



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, DECEMBER 3, 2022 – 6:00 P.M.**

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

Ted Morley, Chair	P	8	2
Steve Witten, Vice Chair	P	8	2
Michael Boyer	A	2	2
Robyn Chiarelli (arr. 6:05)	P	6	4
Barry Flanigan	A	8	2
Robert Franks	P	7	0
Elisabeth George	P	3	0
James Harrison	P	9	1
Brewster Knott	P	3	1
Norbert McLaughlin	P	9	1
Noelle Norvell	P	8	2

As of this date, there are 11 appointed members to the Board, which means 6 would constitute a quorum.

**Staff**

Andrew Cuba, Marine Facilities Manager  
Jonathan Luscomb, Marine Facilities Supervisor  
Sergeant Travis O’Neil, Fort Lauderdale Police Department  
Carla Blair, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

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

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

**II. Approval of Minutes – November 3, 2022**

**Motion** made by Mr. Franks, seconded by Vice Chair Witten, 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**

Sergeant Travis O'Neil of the Fort Lauderdale Police Department's Marine Unit reported the following activity from November 2022:

- 36 calls for service
- 2 burglaries
- 87 citations
- 2 minor accidents

Sgt. O'Neil advised that a number of burglaries have occurred in the NE 15<sup>th</sup> Street area. There have also been incidents of speeding near the Coral Ridge Yacht Club. The Marine Unit recently spent time near this area as a waterway traffic calming measure as well as a deterrent to crime.

Sgt. O'Neil stated that the Marine Unit has received a number of calls regarding boats anchored north of Las Olas Boulevard. He explained that anchored vessels are tracked on a spreadsheet, including document number, size, model, condition, owner's name, and other information. When a new vessel anchors in the City, the Marine Unit meets with its owner and informs them of the City's Ordinances and State Statutes regarding anchored vessels. If boats are in violation, they are ticketed.

Sgt. O'Neil continued that while some anchored vessels may be unsightly, this does not mean they are derelict. They must meet State Statute requirements in order to be declared derelict. If the vessel is at risk of deterioration, the Marine Unit again contacts its owner or captain to ensure they are aware of the situation. This discourages the "dumping" of boats in the City. He encouraged the Board members to email his office with any additional questions or concerns.

Additional information was requested regarding what the owners of anchored vessels are told regarding discharge. Sgt. O'Neil replied that these owners are informed of requirements such as closed/latched bows, as well as the need for vessels to visit pump-out stations. He acknowledged that any dumping of sewage must be witnessed in order for charges to be brought against the offender.

Mr. Harrison requested information on Winterfest Boat Parade preparations. Sgt. O'Neil advised that at present, there will be six Fort Lauderdale Marine Unit boats overseeing this event, with more than 10 additional vessels from other jurisdictions assisting. He is currently working to complete the schedule for this event.

Mr. McLaughlin addressed live-aboard vessels both inside and outside marinas, asking if there is any documentation of their pump-out activities by the marinas or other

entities. Sgt. O'Neil replied that while he did not know the marinas' policies on this, the boats' owners are likely to have receipts or other documentation for pump-out services. He noted that it is more likely that boats docked in marinas are pumped out.

Chair Morley asked if there are waterway traffic calming plans for the New River. Sgt. O'Neil stated that while there is no such plan at present, plans can be developed for areas where problems exist. He noted that there would need to be complaints or another reason for the allocation of the full Marine Unit into a single area.

An update was requested on the status of the City's pump-out stations. Mr. Cuba replied that two of these three units are currently working, adding that the Marine Unit is informed when these stations are not operational.

#### **V. Dock Permit – 711 Cordova Road / Rick J. Burgess**

Rick Burgess, Applicant, stated that the request is for a permit to install an L-shaped dock. He has also purchased the property located south of 711 Cordova Road and divided it with a neighbor, resulting in an 83 ft. property. The proposed dock would traverse 50 ft. in front of his 83 ft., which means he is not close to the setback on either side, and will extend 17 ft. on a gangway. This is below the 25 ft. extension limit into the waterway.

Chair Morley requested clarification of the size of the Applicant's planned boat lift. Mr. Burgess replied that it is approximately a 13,000 lb. lift. He is seeking to purchase a 21 ft. to 29 ft. vessel.

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

#### **VI. Dock Waiver – 1645 East Lake Drive / 1645 EL, LLC – Ellen Latham**

Kyle Martinez of American Seawall Marine Construction, representing the Applicant, stated that the Applicant owns a boat with a beam of nearly 14 ft. and lives on Lake Sylvan, which is a high-traffic area. The Applicant proposes to install a boat lift to protect this vessel. Due to the size of the boat's beam, an additional 5 ft. is needed to accommodate the vessel and extend approximately 30 ft. into the waterway.

Mr. McLaughlin requested clarification of the waterway width in the subject area. Mr. Cuba replied that it is 128 ft. wide.

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. Franks, seconded by Vice Chair Witten, to approve. In a voice vote, the **motion** passed unanimously.

#### **VII. Dock Permit – 1410 SE 11 Street / William Premock & Vivian Alvarez**

Vivian Premock, Applicant, stated that she owns a 50 ft. waterfront property and hopes to install a 40 ft. dock. There are 5 ft. setbacks to the north and south. She plans to keep a 39 ft. boat at the property.

Mr. Franks asked if the Applicant's neighbor to the south has any objection to the proposed dock. Ms. Premock replied that her neighbors are aware of the proposal and do not take issue with it.

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 Ms. Chiarelli, seconded by Ms. George, to approve. In a voice vote, the **motion** passed unanimously.

#### **VIII. Discussion – New River Navigational Concerns**

Chair Morley explained that he had requested this discussion be placed on the Agenda because the New River has become very busy for those who work and/or live there. The size of vessels both traveling on and moored along this waterway is increasing, which shrinks the waterway space available and can create navigational issues. He stated that one of the Marine Advisory Board's (MAB's) responsibilities is to recommend actions for activities and operations on the City's waterways.

Chair Morley continued that he hoped the Board would develop a plan they can recommend to the City Commission to help address issues on the New River such as speeding, wake damage, and collisions. He noted that representatives of marine businesses who use this waterway are present at tonight's meeting, as well as representatives of the Marine Industries Association of South Florida (MIASF).

Mr. McLaughlin showed slides of boat traffic on the New River, pointing out that many boats have significantly larger beam sizes than in the past. He advised that boats travel the New River when the current is outgoing, as traveling with the current could lead to collisions. If there is traffic on the river, there is an area in which vessels may lay over. He also noted locations for which applications were submitted to the Board in the past,

as well as a pump-out station and the placement of a walkway on the Icon property. In some areas, boats must be staged to pass through.

Mr. McLaughlin also provided slides of boats being towed on the New River, as well as barge traffic, and pointed out the locations of docks and pilings on the waterway that can affect this traffic. He added that because there is no location in Fort Lauderdale at which barges may legally pick up or drop off material or equipment, it is not unusual for barges to overload in order to avoid making multiple trips at greater expense.

Mr. McLaughlin also showed boats docked on the New River which extend beyond their furthest pile into the waterway, asserting that property owners are not always truthful regarding the size of the boats they plan to dock. He concluded that the marine industry should not be restricted from doing its work, which means the largest possible vessels should be able to move safely along the river without obstruction.

Mr. McLaughlin also advised that seawalls in Fort Lauderdale will need to be raised in the future to meet new height requirements, which means marine contractors with barges will need to enter the City's canals. He cautioned that variances approved along these canals can restrict barge traffic and make it more difficult for homeowners to raise their seawalls.

Chair Morley stated that the New River has been designated a commercial waterway by the United States Coast Guard. In addition, the entire river is considered to be the navigational channel. He explained that one reason for tonight's discussion is the number of requests by properties on the New River which wish to extend 65 ft. or more into the waterway to place pilings. The reasons behind these requests are often damage to the owners' vessels from excessive wakes. While these are legitimate concerns, the extensions would make it more difficult for commercial and some recreational operators to traverse the New River.

