent of the width of the waterway and no variance may be approved by the Board of Adjustment or other agency permitting an extension beyond the thirty percent (30%) limitation. Reflector tape shall be affixed to and continually maintained on all mooring or dolphin piles authorized under this subsection to extend beyond the limitations provided in subsection (d). The reflector tape must be formulated for marine use and be in one (1) of the following uniform colors: international orange or iridescent silver. On all such piles, the reflector tape shall be at least five (5) inches wide and within eighteen (18) inches of the top of the pile.
- (f) The top surface of a seawall shall have a minimum elevation of 3.9 feet NAVD88 (see table). The elevation of a seawall or dock shall not exceed a maximum of the base flood elevation (BFE) as identified in the corresponding FEMA Flood Insurance Rate Map (FIRM) for the property, except as specifically set forth herein. For properties with a BFE of 4.0 feet NAVD88, the minimum seawall elevation shall meet 3.9 feet NAVD88 and the maximum seawall or dock elevation shall be 5.0 feet NAVD88. For waterfront properties with a habitable finished floor elevation of less than 3.9 feet NAVD88, a seawall may be constructed at less than the stated minimum elevation if a waiver is granted by the City Engineer. For properties within an X zone, the minimum seawall elevation shall meet 3.9 feet NAVD88 and the maximum seawall or dock elevation shall meet the definition of grade as determined by subsection 47-2.2 (g)(1)(a). The maximum height of related structures attached to a seawall shall not exceed the elevation of the seawall to which the structure is attached. In the event of a conflict between subsection 47-19.5.B.Table 1, Note G: subsection 1.a.ii. and the requirements of this section, this section shall govern. Property owners choosing to construct seawalls at less than 5.0 feet NAVD88 are strongly encouraged to have the foundation designed to accommodate a future seawall height extension up to a minimum elevation of 5.0 feet NAVD88.

Property's FEMA Flood Insurance Rate Map Location	Minimum Allowable Seawall Elevation	Maximum Allowable Seawall or Dock Elevation
In a floodplain with a base flood elevation greater than or	3.9 feet NAVD88	Base flood elevation of the property

equal to 5.0 feet NAVD88		
In a floodplain with a base flood elevation equal to 4.0 feet NAVD88	3.9 feet NAVD88	5 feet NAVD88
In an X zone, not in a floodplain	3.9 feet NAVD88	Meet the definition of grade as determined by Section 47-2.2(g)(1)(a)

- (1) Seawalls must be designed and built in a substantially impermeable manner to prevent tidal waters from flowing through the seawall while still allowing for the release of hydrostatic pressure from the upland direction.
- (2) Fixed docks may be constructed at an elevation less than the elevation of the seawall to which it is attached but shall not be constructed at an elevation more than ten (10) inches above the seawall's elevation. The dock elevation may not exceed the maximum elevation as described in subsection (f) of this section. Floating docks shall be allowed and must be permitted and permanently attached to a marginal dock, finger pier, mooring pilings, or seawall.
- (3) Seawall improvements constituting substantial repair at the time of permit application shall meet the minimum elevation and consider the design recommendations (see subsection (f) above) for the continuous seawall for the length of the property. For the purposes of this section, the substantial repair threshold shall mean the following:
  - (i) Any improvement to the seawall of more than fifty percent (50%) of the length of the structure, which for the purposes of this section, shall include both the seawall and cap; or
  - (ii) Any improvement to the seawall which results in an elevation change along more than fifty percent (50%) of the length of the structure.
- (4) All property owners must maintain their seawalls in good repair. A seawall is presumed to be in disrepair if it allows for upland erosion, transfer of material through the seawall or allows tidal waters to flow unimpeded through the seawall to adjacent properties or public right-of-way. Property owners failing to maintain their seawalls may be cited. The owner of the property on which the seawall is constructed is required to initiate a process, including but not limited to hiring a contractor or submitting a building permit, and be able to demonstrate progress toward repairing the cited defect within sixty (60) days of receiving notice from the city and complete the repair within three hundred sixty-five (365) days of citation. If the required repair meets the substantial repair threshold, the property owner shall design, permit, and construct the seawall to meet the minimum elevation requirement and design requirement (see subsection 47-19.3(f)) within three hundred sixty-five (365) days of citation.
- (5) Property owners with seawalls below the minimum elevation, or permeable erosion barriers such as rip rap, or a land/water interface of another nature shall not allow tidal waters entering their property to impact adjacent properties or public rights-of-way. Property owners failing to prevent tidal waters from flowing overland and leaving their property may be cited. The owner of the property is required to initiate a process, including but not limited to, hiring a contractor or submitting a building permit, and be able to demonstrate progress toward addressing the cited concern within sixty (60) days of receiving notice from the city and complete the proposed remedy within three hundred sixty-five (365) days of citation.

- (g) No boathouse, permanent covering, or temporary covering for a boat shall be permitted within the setback area required for the zoning district in which such shelter is to be located, nor shall any boathouse, permanent covering or temporary covering for a boat, or any other structure not otherwise specifically permitted, be permitted within or cover any public waterway.
- (h) No watercraft shall be docked or anchored adjacent to residential property in such a position that causes it to extend beyond the side setback lines required for principal buildings on such property, as extended into the waterway, or is of such length that when docked or anchored adjacent to such property, the watercraft extends beyond such side setback lines as extended into the waterway. The owner of real property which would be entitled to the density limitation of a maximum of forty (40) units per acre pursuant to the terms for habitation of floating homes or vessels, Section 47-19.6, may apply for an exception to the setback requirements contained herein. An application for such exception shall be heard by the Planning and Zoning Board (board) at a public hearing called for that purpose. After the public hearing, the board shall make a recommendation to the City Commission that the application be granted or denied, or granted subject to conditions. If the board recommends that the application be either granted or granted subject to conditions, the City Clerk shall place the recommendation on the agenda of the City Commission for a public hearing at a regular meeting. The City Commission shall, by resolution, either grant the application, deny the application, or grant the application subject to such conditions as it finds necessary to the health, safety and general welfare of the citizens of the city. In deciding whether to grant or deny the application, the City Commission shall consider the neighborhood within which the applicant's property lies and the effect that the exception to the setbacks would have on the following:
  - (1) The surrounding property.
  - (2) The ability of adjacent property owners to enjoy abutting waterways.
- (i) Waiver of limitations. Property owners of lands located on the Isle of Venice and Hendricks Isle may dock or anchor watercraft adjacent to their respective properties in a manner which extends beyond side setback lines, required by this section as approved by Resolution No. 85-270.

(Ord. No. C-97-19, § 1(47-19.3), 6-18-97; Ord. No. C-04-2, § 4, 1-12-04; [Ord. No. C-10-44, § 2, 12-7-10](#); [Ord. No. C-13-18, § 2, 6-4-13](#); Ord. No. [C-16-13](#), § 1, 6-21-16; [Ord. No. C-16-27](#), § 1, 12-6-16)

## ITEM VII

### MEMORANDUM MF NO. 22-28

DATE: November 15, 2022

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities Manager

RE: December 1, 2022 MAB Meeting – Application for Dock Permit – William Premock and Vivian Alvarez / 1410 SE 11<sup>th</sup> Street

Attached for your review is an application from William Premock & Vivian Alvarez / 1410 SE 11<sup>th</sup> Street.

### APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for the installation of 40'+/- long x 8'+/- wide marginal dock and access steps extending a maximum distance of 8'+/- from the property line on public property abutting the waterway adjacent to 1410 SE 11 Street. City Code Section 8-144 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

December 1, 2022

Page 2

4. Only vessels owned by the permit holder and registered with the City as part of the dock permit application may be moored at the permitted dock.
5. During the term of the dock permit, the permit holder shall be required to repair, replace, reconstruct or maintain the dock or adjacent seawall or both to meet the requirements of City Code 8-144 (7) and ULDR section 47-19.3 (f.) (4.). The public swale area shall be landscaped in accordance with the established landscape plan for the area in question adopted by the Department of Sustainable Development.
6. All improvements such as docks, seawalls and the like which are placed upon the public dock area or within the dock permit parcel or within the dock area and public swale area by a private person shall be constructed with appropriate permits from all applicable agencies. Maintenance and repairs shall be performed according to City Engineering standards and all applicable regulatory codes.
7. The public swale area shall be kept open at all times as means of reasonable ingress and egress to the public, but the permit holder shall have the right to exclude the public from the dock area.
8. Vessels berthed within the Dock Area must not encroach into the northerly or southerly extension of the 5' set-back required for the RS-8 zoning district for Applicant's (Permit Holder's) Property.
9. All installed docks must be either (i) floating docks that can adapt to sea level rise over their useful life span; or (ii) fixed docks installed at a minimum height consistent with the requirements of section 47-19.3(f); or (iii) fixed docks the height of which are even with the City's seawall, whichever (ii) or (iii) is the greater.
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. Per 8-144 (6), penetration of the City's seawall to support the dock or attach improvements is prohibited, barring specified considerations.
13. The Applicant has the responsibility to execute and deliver a Declaration of Covenants Running With the Land Respecting A City Issued Dock Permit to the City Attorney's Office no later than ten (10) days prior to the Commission meeting date.
14. The violation of any provisions of Code Section 8-144 or violations of any of the terms or conditions relative to the granting or renewal of a dock permit shall be unlawful and may constitute cause for revocation of the permit.

AC

Attachment

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

1410 Se 11<sup>th</sup> Street

Fort Lauderdale, FL 33316

William Premock, Owner  
**Vivian Alvarez, Owner**

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

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

**APPLICATION FORM  
(Must be in Typewritten Form Only)**

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

NAME: **William Premock Vivian Alvarez**

TELEPHONE NO: 954-465-0278 EMAIL: wpremock@att.net  
(home/cellular) (business)

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

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:

New Wood Dock

4. SITE ADDRESS:

1410 Se 11th Street Fort Lauderdale, FL 33316

ZONING:

LEGAL DESCRIPTION AND FOLIO NUMBER:

Rio Vista Isles Unit 3 7-47 B lot 12 & w 15 of Lots 9 to 11 Blk 6

Folio #5042 11 18 0490

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

9-26-22

Applicant's Signature

Date

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

City of Fort Lauderdale

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

**Marine Advisory Board Action**

Formal Action taken on \_\_\_\_\_

**Commission Action**

Formal Action taken on \_\_\_\_\_

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

Marine Advisory Board,

I have recently applied to have a new wood dock with two Mooring piles built located at 1410 se 11<sup>th</sup> Street. At this time I do not own a Boat or Vessel, If in the future I decide to Purchase a Boat and Intend to Dock it at 1410 Se 11<sup>th</sup> Street I will update the Board with all the necessary Information. I have Included the Existing conditions and the Proposed Plans in this Packet, No construction has started at this time. I have applied for a Permit with Broward County and was Informed I need the Board to Approve before moving on to the City of Fort Lauderdale. The Proposed Dock will be 40' x 8' and will be built respecting all applicable guidelines.

Respectfully,

William Premock

Prepared by:  
SALOME J. ZIKAKIS, ESQ.  
PARADY & ZIKAKIS, P.A.  
307 SE 14TH STREET  
FORT LAUDERDALE, FLORIDA 33316

Parcel Identification No. 5042 11 18 0490

## WARRANTY DEED

STATUTORY FORM  
SECTION 689.02, F.S.

**This Indenture** is made this 6 day of March, 2013, between

JAMES GREENE and SUSAN GREENE, husband and wife,

whose address is Hill Farm Barn, Park Lane, Great Alne, Warwickshire B49 6HS  
England ("Grantor"\*), and

WILLIAM P. PREMOCK, a single man, and VIVIAN ALVAREZ, a single woman, as  
tenants in common,

whose address is 1410 SE 11th Street, Fort Lauderdale, Florida 33316.

***Witnesseth*** that Grantor, for and in consideration of the sum of Ten Dollars and other good and valuable considerations to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Broward County, Florida, to-wit:

Lot 12 and the west 15 feet of Lots 9, 10, and 11, Block 6, of RIO VISTA ISLES, UNIT 3, according to the plat thereof recorded in Plat Book 7, Page 47, of the Public Records of Broward Country, Florida.

Subject to the zoning and/or restrictions and prohibitions imposed by governmental authority; restrictions, easements and other matters appearing on the Plat and/or common to the subdivision, none of which are hereby reimposed; and taxes for the year 2013 and thereafter

and 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 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 the presence of:

SIGN WITNESS NAME: LOIS DAVENNEY  
PRINT WITNESS NAME: LOIS DAVENNEY  
Witness as to both: TRAINEE LEGAL EXECUTIVE

[Signature]  
JAMES GREENE

SIGN WITNESS NAME: MARIE HAZELBAST  
PRINT WITNESS NAME: MARIE HAZELBAST  
Witness as to both: Legal Secretary

[Signature]  
SUSAN GREENE

COUNTRY OF ENGLAND )  
) ss:  
CITY OF STRATFORD-UPON-AVON

The foregoing instrument was acknowledged before me this 6 day of March, 2013, by James Greene and Susan Greene, who are personally known to me or produced passport & other personal information as identification.

[Signature]  
Notary Public

My Commission Expires:  
on death

WD.GREENE

Richard William Ollis  
Notary Public  
Number Ten, Elm Court  
Stratford-upon-Avon  
Warwickshire CV37 6PA  
+44(0)1789 206131





<b>Site Address</b>	1410 SE 11 STREET, FORT LAUDERDALE FL 33316	<b>ID #</b>	5042 11 18 0490
<b>Property Owner</b>	PREMOCK, WILLIAM P H/E ALVAREZ, VIVIAN	<b>Millage</b>	0312
<b>Mailing Address</b>	1410 SE 11 ST FORT LAUDERDALE FL 33316	<b>Use</b>	01-01

<b>Abbr Legal Description</b>	RIO VISTA ISLES UNIT 3 7-47 B LOT 12 & W 15 OF LOTS 9 TO 11 BLK 6
-------------------------------	---

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\(8\)](#).

\* 2023 values are considered "working values" and are subject to change.