Chair Morley continued that he would like the Board to consider how to move forward by determining how to address waiver, dock, and other requests on the New River. Displacement of water increases the current, which requires vessels to move faster, resulting in wakes. He also acknowledged the need to balance the needs of the commercial sector with those of homeowners.

Chair Morley recalled that a waiver request which was not approved at the Board's November 2022 meeting will go before the City Commission at their December 20, 2022 meeting. He emphasized the importance of having a member of the MAB attend that meeting to share the Board's concerns and explain why the request had twice been denied.

Mr. McLaughlin stated that he felt the City Commission should place a moratorium on any new variances on the New River until representatives of the marine industry can meet with the Commission to express their concerns. He suggested that the Board send

a communication to the Commission requesting that they approve no variances on the New River until this discussion can be held.

Mr. Harrison observed that in some areas shown in Mr. McLaughlin's presentation, it would be possible for homeowners to legally build docks that extend 30%, 25 ft., or less into the waterway without first coming before the Board. He felt this showed the current situation is not working. He felt the Board's best option was to work with the Coast Guard to ensure the New River's status as a commercial waterway, noting that the MIA SF has already reached out to the Coast Guard for this purpose.

Mr. Harrison continued that Mr. McLaughlin's presentation should be provided to a representative of the MIA SF, and that any other Board members with specific concerns regarding the New River share these with the MIA SF as well. He recommended waiting until the new City Commission is seated to send a communication to the Commission.

Mr. McLaughlin explained that his recommendation of a communication to the Commission would be intended to stop any action the Commission might take regarding the dock waiver application rejected by the Board in November. He recalled that at an earlier time, he had proposed that the Commission take a cruise of the New River to see its conditions, although the City Attorney has rejected this proposal as a potential violation of the Sunshine Law.

Mr. Harrison agreed that a tour of the New River would be important, as this would allow the Commission to see boat traffic and the marine industry firsthand. He felt this would broaden their perception of the industry.

Chair Morley requested the current estimated number of marine industry jobs in Broward County. Patience Cohn, industry liaison for the MIA SF, advised that there are 111,000 such jobs in the County. She added that 70% of the recreational boats entering the United States do so through Port Everglades.

Mr. Harrison reiterated that the Board's "most actionable idea" would be working with the Coast Guard to help educate the City Commission about issues on the New River. While he did not oppose a moratorium on further waivers or variances on that waterway, he felt it would be best for the Board to get to know the new Commission before making that recommendation. Mr. McLaughlin stated that he did not want the new Commission to approve any further variances or waivers until they have had some time to gain experience.

Chair Morley advised that he felt the best way to proceed would be to have one or more Board members present at City Commission meetings so they can speak for the Board as issues arise. It was clarified that only one individual may speak representing an advisory or civic entity at a Commission meeting. Chair Morley noted that a representative of the MIA SF may also address these issues at a public meeting. He recommended taking more time to develop a well-thought-out communication to the City

Commission that would serve to educate the Commissioners and refer to both past and future marine issues the City may face.

Chair Morley continued that the Board members may also communicate individually with the Commissioners who appointed them to the Board to help ensure their concerns are heard. He pointed out that the members represent a range of expertise in the marine industry, and emphasized that this knowledge can be used to help the City. He concluded that the proposed communication to the City Commission be maintained as an Agenda Item into the future, and that he planned to attend the December 20, 2022 Commission meeting.

Vice Chair Witten suggested that the best way forward may be to suggest a pause rather than a moratorium on the approval of waivers or variance requests on the New River. He pointed out that the issue may be one of education, as the general public may not fully grasp the importance of the marine industry to Fort Lauderdale's economy. It was noted that education is also a goal of the MIA SF.

Ms. George commented that even if only one Board member may address the Commission at a meeting, it can be valuable for multiple members to attend and show support for a position or proposal.

Ms. Cohn advised that City Commissioner Steven Glassman holds a pre-Commission meeting via Zoom on nights before the Commission meetings. Members of any Commission district may attend. She proposed that a Board member may wish to attend one of these meetings to share specific concerns.

Mr. Cuba noted that another issue may be that the City's 30% or 25 ft. rule does not apply to all zones of the New River. Mr. Franks suggested that these zones could be identified on a map of the waterway.

Ms. Cohn continued that it is also important to identify cases in which a new seawall is installed in front of the older seawall, which affects the measurement of pilings and other structures from the wet face of the seawall. She added that pursuing the creation of regulated navigation areas (RNAs) would be helpful, as it would provide federal rather than local enforcement of these areas. She also felt a workshop or "town hall" meeting would provide homeowners with a greater voice in the discussion. She concluded that enforcement of regulations on the New River is part of the problem.

Chair Morley advised that this will remain an open issue for further discussion on future Board Agendas, and again recommended outreach to the members' individual City Commissioners.

## **IX. Old / New Business**

Mr. McLaughlin showed a brief slide presentation on the process of raising seawalls.

**X. Adjournment**

There being no further business to come before the Board at this time, the meeting was adjourned at 7:39 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. 22-31

DATE: December 7, 2023

TO: Marine Advisory Board

FROM: Andrew Cuba, Marine Facilities Manager

RE: January 5, 2023 MAB - Dock Waiver of Distance Limitations application for four (4) Boat Slip Assignees: Lee J. Engler-Trustee of the Lee J. Engler Qualified Personal Residence Trust & Patt A. Engler, as Trustee of the Patti A Engler Qualified Personal Residence Trust (PH 03), Brenda LaPointe (# 901), Robert J. & Mary K. Berard (PH 01), & Robert & Lisa D. Verdun (#803) / 321 N. Birch Road.

Attached for your review is an application from Lee J. & Patti A. Engler (PH 03), Brenda LaPointe (# 901), Robert J. & Mary K. Berard (PH 01), & Robert & Lisa D. Verdun (#803), / 321 N. Birch Road (see **Exhibit 1**).

### APPLICATION AND BACKGROUND INFORMATION

The applicants are requesting approval for the installation of two (2) 50.3'+/- x 8.7'+/- floating docks with access ramps extending a maximum of 66.8'+/- from the property line into the Intracoastal Waterway (ICWW). The distances this proposed structure would extend from the property line into the ICWW is shown in the survey in **Exhibit 1** and summarized in Table 1 below:

**TABLE 1**

<b>PROPOSED STRUCTURE</b>	<b>STRUCTURE DISTANCE FROM PROPERTY LINE</b>	<b>PERMITTED DISTANCE WITHOUT WAIVER</b>	<b>DISTANCE REQUIRING WAIVER</b>
<b>Floating Dock</b>	<b>66.8'+/-</b>	<b>25'</b>	<b>41.8'+/-</b>
<b>Floating Dock</b>	<b>66.8'+/-</b>	<b>25'</b>	<b>41.8'+/-</b>

Section 47-19.3 C limits the maximum distance of mooring structures to 25% of the width of the waterway, or 25%, whichever is less. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has indicated that the floating docks are necessary to safely moor the resident's vessels, especially during high wind events and severe weather. Additionally, safer loading and unloading of passengers from the floating docks due to tide fluctuations is cited.

**PROPERTY LOCATION AND ZONING**

The property is located within the IOA Zoning District. It is situated on the ICWW where the width of the waterway to the closest structure is +/-562', according to the Summary Description provided in **Exhibit 1**

**DOCK PLAN AND BOATING SAFETY**

Records reflect that there are eight (8) waivers of docking distance limitations approved by the City Commission within close proximity since 2009. A comparison of these as shown in Table 2 including the maximum distances of all mooring structures extending into the ICWW follows:

**TABLE 2**

<b>DATE</b>	<b>ADDRESS</b>	<b>MAXIMUM DISTANCE</b>
2009	540 Lido Drive	45'6" +/-
2009	209 Grand Birch, Slip 4	45'6" +/-
2011	215 N. Birch Road	47.5' +/-
2013	209 Grand Birch, Slip 3	39.3' +/-
2014	321 N. Birch Road	75' +/-
2015	209 Grand Birch, Slip 1	45' +/-
2021	321 N. Birch Road, PH1, Slip 1	55' +/-
2021	321 N. Birch Road, PH 3, Slip 4	46' +/-

**RECOMMENDATIONS**

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

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers.
2. As a general condition of approval and in order to review for final consistency with construction of facilities in accord with this application and City building permits the applicant is required to provide the City's Supervisor of Marine Facilities with copies of "As Built" drawings from a certified and licensed contractor.