Property Assessment Values					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2023	\$390,000	\$1,935,360	\$2,325,360	\$1,807,520	
2022	\$390,000	\$1,935,360	\$2,325,360	\$1,708,270	\$32,496.30
2021	\$390,000	\$1,414,650	\$1,804,650	\$1,597,200	\$29,427.95

**2023 Exemptions and Taxable Values by Taxing Authority**

	County	School Board	Municipal	Independent
<b>Just Value</b>	\$2,325,360	\$2,325,360	\$2,325,360	\$2,325,360
<b>Portability</b>	0	0	0	0
<b>Assessed/SOH 14</b>	\$1,807,520	\$1,878,400	\$1,807,520	\$1,807,520
<b>Homestead 50%</b>	\$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>	\$1,757,520	\$1,853,400	\$1,757,520	\$1,757,520

**Sales History**

Date	Type	Price	Book/Page or CIN
3/6/2013	WD-Q	\$1,565,000	111400390
6/30/2004	WD*	\$1,750,000	37878 / 981
4/16/2001	WD*	\$435,000	31549 / 79

**Land Calculations**

Price	Factor	Type
\$40.00	9,750	SF

8/16/1996	WD*	\$650,000	25318 / 694	Adj. Bldg. S.F. (Card, Sketch)	4372
				Units/Beds/Baths	1/4/4
* Denotes Multi-Parcel Sale (See Deed)				Eff./Act. Year Built: 2005/2004	

**Special Assessments**

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

# LEGAL DESCRIPTION:

LOT 12 AND WEST 15 FEET OF LOTS 9, 10, AND 11 OF BLOCK 6, OF 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.

**ERNEST W. DUNCAN P.S.M. 5182**

521 SE 5TH COURT  
POMPANO BEACH, FL 33060

BOUNDARY SURVEY

PHONE: (754) 264-2166  
FAX: (954) 827-0535

JOB NO. 02-165-22  
PROPERTY ADDRESS: 1410 S.E. 11TH STREET  
FORT LAUDERDALE, FL 33316  
Scale: 1" = 30'

- SURVEYORS NOTES:**
- ANGLES SHOWN HEREON ARE REFERENCED TO THE RECORD PLAT AND ARE AS MEASURED.
  - BENCHMARK REFERENCE: BROWARD COUNTY BENCHMARK NO. 1881 ELEVATION=4.839 NGVD29. ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD88.
  - MINIMUM LINEAR ACCURACY OBTAINED:  
1 FOOT IN 7,500 FEET AS REQUIRED FOR A SUBURBAN SURVEY
  - NO TITLE INFORMATION WAS SUPPLIED OR REVIEWED IN THE PREPARATION OF THIS SURVEY WITH THE EXCEPTION OF THE LEGAL DESCRIPTION.
  - NO ATTEMPT WAS MADE TO LOCATE ANY UNDERGROUND IMPROVEMENTS, OVERHEAD UTILITIES, (POWERLINES, ETC) FOUNDATIONS OR WETLANDS.
  - EASEMENTS SHOWN HEREON ARE PER THE PLAT.
  - SURVEYOR HAS MADE NO RESEARCH OF THE PUBLIC RECORDS. THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN HEREON THAT MAY BE FOUND IN THE PUBLIC RECORDS.

- SYMBOL**
- MANHOLE
  - WATER METER
  - CHAIN LINK FENCE (C.L.F)
  - EXISTING ELEVATION
  - UTILITY POLE
  - OVERHEAD LINE (OH)

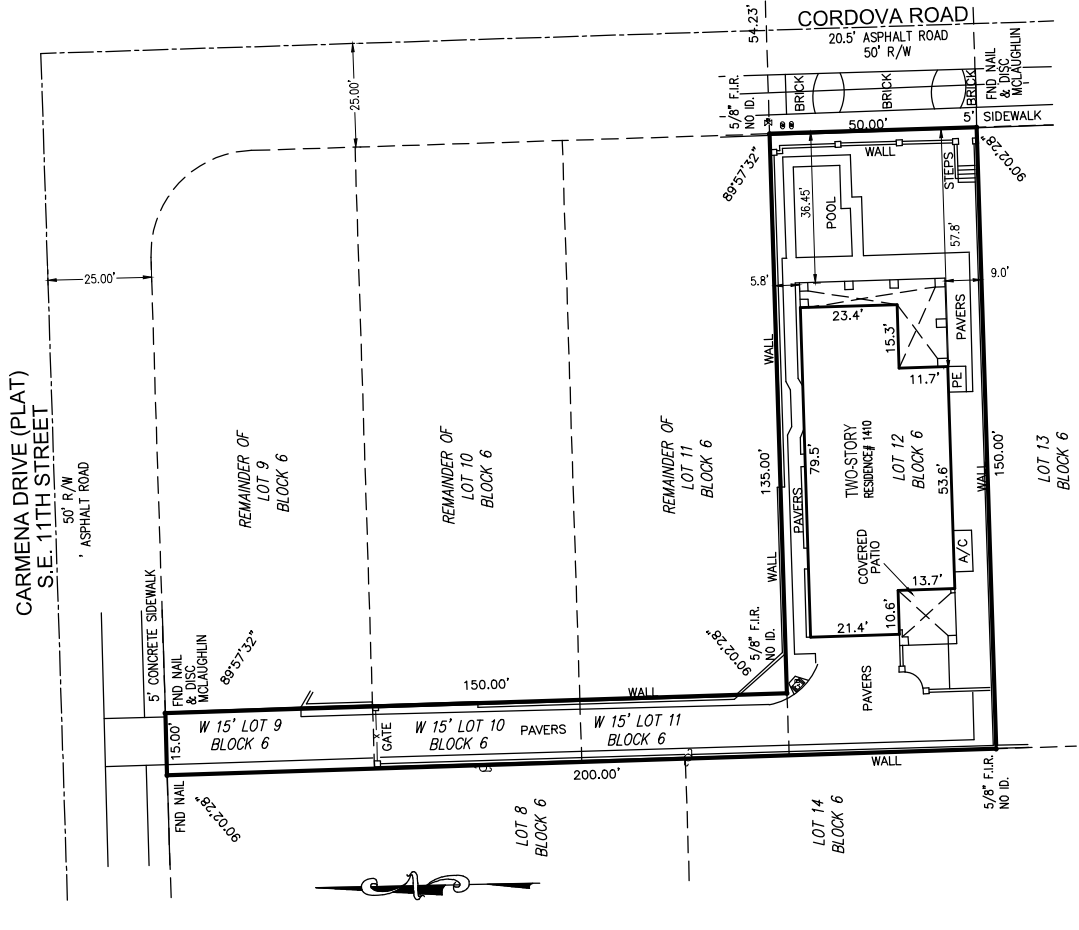
P.E. DENOTES POOL EQUIPMENT  
F.I.R. DENOTES FOUND IRON ROD  
NO ID. DENOTES NO IDENTIFICATION  
CONC. DENOTES CONCRETE  
U.E. DENOTES UTILITY EASEMENT  
R/W DENOTES RIGHT OF WAY  
C.B.S. DENOTES CONCRETE BLOCK STRUCTURE  
L.S. DENOTES LICENSED LAND SURVEYOR  
P.S.M. DENOTES PROFESSIONAL LAND SURVEYOR  
N/A DENOTES NOT APPLICABLE  
A/C DENOTES AIR CONDITIONER  
NAV88 DENOTES NORTH AMERICAN VERTICAL DATUM OF 1988  
NGVD29 DENOTES NATIONAL GEODETIC VERTICAL DATUM OF 1929  
SSE STORM SEWER EASEMENT