AC  
Attachment

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



## **321 N BIRCH RD APPLICATION FOR WATERWAY WAIVER**

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

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

**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: **Lee J Engler**

TELEPHONE NO: 763-370-0800  
(home) (business)


EMAIL: lengler@borderfoods.com

2. APPLICANT'S ADDRESS (if different than the site address): **321 N Birch Road #PH03**
3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:  
**The applicant requests a waiver for the proposed construction of two (2) floating docks with ramps**

4. SITE ADDRESS: **321 N Birch Road #PH03 Fort Lauderdale, FL 33304** ZONING: **IOA**

LEGAL DESCRIPTION AND FOLIO NUMBER:  
**321 AT WATER'S EDGE CONDO UNIT PH 03 PER CDO CIN# 116467062  
5042 12 DD 0230**

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

  
Applicant's Signature

6/6/22  
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 \_\_\_\_\_

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

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NAME: **Brenda LaPointe**

TELEPHONE NO: 613 401-9658  
(home) (business)

EMAIL: brendalapointe@icloud.com

2. APPLICANT'S ADDRESS (if different than the site address): **321 N Birch Road #901**

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:  
**The applicant requests a waiver for the proposed construction of two (2) floating docks with ramps**

4. SITE ADDRESS: **321 N Birch Road #901 Fort Lauderdale, FL 33304** ZONING: **IOA**

LEGAL DESCRIPTION AND FOLIO NUMBER:  
**321 AT WATER'S EDGE CONDO UNIT 901 PER CDO CIN# 116467062  
5042 12 DD 0150**

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

  
Applicant's Signature

Sept 1, 2022  
Date

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

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

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NAME: **Robert Berard**

TELEPHONE NO: 715-204-5710  
(home) (cell) (business)

EMAIL: berard@charter.net

2. APPLICANT'S ADDRESS (if different than the site address): **321 N Birch Road #PH01**
3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:  
**The applicant requests a waiver for the proposed construction of two (2) floating docks with ramps**

4. SITE ADDRESS: **321 N Birch Road #PH 01 Fort Lauderdale, FL 33304** ZONING: **IOA**

LEGAL DESCRIPTION AND FOLIO NUMBER:  
**321 AT WATER'S EDGE CONDO UNIT PH 01 PER CDO CIN# 116467062  
5042 12 DD 0210**

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

  
Applicant's Signature

9-14-22  
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 \_\_\_\_\_

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

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(Must be in Typewritten Form Only)**

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

NAME: **Robert Verdun**

TELEPHONE NO: 248 705-7607  
(home) (business)

EMAIL: Robert.Verdun@outlook.com


2. APPLICANT'S ADDRESS (if different than the site address): **321 N Birch Road #803**

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:  
**The applicant requests a waiver for the proposed construction of two (2) floating docks with ramps**

4. SITE ADDRESS: **321 N Birch Road #803 Fort Lauderdale, FL 33304** ZONING: **IOA**

LEGAL DESCRIPTION AND FOLIO NUMBER:  
**321 AT WATER'S EDGE CONDO UNIT 803 PER CDO CIN# 116467062  
5042 12 DD 0140**

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

  
Applicant's Signature

9-1-22  
Date

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

City of Fort Lauderdale

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## EXHIBIT II SUMMARY DESCRIPTION

**Summary Description**  
**321 N Birch Rd-Engler Floating Docks**  
**TCG Project No. 21-0038.001**

The project site is located along the New River at 321 N Birch Rd, in Section 12, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida

The property is located along the Intracoastal Waterway (ICWW), which is a tidal water. The nearest direct connection to the Atlantic Ocean is approximately 2.5 miles to the south at the Port Everglades Inlet. As the project site is located along the ICWW, the incoming tidal waters (flood) at the site move to the north and the outgoing waters (ebb) move to the south.

The project site consists of an existing 200 ln. ft. concrete seawall,  $\pm 520$  ft<sup>2</sup> concrete marginal dock, two (2) 20'x3' wood finger piers ( $\pm 120$  ft<sup>2</sup>), ten (10) mooring piles, three (3) triple pile clusters, and a 50,000 lb no profile boat lift. The existing structures extending more than 25' from the property were previously authorized under Resolutions #14-183 and #21-37. An additional no profile boat lift was also previously authorized under Resolution #21-121 at 51.5' from the property line but that project has since been abandoned. The existing structures accommodate four (4) slips, in which Slip #1 is owned by Robert A. Verdun and Lisa D. Verdun; Slip #2 is owned by Robert J. Berard and Mary K. Berard, husband and wife; Slip #3 is owned by Brenda Lapointe, a married woman; and Slip #4 is owned by Lee J. Engler, as Trustee of the Lee J. Engler Qualified Personal Residence Trust, and Patti A. Engler, as Trustee of the Patti A. Engler Qualified Personal Residence Trust. The proposed project includes the removal of two (2) of the existing mooring piles, the removal of the existing wood finger piers, the removal of the existing boat lift, and the installation of two (2) 50.3'x8.7' concrete wave attenuating/breakwater floating docks (875 sq. ft.) with two (2) 20'x4' ramps. As measured from the property line, the proposed structures encroach more than 25' from the property line into the ICWW. As these distances are over the allowable 25' distance into the waterway from the property line, the proposed floating docks will require a variance waiver.

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

The following five (5) matters provide justification for this waiver request:

1. All structures and piles will not exceed 25% of the width of the waterway.
2. Due to the extraordinary width of the waterway at this location to the closest structure ( $\pm 562'$ ), the proposed project will not impede navigation within the ICWW.
3. The proposed structure is necessary for safely mooring resident's vessels, especially during high wind events and severe weather. The proposed floating docks are floating concrete wave attenuating/breakwater docks designed for rough water (3' waves) and will be built with heavy galvanized rebar and hi-strength concrete.
4. The proposed floating docks will allow for safer loading and unloading of passengers as the dock will adjust with the tides.
5. The proposed structures are consistent with the previously authorized structures located at the property and does not exceed the three (3) triple mooring piles and two (2) single mooring piles at 75.0' (Resolution #14-0971).

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

STRUCTURE	PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
<b>A</b>	<b>Floating Dock</b>	<b>66.8'</b>	<b>25'</b>	<b>41.8'</b>
<b>B</b>	<b>Floating Dock</b>	<b>66.8'</b>	<b>25'</b>	<b>41.8'</b>

## EXHIBIT III WARRANTY DEED

pared by and return to:

Deborah L. Pope  
General Manager  
Title Matters, LLC  
4650 Donald Ross Rd. Ste. 220  
Palm Beach Gardens, FL 33418  
561-835-0535  
File Number: 19-0031-WE

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## Special Warranty Deed

**This Special Warranty Deed** made this 1st day of May, 2020 between 321 Birch, LLC, a Florida limited liability company whose post office address is 2385 NW Executive Center Drive, Ste. 370, Boca Raton, FL 33431, grantor, and Lee J. Engler, as Trustee of the Lee J. Engler Qualified Personal Residence Trust and Patti A. Engler, as Trustee of the Patti A. Engler Qualified Personal Residence Trust whose post office address is 2517 Mayflower Avenue, Hopkins, MN 55305, grantee:

The Grantee, as trustee, has the full power and authority to protect, conserve, sell, convey, lease, encumber, and to otherwise manage and dispose of said real property pursuant to F.S. 689.073.

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

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

Unit No. PH-03, of 321 AT WATER'S EDGE, a Condominium, according to The Declaration of Condominium recorded in Instrument Number 116467062, and all exhibits and amendments thereof, Public Records of Broward County, Florida

Parcel Identification Number:

**SUBJECT TO Taxes and assessments for 2020 and subsequent years that are not yet due and payable. SUBJECT TO Restrictions, conditions, reservations, easements, reservations, agreements, matters, declarations, and covenants of record affecting the property.**

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

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

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

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

Signed, sealed and delivered in our presence:

321 Birch, LLC, a Florida limited liability company

DEBORAH COVE  
Witness Name: DEBORAH COVE

By: Carol G. DeMare  
Carol G. DeMare, Authorized Agent

Dianne Ramsarran  
Witness Name: Dianne Ramsarran

State of Florida  
County of Palm Beach

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 30 day of April, 2020 by Carol G. DeMare, Authorized Agent of 321 Birch LLC, a Florida limited liability company, on behalf of the company, who  is personally known to me or  has produced a driver's license as identification.

[Notary Seal]



Dianne Ramsarran  
Notary Public

Printed Name: Dianne Ramsarran

My Commission Expires: 10/09/23

pared by and return to:

Deborah L. Pope  
General Manager  
Title Matters, LLC  
4650 Donald Ross Rd. Ste. 220  
Palm Beach Gardens, FL 33418  
561-835-0535  
File Number: 19-0027-WE

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## Special Warranty Deed

**This Special Warranty Deed** made this 5th day of May, 2020 between 321 Birch, LLC, a Florida limited liability company whose post office address is 2385 NW Executive Center Drive, Ste. 370, Boca Raton, FL 33431, grantor, and Brenda Lapointe, a married woman whose post office address is 321 N. Birch Rd., Unit 901, Fort Lauderdale, FL 33304, grantee:

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

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

Unit No. 901 of 321 AT WATER'S EDGE, a Condominium, according to The Declaration of Condominium recorded in Instrument Number 116467062, and all exhibits and amendments thereof, Public Records of Broward County, Florida

Parcel Identification Number:

**SUBJECT TO Taxes and assessments for 2020 and subsequent years that are not yet due and payable. SUBJECT TO Restrictions, conditions, reservations, easements, reservations, agreements, matters, declarations, and covenants of record affecting the property.**

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

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

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

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

Signed, sealed and delivered in our presence:

321 Birch, LLC, a Florida limited liability company

DEBORAH COVE  
Witness Name: DEBORAH COVE  
D Ramsarran  
Witness Name: Dianne Ramsarran

By: Carol G. DeMare  
Carol G. DeMare, Authorized Agent

State of Florida  
County of Palm Beach

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 30 day of April, 2020 by Carol G. DeMare, Authorized Agent of 321 Birch LLC, a Florida limited liability company, on behalf of the company, who  is personally known to me or  has produced a driver's license as identification.



D Ramsarran  
Notary Public

Printed Name: Dianne Ramsarran

My Commission Expires: 10/09/23

pared by and return to:

Deborah L. Pope  
General Manager  
Title Matters, LLC  
4650 Donald Ross Rd. Ste. 220  
Palm Beach Gardens, FL 33418  
561-835-0535  
File Number: 19-0030-WE

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## Special Warranty Deed

**This Special Warranty Deed** made this 4th day of May, 2020 between 321 Birch, LLC, a Florida limited liability company whose post office address is 2385 NW Executive Center Drive, Ste. 370, Boca Raton, FL 33431, grantor, and Robert J. Berard and Mary K. Berard, husband and wife whose post office address is 1445 Plover Heights Rd., Stevens Point, WI 54482, grantee:

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

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

Unit No. PII-01 of 321 WATER'S EDGE, a Condominium, according to The Declaration of Condominium recorded in Instrument Number 116467062, and all exhibits and amendments thereof, Public Records of Broward County, Florida

Parcel Identification Number:

**SUBJECT TO Taxes and assessments for 2020 and subsequent years that are not yet due and payable.**  
**SUBJECT TO Restrictions, conditions, reservations, easements, reservations, agreements, matters, declarations, and covenants of record affecting the property.**

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

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

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

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

Signed, sealed and delivered in our presence:

321 Birch, LLC, a Florida limited liability company

Deborah Cove  
Witness Name: DEBORAH COVE

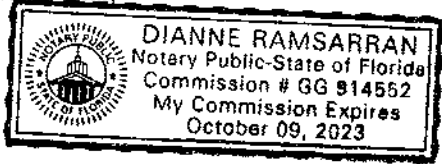
By: Carol G. DeMare  
Carol G. DeMare, Authorized Agent

Dianne Ramsarran  
Witness Name: DIANNE RAMSARRAN

State of Florida  
County of Palm Beach

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 30<sup>th</sup> day of April, 2020 by Carol G. DeMare, Authorized Agent of 321 Birch LLC, a Florida limited liability company, on behalf of the company, who  is personally known to me or  has produced a driver's license as identification.

[Notary Seal]



Dianne Ramsarran  
Notary Public

Printed Name: Dianne Ramsarran

My Commission Expires: 10/09/23

pared by and return to:

Deborah L. Pope  
General Manager  
Title Matters, LLC  
4650 Donald Ross Rd. Ste. 220  
Palm Beach Gardens, FL 33418  
561-835-0535  
File Number: 20-0013-WE

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## Special Warranty Deed

**This Special Warranty Deed** made this 4th day of February, 2021 between 321 Birch, LLC, a Florida limited liability company whose post office address is 2385 NW Executive Center Drive, Ste. 370, Boca Raton, FL 33431, grantor, and Robert Verdun and Lisa D. Verdun, husband and wife whose post office address is 321 N. Birch Rd., Unit 803, Fort Lauderdale, FL 33304, grantee:

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

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

Unit No. 803 of 321 at WATER'S EDGE, a Condominium, according to The Declaration of Condominium recorded in Instrument Number 116467062, and all exhibits and amendments thereof, Public Records of Broward County, Florida

Parcel Identification Number: 504212-DD-0140

**SUBJECT TO Taxes and assessments for 2021 and subsequent years that are not yet due and payable. SUBJECT TO Restrictions, conditions, reservations, easements, reservations, agreements, matters, declarations, and covenants of record affecting the property.**

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

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

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

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

Signed, sealed and delivered in our presence:

[Signature]  
Witness Name: Cheryn Mason

[Signature]  
Witness Name: EVAN YNFANTE

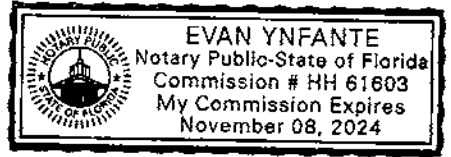
321 Birch, LLC, a Florida limited liability company

By: [Signature]  
Carol G. DeMare, Authorized Agent

State of Florida  
County of Palm Beach

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 3rd day of FEBRUARY, 2021 by Carol G. DeMare, Authorized Agent of 321 Birch LLC, a Florida limited liability company, on behalf of the company, who  is personally known to me or  has produced a driver's license as identification.

[Notary Seal]



[Signature]  
Notary Public

Printed Name: EVAN YNFANTE

My Commission Expires: 11/08/2024

## EXHIBIT IV BOAT SLIP ASSIGNMENTS

**EXHIBIT "B"**

**ASSIGNMENT OF RIGHT TO USE  
BOAT SLIP**

FOR AND IN CONSIDERATION OF the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, **321 Birch, LLC, a Florida limited liability company** ("Assignor") hereby assigns to Robert A. Verdun, Lisa Verdun ("Assignee") a right to use Boat Slip No# 0001 (the "Boat Slip"), which is located within the Marina (the "Marina"), as described in that certain Declaration of Condominium of 321 at Water's Edge, a Condominium, recorded on \_\_\_\_\_, in Official Records Book \_\_\_\_\_, Page \_\_\_\_\_, of the public records of Broward County, Florida (the "Declaration"). The Marina is adjacent to a community known as "321 at Water's Edge" (the "Properties"), which is subject to the terms of the Declaration and is operated by the 321 at Water's Edge Condominium Association, Inc., a Florida not-for-profit corporation (the "Association"). Capitalized terms not defined herein shall have the meanings ascribed to such terms in the Declaration.