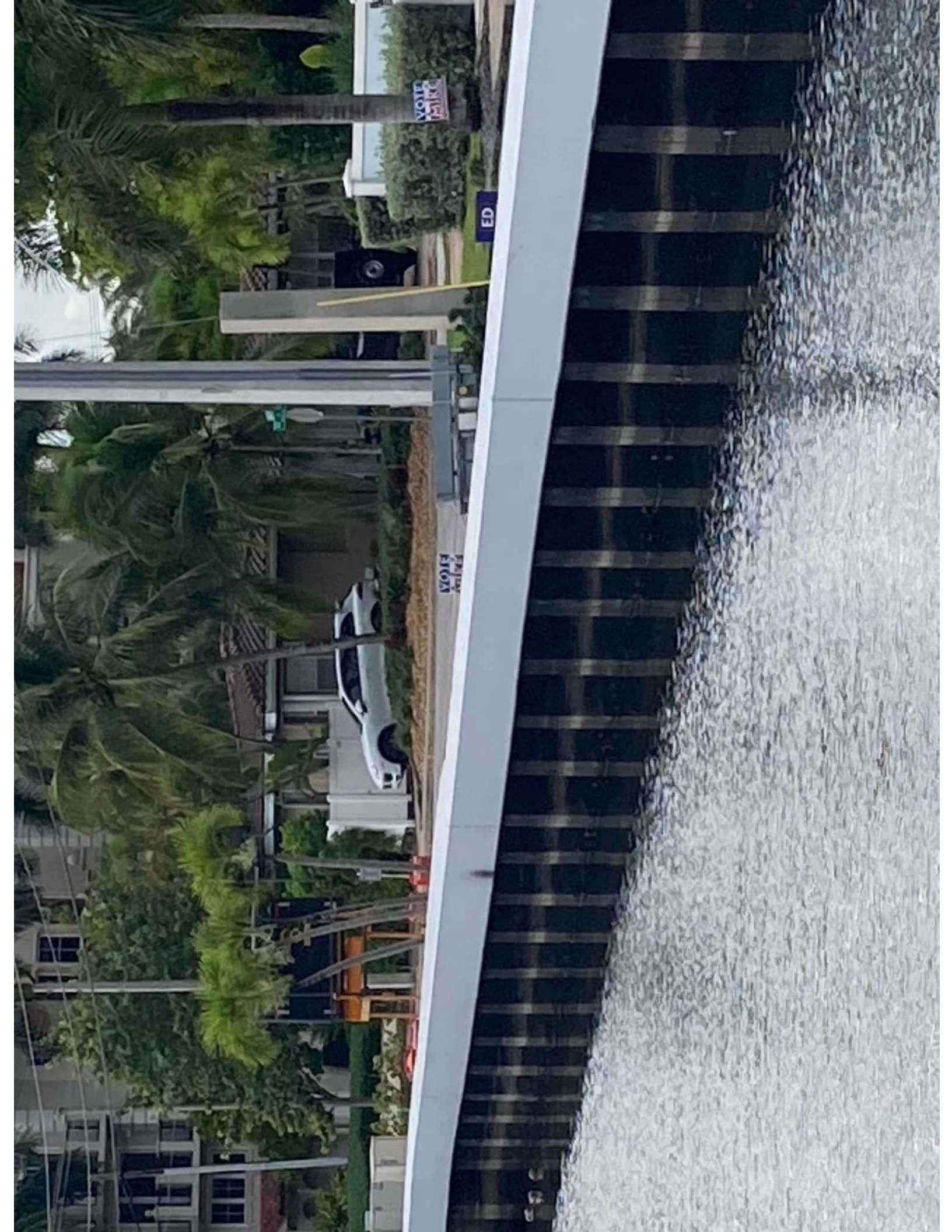
FLOOD ZONE: AE  
BASE FLOOD ELEV.= 5'  
FEMA MAP # 12011C 0557 H  
DATE OF FIRM: 08/18/14

CERTIFIED TO:  
WILLIAM PREMOCK

DATE OF SURVEY 02/10/22

ERNEST W. DUNCAN, P.S.M. STATE OF FLORIDA  
PROFESSIONAL SURVEYOR AND MAPPER No. LS 5182  
NOT VALID WITHOUT THE SIGNATURE AND  
THE ORIGINAL RAISED SEAL OF A FLORIDA  
LICENSED SURVEYOR AND MAPPER.

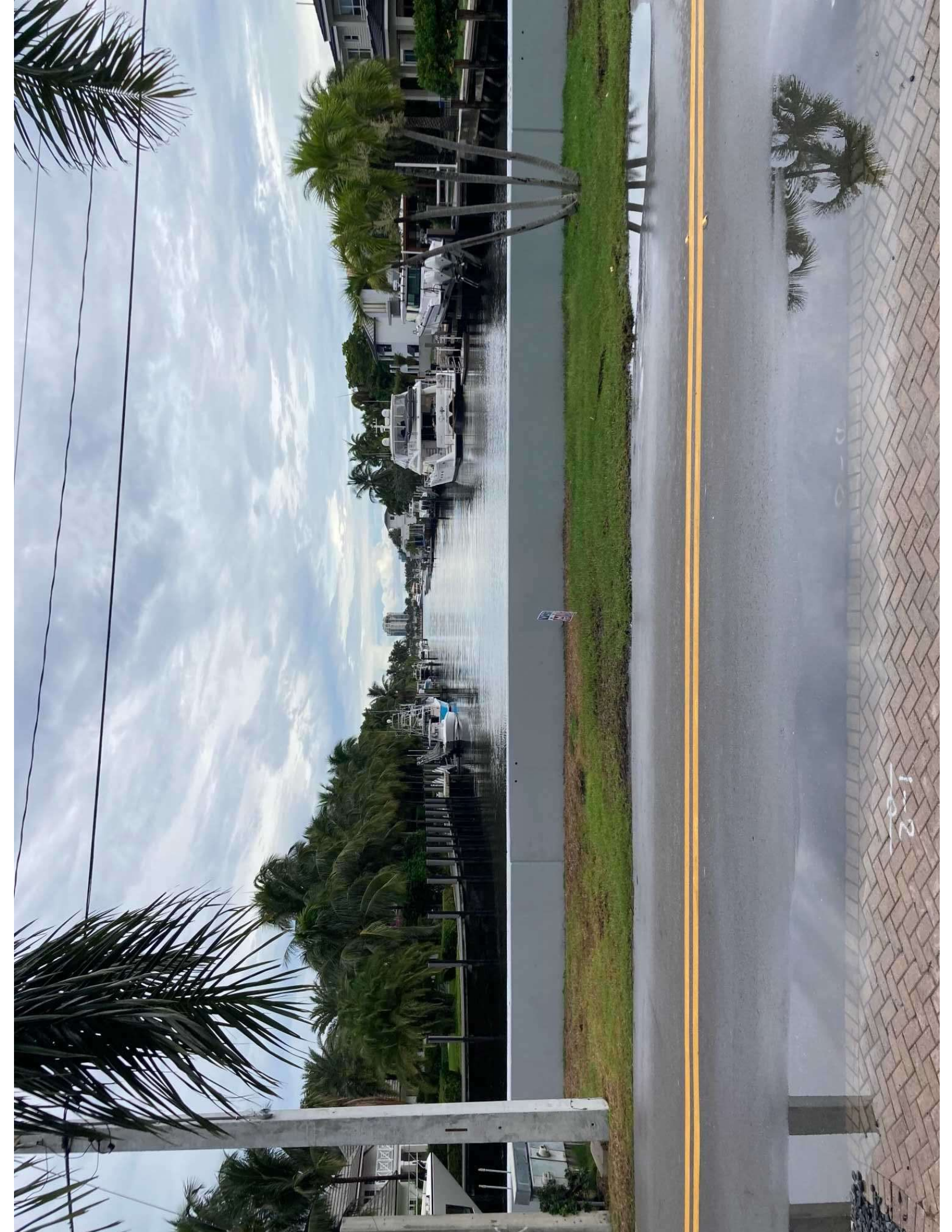


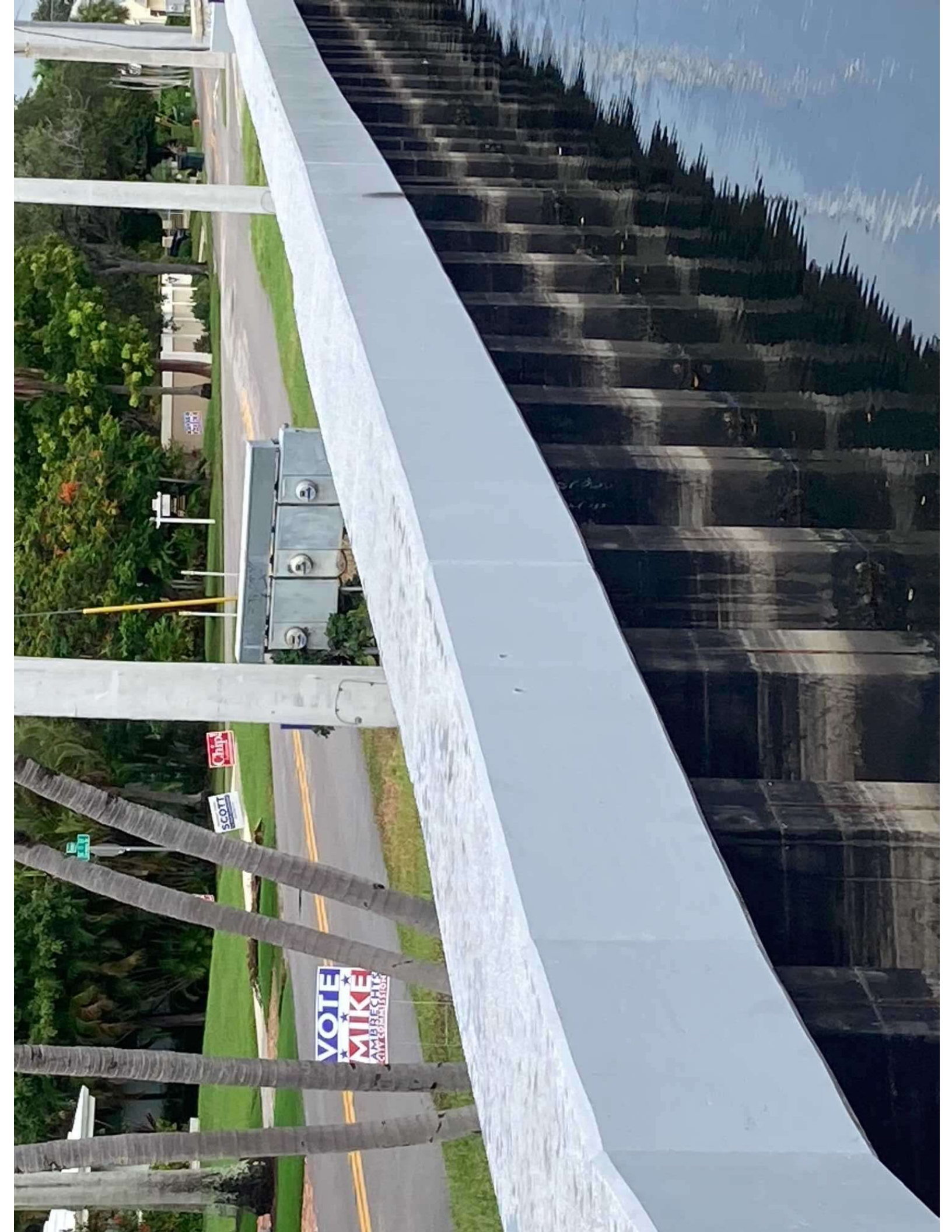


VOTE

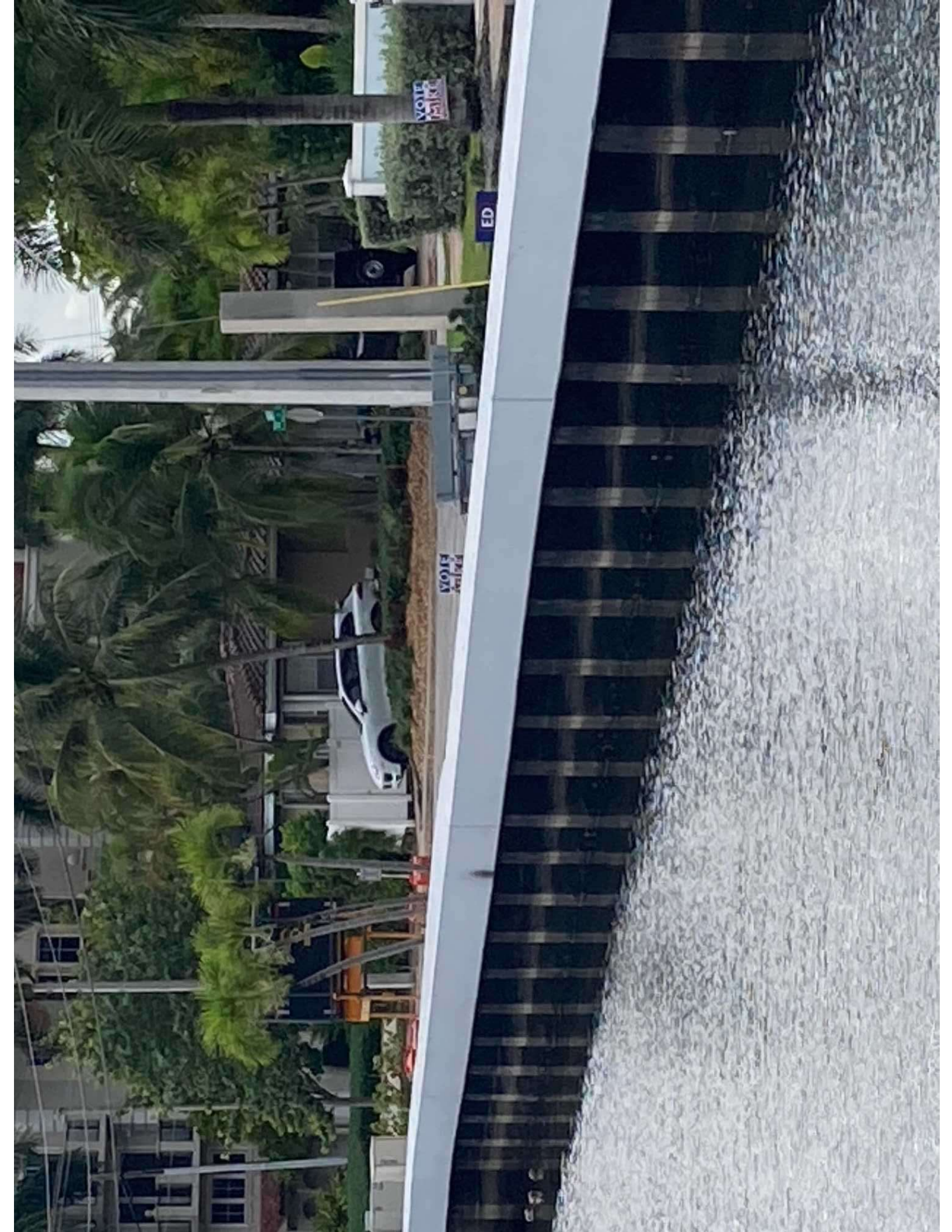
ED

VOTE











LOCATION MAP

Property Information  
 Site Address 1410 SE 11 STREET, FORT LAUDERDALE FL 33316  
 Property Owner:PREMOCK, WILLIAM P H/E  
 ALVAREZ, VIVIAN  
 Mailing Address 1410 SE 11 ST FORT LAUDERDALE FL 33316  
 ID # 5042 11 18 0490  
 Abbreviated Legal Description RIO VISTA ISLES UNIT 3 7-47 B  
 LOT 12 & W 15 OF LOTS 9 TO 11 BLK 6

"This document has been electronically signed and sealed by John H. Omslaer, P.E. on date noted using a SHA-1 authentication code. Printed copies are not considered signed and sealed and the SHA-1 authentication code must be verified on any electronic copies per Rule 62-30.060, F.A.C."