ASSIGNEE ACKNOWLEDGES and agrees that this instrument is only an assignment of a right to use the Boat Slip, and does not convey title to the Boat Slip or any other interest in the property upon which the Boat Slip is located and which will automatically pass with title to any Unit that Assignee owns unless previously and properly assigned by Assignee pursuant to the Declaration.

ASSIGNEE ACKNOWLEDGES and agrees that this Assignment is subject to, and the use of the Boat Slip is governed by the terms, covenants, limitations, restrictions and easements of the Declaration, the Marina Licenses, applicable law and all Marina Rules and Regulations of the Association, as from time to time supplemented and amended.

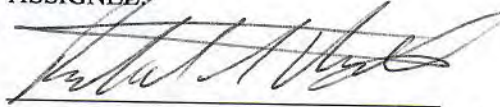
ASSIGNEE ACKNOWLEDGES and agrees that the Association shall be responsible for maintaining the Marina in accordance with the Declaration and the Marina Costs shall be assessed to the Boat Slip Assignees with each Boat Slip Assignee responsible for payment of its percentage share of the Marina Costs.

ASSIGNEE FURTHER ACKNOWLEDGES and agrees that this assignment is subject to a right of first refusal in favor of the Association, as provided in the Declaration.

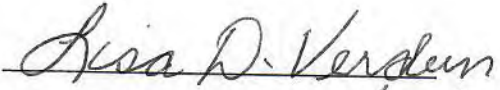
THIS ASSIGNMENT shall be recorded in a log maintained by the Association, but shall not be recorded in any public records.

IN WITNESS WHEREOF, Assignor and Assignee have executed this Assignment as of the 26th day of December, 2020.

ASSIGNEE:



Name: Robert Verdun



Name: Lisa D. Verdun

ASSIGNOR:

321 BIRCH, LLC, a Florida limited liability company

By: 

Name: Tersi San Jose

Title: VP Residential

Date: December 26th, 2020

**EXHIBIT "B"**

**ASSIGNMENT OF RIGHT TO USE  
BOAT SLIP**

FOR AND IN CONSIDERATION OF the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, **321 Birch, LLC, a Florida limited liability company** ("Assignor") hereby assigns to Robert & Mary Berard ("Assignee") a right to use Boat Slip No# 0002 (the "Boat Slip"), which is located within the Marina (the "Marina"), as described in that certain Declaration of Condominium of 321 at Water's Edge, a Condominium, recorded on \_\_\_\_\_, in Official Records Book \_\_\_\_\_, Page \_\_\_\_\_, of the public records of Broward County, Florida (the "Declaration"). The Marina is adjacent to a community known as "321 at Water's Edge" (the "Properties"), which is subject to the terms of the Declaration and is operated by the 321 at Water's Edge Condominium Association, Inc., a Florida not-for-profit corporation (the "Association"). Capitalized terms not defined herein shall have the meanings ascribed to such terms in the Declaration.

ASSIGNEE ACKNOWLEDGES and agrees that this instrument is only an assignment of a right to use the Boat Slip, and does not convey title to the Boat Slip or any other interest in the property upon which the Boat Slip is located and which will automatically pass with title to any Unit that Assignee owns unless previously and properly assigned by Assignee pursuant to the Declaration.

ASSIGNEE ACKNOWLEDGES and agrees that this Assignment is subject to, and the use of the Boat Slip is governed by the terms, covenants, limitations, restrictions and easements of the Declaration, the Marina Licenses, applicable law and all Marina Rules and Regulations of the Association, as from time to time supplemented and amended.

ASSIGNEE ACKNOWLEDGES and agrees that the Association shall be responsible for maintaining the Marina in accordance with the Declaration and the Marina Costs shall be assessed to the Boat Slip Assignees with each Boat Slip Assignee responsible for payment of its percentage share of the Marina Costs.

ASSIGNEE FURTHER ACKNOWLEDGES and agrees that this assignment is subject to a right of first refusal in favor of the Association, as provided in the Declaration.

THIS ASSIGNMENT shall be recorded in a log maintained by the Association, but shall not be recorded in any public records.

IN WITNESS WHEREOF, Assignor and Assignee have executed this Assignment as of the 31st day of January, 2017.

ASSIGNEE:

RS Beard

Name: ROBERT BEARD

Mary Beard

Name: MARY BEARD

1-31-17

ASSIGNOR:

321 BIRCH, LLC, a Florida limited liability company

By: TJSA

Name: TJSA S&B Jose

Title: VP Residential

Date: January 31st, 2017

**EXHIBIT "B"**

**ASSIGNMENT OF RIGHT TO USE  
BOAT SLIP**

FOR AND IN CONSIDERATION OF the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, **321 Birch, LLC, a Florida limited liability company** ("Assignor") hereby assigns to James Lapointe, Brenda Lapointe ("Assignee") a right to use Boat Slip No# 0003 (the "Boat Slip"), which is located within the Marina (the "Marina"), as described in that certain Declaration of Condominium of 321 at Water's Edge, a Condominium, recorded on \_\_\_\_\_, in Official Records Book \_\_\_\_\_, Page \_\_\_\_\_, of the public records of Broward County, Florida (the "Declaration"). The Marina is adjacent to a community known as "321 at Water's Edge" (the "Properties"), which is subject to the terms of the Declaration and is operated by the 321 at Water's Edge Condominium Association, Inc., a Florida not-for-profit corporation (the "Association"). Capitalized terms not defined herein shall have the meanings ascribed to such terms in the Declaration.

ASSIGNEE ACKNOWLEDGES and agrees that this instrument is only an assignment of a right to use the Boat Slip, and does not convey title to the Boat Slip or any other interest in the property upon which the Boat Slip is located and which will automatically pass with title to any Unit that Assignee owns unless previously and properly assigned by Assignee pursuant to the Declaration.

ASSIGNEE ACKNOWLEDGES and agrees that this Assignment is subject to, and the use of the Boat Slip is governed by the terms, covenants, limitations, restrictions and easements of the Declaration, the Marina Licenses, applicable law and all Marina Rules and Regulations of the Association, as from time to time supplemented and amended.

ASSIGNEE ACKNOWLEDGES and agrees that the Association shall be responsible for maintaining the Marina in accordance with the Declaration and the Marina Costs shall be assessed to the Boat Slip Assignees with each Boat Slip Assignee responsible for payment of its percentage share of the Marina Costs.

ASSIGNEE FURTHER ACKNOWLEDGES and agrees that this assignment is subject to a right of first refusal in favor of the Association, as provided in the Declaration.

THIS ASSIGNMENT shall be recorded in a log maintained by the Association, but shall not be recorded in any public records.

IN WITNESS WHEREOF, Assignor and Assignee have executed this Assignment as of the 28  
day of 3, 2018.

ASSIGNEE:

  
Name: \_\_\_\_\_

  
Name: \_\_\_\_\_

3/28, 2018

ASSIGNOR:

321 BIRCH, LLC, a Florida limited liability company

By: 

Name: TIVSU SANC JOSE

Title: VP

Date: 3/28, 2018

**321 at Water's Edge Condominium  
ASSIGNMENT OF RIGHT TO USE BOAT SLIP**

THIS ASSIGNMENT OF RIGHT TO USE BOAT SLIP (the "Assignment"), dated as of September 22, 2020, is made by and between Michael P. Jones and Kimberly R. Judge, husband and wife (collectively the "Assignor"); and Lee J. Engler, as Trustee of the Lee J. Engler Qualified Personal Residence Trust and Patti A. Engler, as Trustee of the Patti A. Engler, as Trustee of the Patti A. Engler Qualified Personal Residence Trust (collectively, the "Assignee").

**RECITALS**

- A. Assignor and Assignee are the owners of Unit 1003 (the "Assignor's Unit") and Unit PH-03 (the "Assignee's Unit"), respectively, of 321 Water's Edge, a Condominium (the "Condominium"). The Condominium is operated and managed by 321 at Water's Edge Condominium Association, a Florida corporation (the "Association").
- B. The exclusive right to Boat Slip No. 0004 (the "Boat Slip"), located within the Common Elements of the Condominium, was assigned to the Assignor Unit as limited common elements appurtenant thereto by 321 Birch LLC, a Florida limited liability company and the developer of the Condominium, pursuant to that certain "321 at Water's Edge Condominium Assignment of Right to Use Boat Slip dated May 15, 2020.
- C. The use of the Boat Slip is governed by and subject to the terms, conditions, restrictions, and provisions of the Declaration of Condominium of 321 at Water's Edge, a Condominium (the "Declaration of Condominium"), as recorded in Instrument # 116467062 of the Public Records of Broward County, Florida, and as from time to time supplemented and amended, the Marina licenses DF14-1052 and FTL 1312-022 and any and all rules and regulations of 321 at Water's Edge Condominium Association, Inc., a Florida Not-for Profit Corporation (the "Condominium Association"), as from time to time supplemented and amended.
- D. Assignor wishes to assign the exclusive right to use the Boat Slip to the Assignee's Unit, and Assignee, as owner of the Assignee's Unit, wishes to accept the assignment of exclusive rights to use the Boat Slip, in accordance with the terms of this Assignment:

**AGREEMENT**

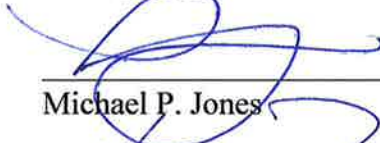
- 1. Assignor hereby assigns to the Assignee's Unit, the exclusive right to use the Boat Slip; and Assignee, as owner of the Assignee's Unit, hereby accepts such assignment and agrees to assume all obligations of Assignor with respect to the Boat Slip, as well as to comply with all requirements, rules and regulations as may be imposed with respect to the use of such Boat Slip by either the Declaration of Condominium or the Condominium Association.

2. Assignee acknowledged and agrees that this Assignment is only an assignment of a use right in and to the Boat Slip, and does not convey title to the Boat Slip or any interest in the real property upon which the Boat Slip is located.
3. Assignor and Assignee hereby agree that they shall execute any additional documentation which may be required by the Condominium Association to evidence this Assignment.
4. Assignee acknowledges and agree as follows: (a) the assignment made herein is an assignment which attaches to the Assignee's Unit and, unless previously and properly assigned to another unit in the Condominium, will automatically pass with title thereto; (b) the Association shall have reasonable rights as are necessary, including rights of relocation, in order to comply with all applicable accessibility codes, laws, ordinances or regulations; and (c) this Assignment shall be recorded in a log maintained by the Condominium Association, but shall not be recorded in any public records.

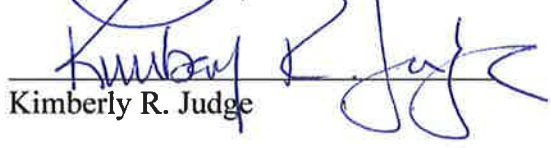
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IN WITNESS WHEREOF, Assignor and Assignee has executed this Assignment as of the date first written above.

ASSIGNOR:

  
\_\_\_\_\_

Michael P. Jones

  
\_\_\_\_\_

Kimberly R. Judge

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 22nd day of September, 2020, by Michael P. Jones and Kimberly R. Judge, who are personally known to me or have produced Federer's license as identification.

[Notary Seal]



  
\_\_\_\_\_

Notary Public

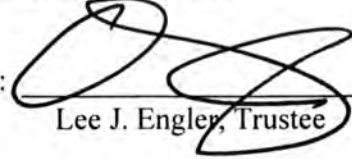
Evette Arguinzoni  
\_\_\_\_\_

Name typed, printed or stamped

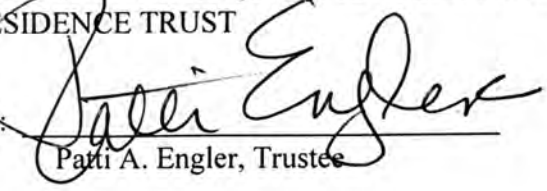
My Commission Expires: Jan 13, 2021

ASSIGNEE:

LEE J. ENGLER QUALIFIED PERSONAL RESIDENCE TRUST

By:   
Lee J. Engler, Trustee

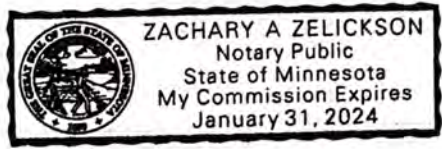
PATTI A. ENGLER QUALIFIED PERSONAL RESIDENCE TRUST

By:   
Patti A. Engler, Trustee

STATE OF MINNESOTA )

)  
COUNTY OF Hennepin )

The foregoing instrument was acknowledged before me this 22 day of September, 2020, by Lee J. Engler, as Trustee of the Lee J. Engler Qualified Personal Residence Trust, for and on behalf of said trust.

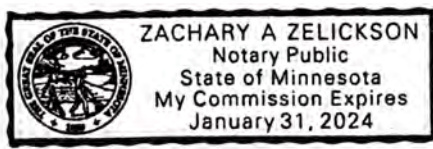


  
Notary Public

STATE OF MINNESOTA )

)  
COUNTY OF Hennepin )

The foregoing instrument was acknowledged before me this 22 day of September, 2020, by Patti A. Engler, as Trustee of the Patti A. Engler Qualified Personal Residence Trust, for and on behalf of said trust.