JOHN H. OMSLAER P.E. Date:  
 Reg. Florida No. 52733

DYNAMIC ENGINEERING SOLUTIONS  
 351 S.Cypress Road, Suite 303  
 Pompano Beach, FL 33060  
 Phone - 954545-1740  
 Fax - 954-545-1721  
 Email - des\_inc@bellsouth.net  
 E.B. # 26829

JOB NAME: **PREMOCK RESIDENCE**  
**1410 SE 11 STREET,**  
**FORT LAUDERDALE FL. 33316**  
 TITLE: **NEW WOOD DOCK AND (2) MOORING PILES**

DATE:	07/14/2022
Revisions:	
DRAWING NO:	<b>S-1</b>

GENERAL NOTES

GENERAL  
 ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD. IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. ANY DISCREPANCIES BETWEEN THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE ENGINEER BEFORE PROCEEDING WITH WORK.  
 IT IS THE INTENT OF THESE PLANS AND THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH LOCAL, STATE AND FEDERAL ENVIRONMENTAL AND BUILDING PERMIT ISSUED FOR THIS PROJECT. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO FAMILIARIZE AND GOVERN HIMSELF BY ALL PROVISIONS OF THESE PERMITS.

THE WORK SPECIFIED HEREIN HAS BEEN DESIGNED & ALL WORK SHALL BE IN ACCORDANCE WITH STRUCTURAL PROVISIONS OF THE 7TH EDITION 2020 FLORIDA BUILDING CODE.

COMPOSITE DECKING

- 5/4"x 6" (HPDE) OR (AZEK) DECKING ATTACHED TO STRINGERS WITH (2) #10 3 1/2" STAINLESS STEEL DECK SCREWS @ EACH SUPPORT. DECKING WILL HAVE 1/4" SPACING.

WOOD

- PRIMARY WOOD FRAMING MEMBERS SHALL BE NO. 2 PRESSURE TREATED SOUTHERN PINE OR BETTER. (2"x10"; FB=1200 PSI ) (2"x8"; FB=1350-PSI)

HARDWARE

- ALL MISCELLANEOUS STEEL COMPONENTS, BOLTS AND HARDWARE SHALL BE TYPE 316 STAINLESS STEEL UNLESS OTHERWISE SPECIFIED ON PLANS.

PILE NOTES:

12" DIA. WOOD PILES:

- SOUTHERN PILE PER ASTM D25 TREATED FOR MARINE: SALTWATER PER TIMBER PILING COUNCIL.
- MINIMUM PILE LENGTH=34' BELOW EXISTING STREET LEVEL OR RUFUSAL
- PILE CAPACITY COMPRESSION / TENSION / LATERAL (TONS): 15 / 5 / 1

MISCELLANEOUS

- FASTENERS EMBEDDED INTO CONCRETE STRUCTURES SHALL BE ANCHORED WITH TWO-PART EPOXY ADHESIVE (RAML @CHEM-FAST CARRIDGE SYSTEM OR EQUAL). ANCHOR HOLES SHALL BE DRILLED TO 1/8" GREATER THAN THE SPECIFIED FASTENER SIZE. HOLES SHALL BE DRILLED TO A MINIMUM DEPTH SHOWN ON THE PLANS & SHALL BE THOUGHLY CLEANED OUT AND DRY PRIOR TO INJECTION OF EPOXY.

LOADS: DL=10PSF LL=60 PSF

TURBIDITY BARRIER

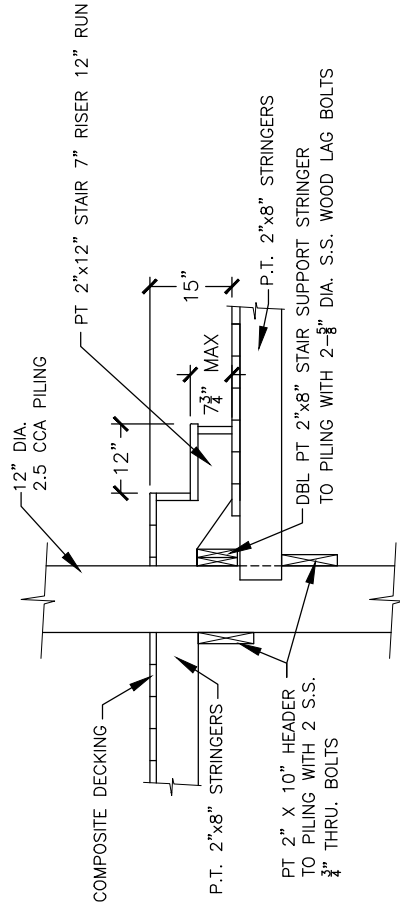
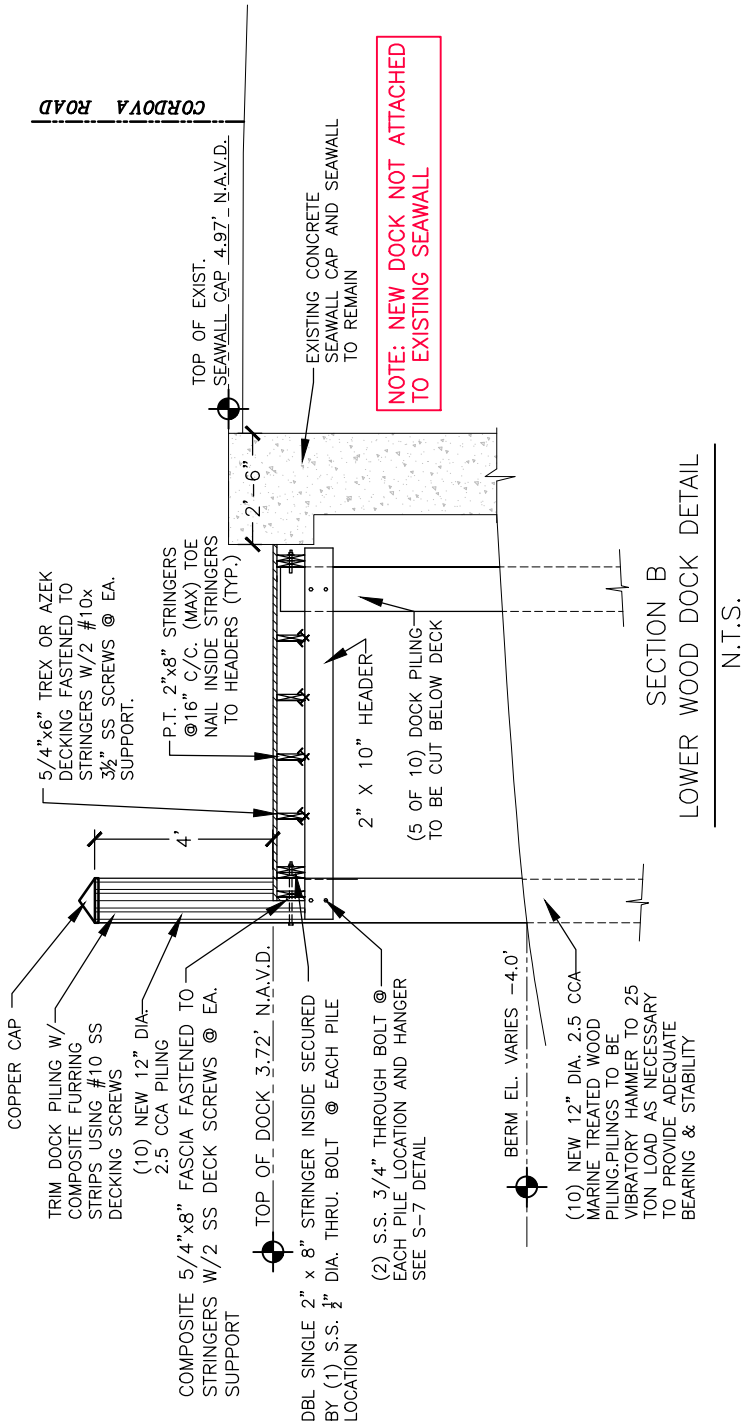
APPROVED TURBIDITY BARRIERS SHALL REMAIN IN PLACE DURING ALL PHASES OF IN WATER CONSTRUCTION.











"This document has been electronically signed and sealed by John H. Omslaer, P.E. on date noted using a SHA-1 authentication code. Printed copies are not considered signed and sealed and the SHA-1 authentication code must be verified on any electronic copies per Rule 62-30.060, F.A.C."

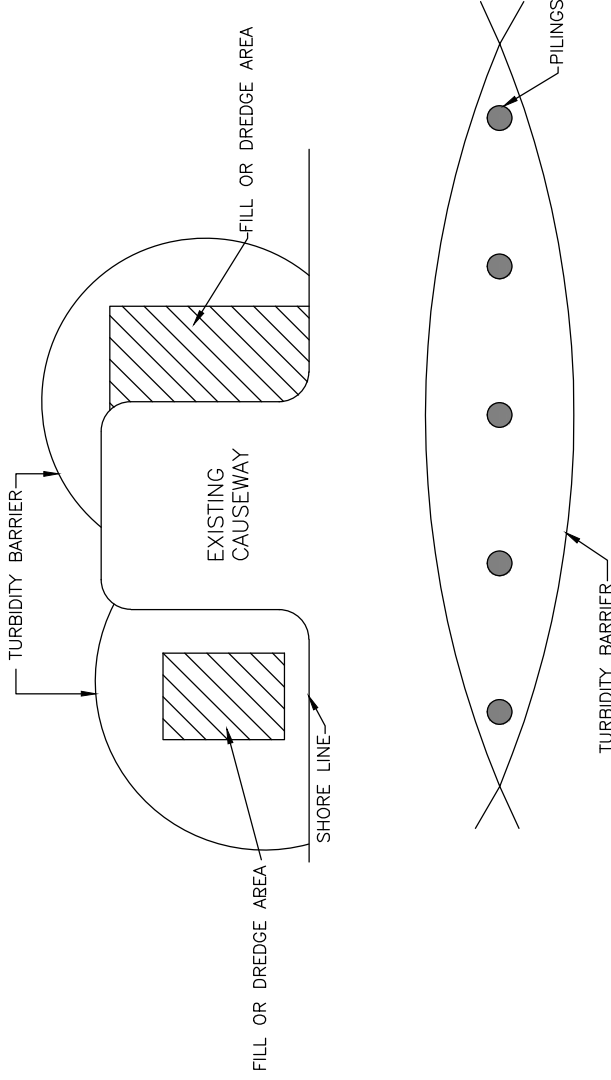
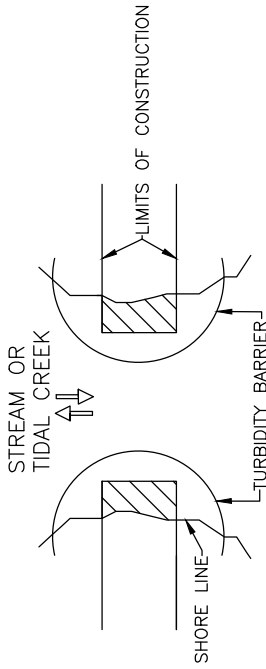
JOHN H. OMSLAER P.E. Date:  
Reg. Florida No. 52733

DYNAMIC ENGINEERING SOLUTIONS  
351 S.Cypress Road, Suite 303  
Pompano Beach, FL 33060  
Phone - 954545-1740  
Fax - 954-545-1721  
Email - des\_inc@bellsouth.net  
E.B. # 26829

JOB NAME: **PREMOCK RESIDENCE**  
**1410 SE 11 STREET,**  
**FORT LAUDERDALE FL. 33316**  
TITLE: **NEW WOOD DOCK AND (2) MOORING PILES**

Revisions: \_\_\_\_\_ Date: 07/14/2022  
REVISION: \_\_\_\_\_  
S-6





**NOTES**

1. TURBIDITY BARRIERS ARE TO BE USED IN ALL PERMANENT BODIES OF WATER REGARDLESS OF WATER DEPTH
2. NUMBER AND SPACING DEPENDANT ON CURRENT VELOCITIES.
3. DEPLOYMENT OF BARRIER AROUND PILE LOCATION 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.
6. TURBIDITY BARRIERS FOR FLOWING STREAMS AND TIDAL CREEKS MAY BE EITHER FLOATING OF STAKED TYPES.
7. BARRIER TYPE WILL BE AT THE CONTRACTOR'S DECISION U.N.O.
8. POSTS IN STAKED TURBIDITY BARRIERS TO BE INSTALLED IN VERTICAL POSITION UNLESS OTHERWISE DIRECTED BY ENGINEER.
9. N.P.D.E.S. INSPECTION TO BE CALLED FOR BY ENGINEER TO VERIFY TURBIDITY BARRIER.

**TURBIDITY CURTAIN DETAIL**

N.T.S.

"This document has been electronically signed and sealed by John H. Omslaer, P.E. on date noted using a SHA-1 authentication code. Printed copies are not considered signed and sealed and the SHA-1 authentication code must be verified on any electronic copies per Rule 62-30.060, F.A.C."