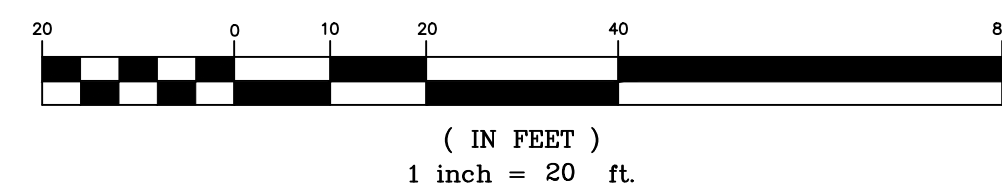
  
Notary Public

## EXHIBIT V ORIGINAL SURVEY



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

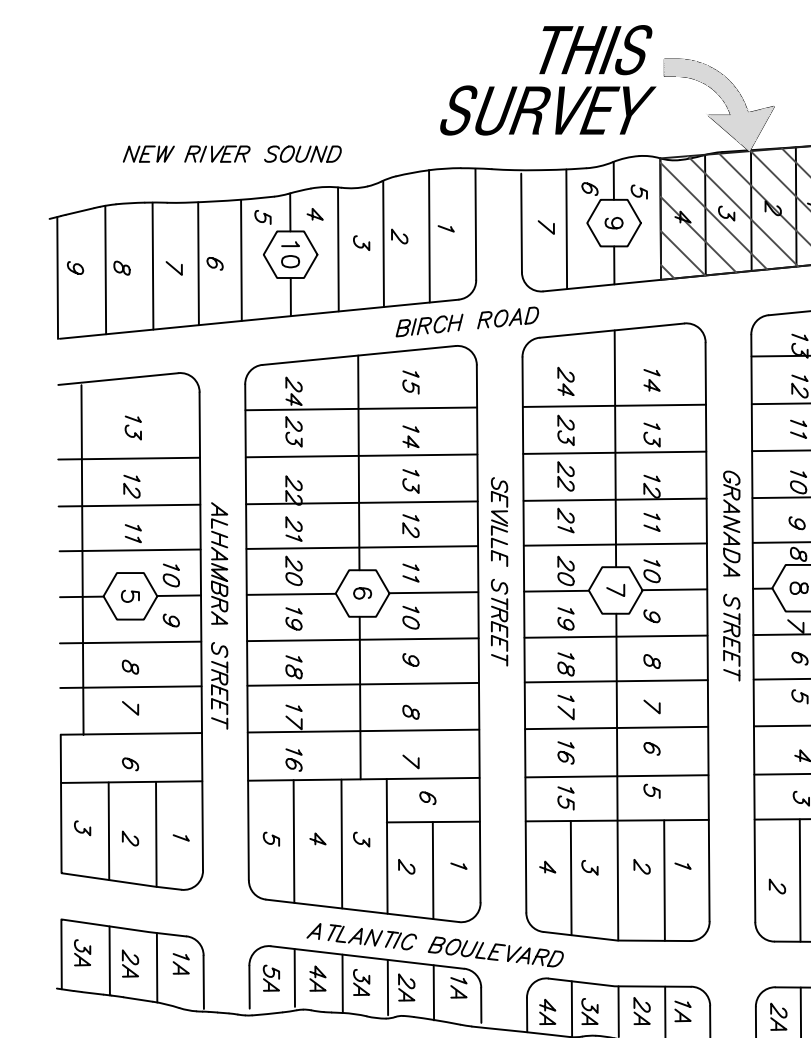
**GRAPHIC SCALE**



www.MECO400.com

# ALTA/ACSM LAND TITLE SURVEY

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



Location Sketch  
 Not To Scale

**TREE SYMBOLS**

- INDICATES DIAMETER± (D.B.H.)
- PINE TREE
- PALM TREE
- BOTTLE BRUSH TREE
- FICUS TREE
- BUSH OR SHRUB
- UNKNOWN TREE
- GUMBO LIMBO

**ALTA/ACSM CERTIFICATION**

TO: Ticor Title Insurance Company, Fieldstone, Lester, Shear & Denberg, L.L.P. AND Premier Developers Managements, L.L.C., a Florida limited liability company and/or assigns.

This is to certify that this map or plat and the survey on which it is based as surveyed on August 1st, 2007, was made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by the American Land Title Association (ALTA), & the National Society of Professional Surveyors (NSPS) in 2005. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and ACSM and in effect on the date of this certification.

The undersigned further certifies that in my professional opinion, as a Registered Land Surveyor in the State of Florida, the Relative Positional accuracy of this survey does not exceed that which is specified therein.

The undersigned further certifies that this survey was prepared in accordance with the minimum technical standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

This survey reflects any easements road reservations or rights-of-way of record affecting this property per Ticor Title Insurance Company Agent File No: W0700156, dated July 17th, 2007, at 11:59 P.M.

Notes corresponding to exceptions contained in Schedule B- Section 2, of the above referenced title commitment:

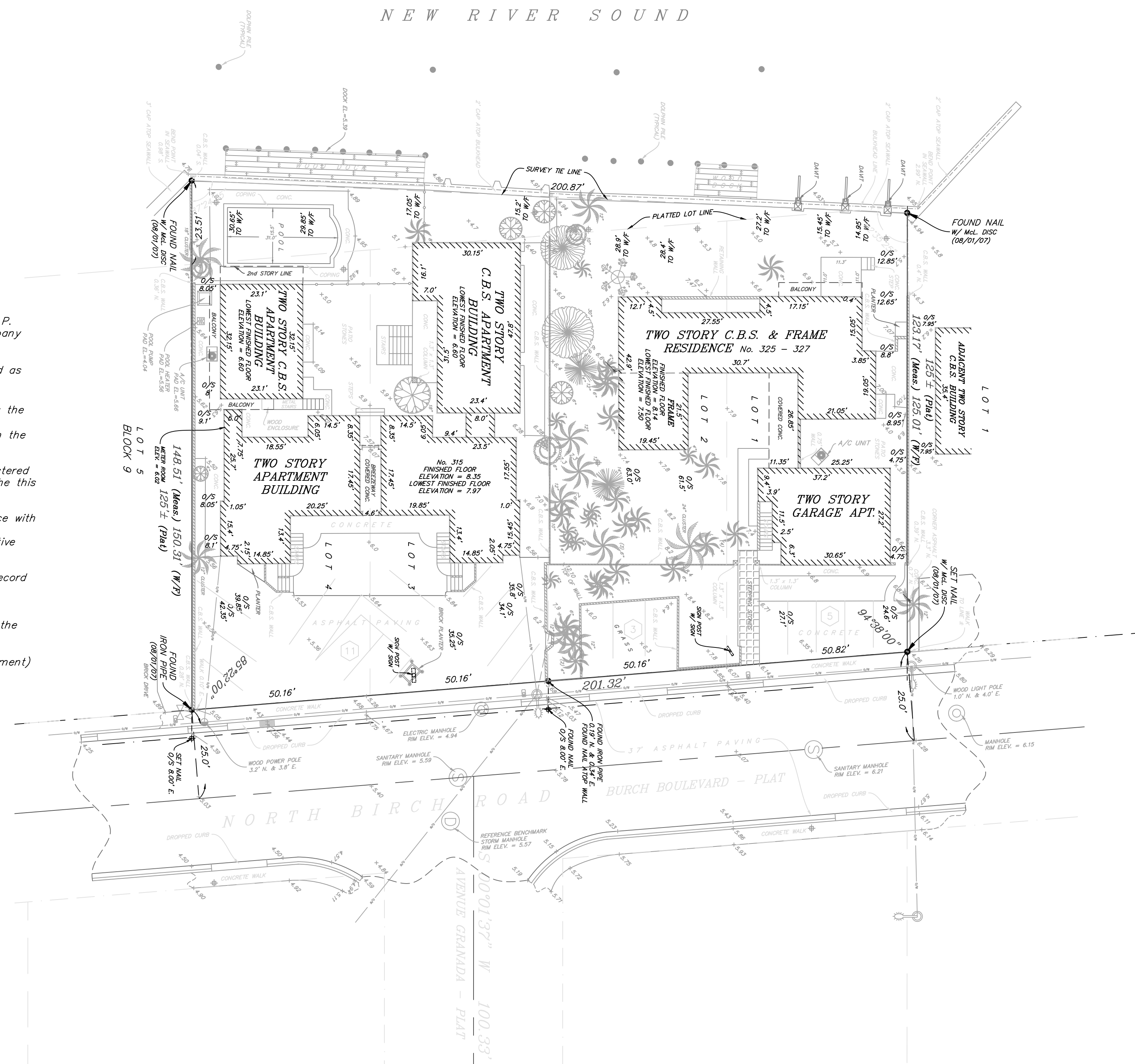
- 7) Easement per O.R. 15189, Page 658 affects this property. (Blanket Easement)

**NOTES:**

- 1) This survey reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Underground improvements if any not located.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) Boundary survey information does not infer Title or Ownership.
- 5) All iron rods 5/8", unless otherwise noted.
- 6) Reference Bench Mark: Storm Manhole at Intersection of Birch Road & Granada Street. ELEVATION = 5.57
- 7) Elevations shown refer, to National Geodetic Vertical Datum (1929), and are indicated thus: Elev. = 5.57
- 8) This property lies in Flood Zone "AE", Elev=6.0 Per Flood Insurance Rate Map No. 1201100210F, Dated: August 18, 1992, Community Panel No. 125105 Index Map Dated: October 2, 1997.

**OFFICE NOTES**

FIELD BOOK NO. TDS w/Worksheets, Print LB# 266/15-16  
 JOB ORDER NO. U-1785, U-3717  
 CHECKED BY: \_\_\_\_\_  
 DRAWN BY: E.W.J.  
 C:\E.W.J. 2002\U3717\dwg\U3717.dwg 12/04/2007 11:11:15 AM EST



**Legal Description**

Lots 1, 2, 3 and 4, Block 9, LAUDER DEL MAR, according to the plat thereof, as recorded in Plat Book 7, Page 30, of the public records of Broward County, Florida.

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

**LEGEND**

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

**CERTIFICATION**

We hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Professional Land Surveyors in Chapter 61G17-6 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Dated at Fort Lauderdale, Florida, this 12th day of January, 2006.  
 Rotated Drawing orientation this 1st day of May, 2006.  
 Resurveyed this 1st day of August, 2007.