JOHN H. OMSLAER P.E. Date:  
 Reg. Florida No. 52733

DYNAMIC ENGINEERING SOLUTIONS 351 S.Cypress Road, Suite 303 Pompano Beach, FL 33060 Phone - 954545-1740 Fax - 954-545-1721 Email - des_inc@bellsouth.net E.B. # 26829	JOB NAME: <b>PREMOCK RESIDENCE</b>	Revisions:	DATE: 07/14/2022
	1410 SE 11 STREET, FORT LAUDERDALE FL. 33316		PERSON:
TITLE: <b>NEW WOOD DOCK AND (2) MOORING PILES</b>			
			<b>S-8</b>

## LEGEND



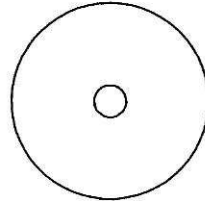
ST. AUGUSTINE SOD,  
TIGHT SEAMS, FULL COVERAGE



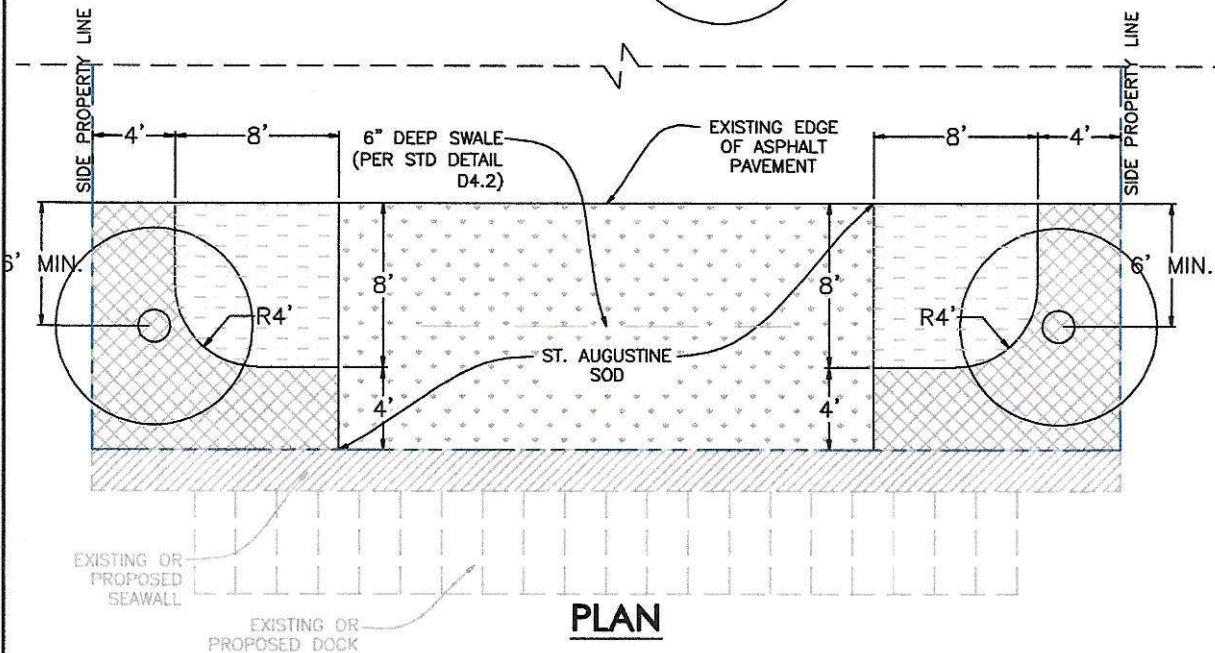
MUHLY GRASS:  
18" - 24" TALL  
18" - 24" ON CENTER



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



12' SILVER BUTTONWOOD TREE,  
MULTI



**PLAN**

## 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

REVISED:



CITY OF FORT LAUDERDALE  
DEPT. OF SUSTAINABLE DEVELOPMENT

URBAN DESIGN & PLANNING  
ENGINEERING DIVISION

LANDSCAPING PLAN (ROW)

SCALE:  
1"=10'

EXHIBIT A

1410 SE 11 STREET  
LOT 12 BLOCK 6  
UPLAND PROPERTY

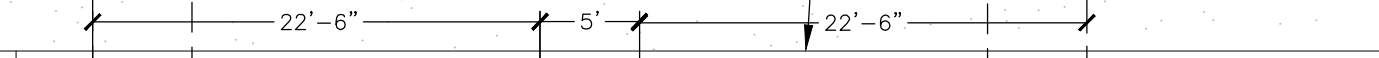


PUBLIC SIDEWALK

C/L

EDGE OF PAVEMENT

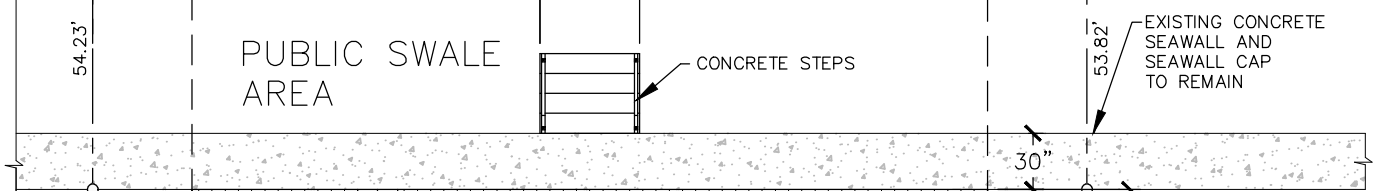
CORDOVA ROAD PAVEMENT



PUBLIC SWALE AREA

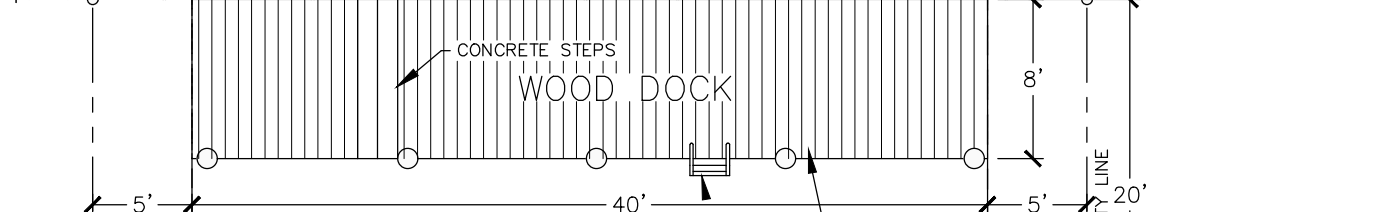
CONCRETE STEPS

EXISTING CONCRETE SEAWALL AND SEAWALL CAP TO REMAIN



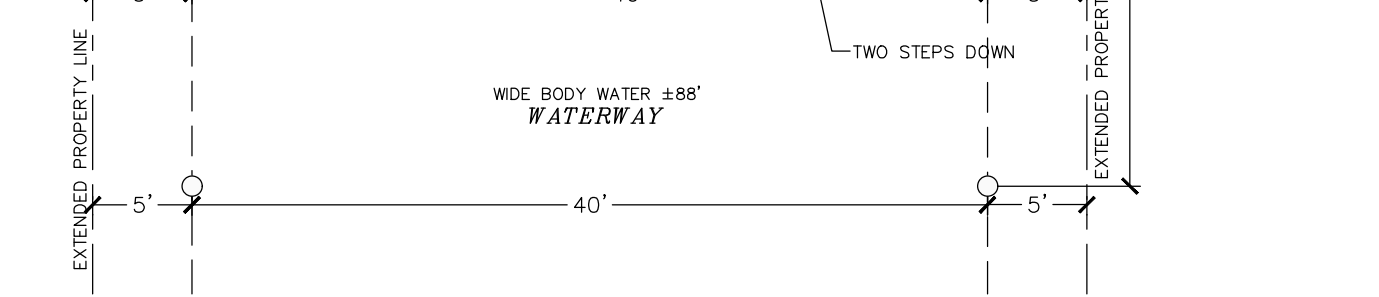
CONCRETE STEPS  
WOOD DOCK

8'



TWO STEPS DOWN

WIDE BODY WATER ±88'  
WATERWAY





City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

1410 SE 11 Street



0 90 180 Feet

**GIS**  
Fort Lauderdale

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)