McLAUGHLIN ENGINEERING COMPANY

SCOTT A. McLAUGHLIN  
 Professional Surveyor & Mapper No. 5842  
 State of Florida.

FILE NO.: 06-3-004(07)

## EXHIBIT V ZONING AERIAL



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

321 N Birch Road



0 90 180 Feet

**GIS**  
Fort Lauderdale

## EXHIBIT VI SITE PHOTOGRAPHS



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



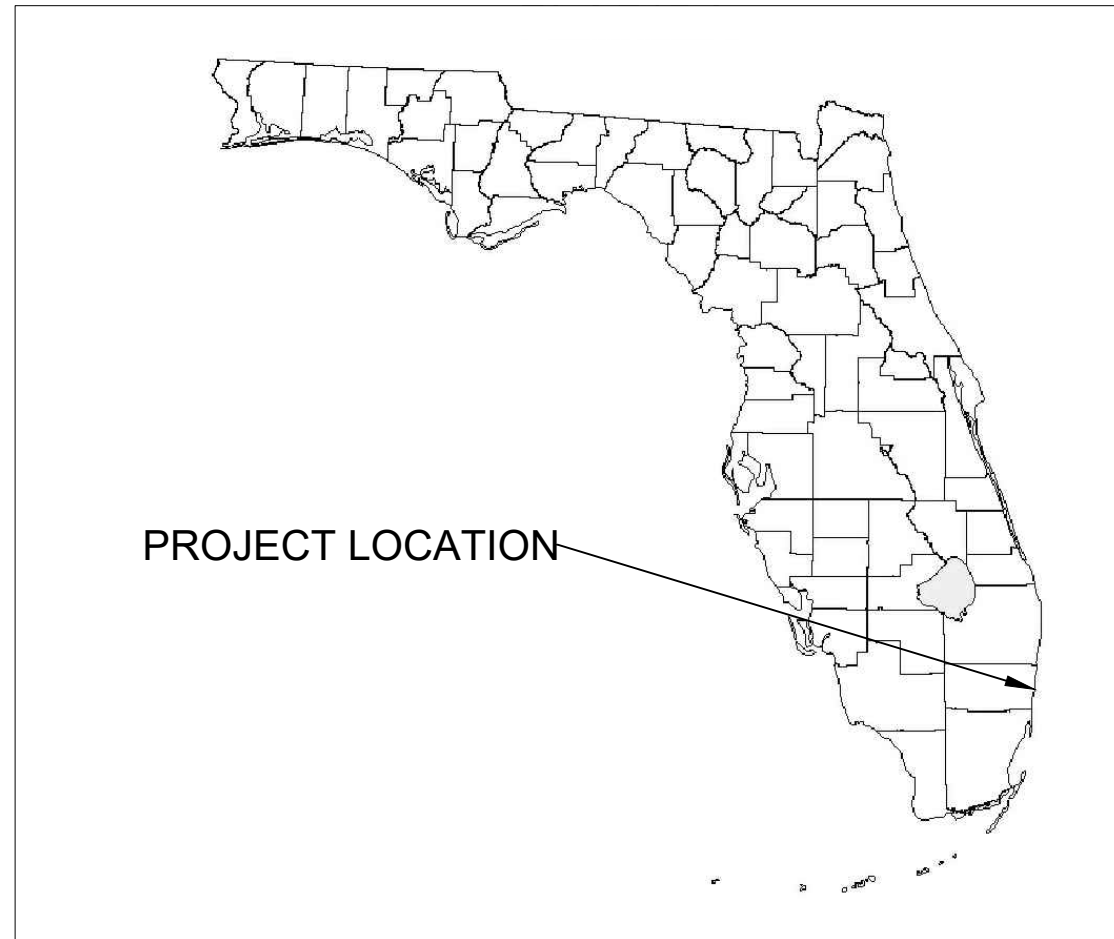
**2. Central portion of the subject site, facing northeast along the ICWW.**

## **EXHIBIT VII PROJECT PLANS**

# 321 N BIRCH RD - ENGLER FLOATING DOCKS

## CITY OF FORT LAUDERDALE

### PLAN SET



**LOCATION MAP (N.T.S.)**

#### **DRAWING INDEX**

**SHEET 1: COVER**

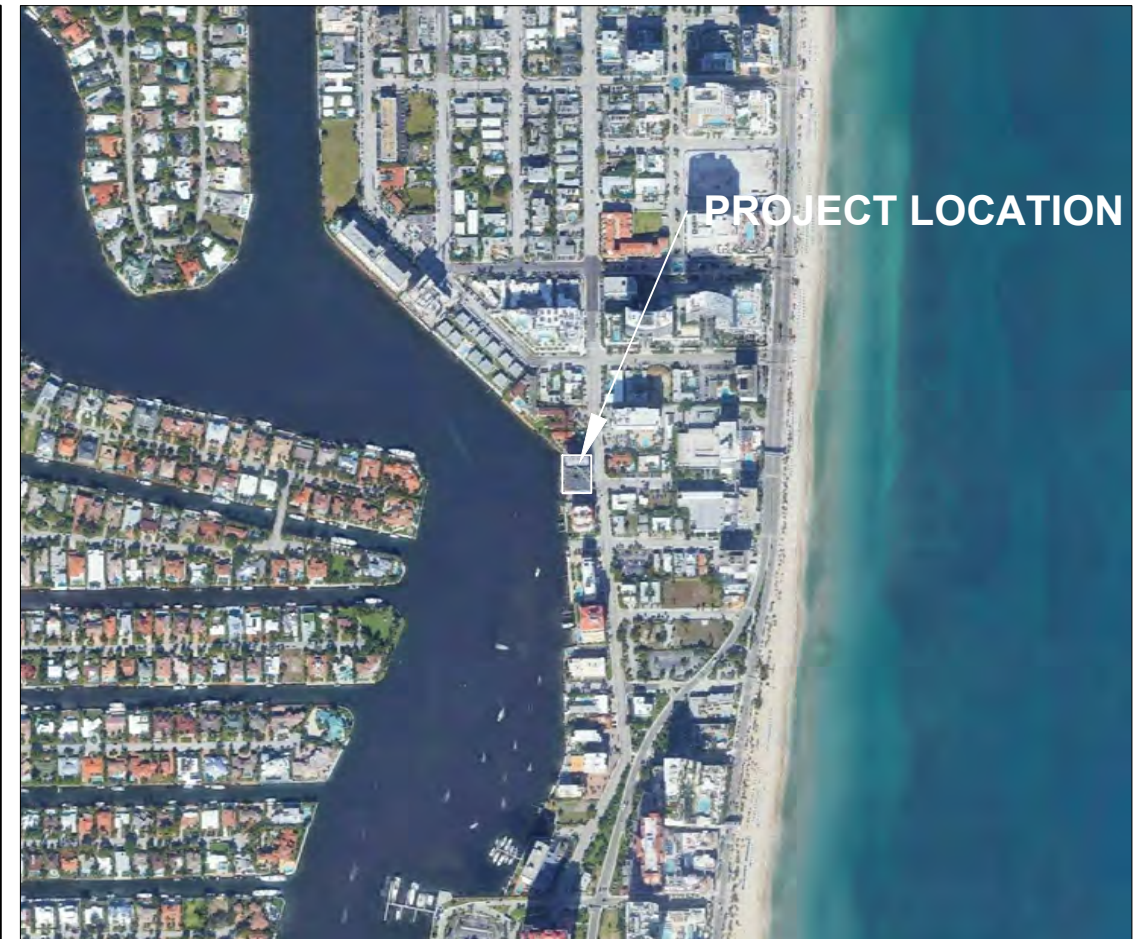
**SHEET 2: EXISTING  
CONDITIONS**

**SHEET 3: PROPOSED  
CONDITIONS**

**SHEET 4: SECTION A**

**SHEET 5: FLOATING  
DOCK DETAILS**

**SHEET 6: DETAILS**



**VICINITY AERIAL (N.T.S.)**

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

**321 N BIRCH RD- ENGLER FLOATING DOCKS**

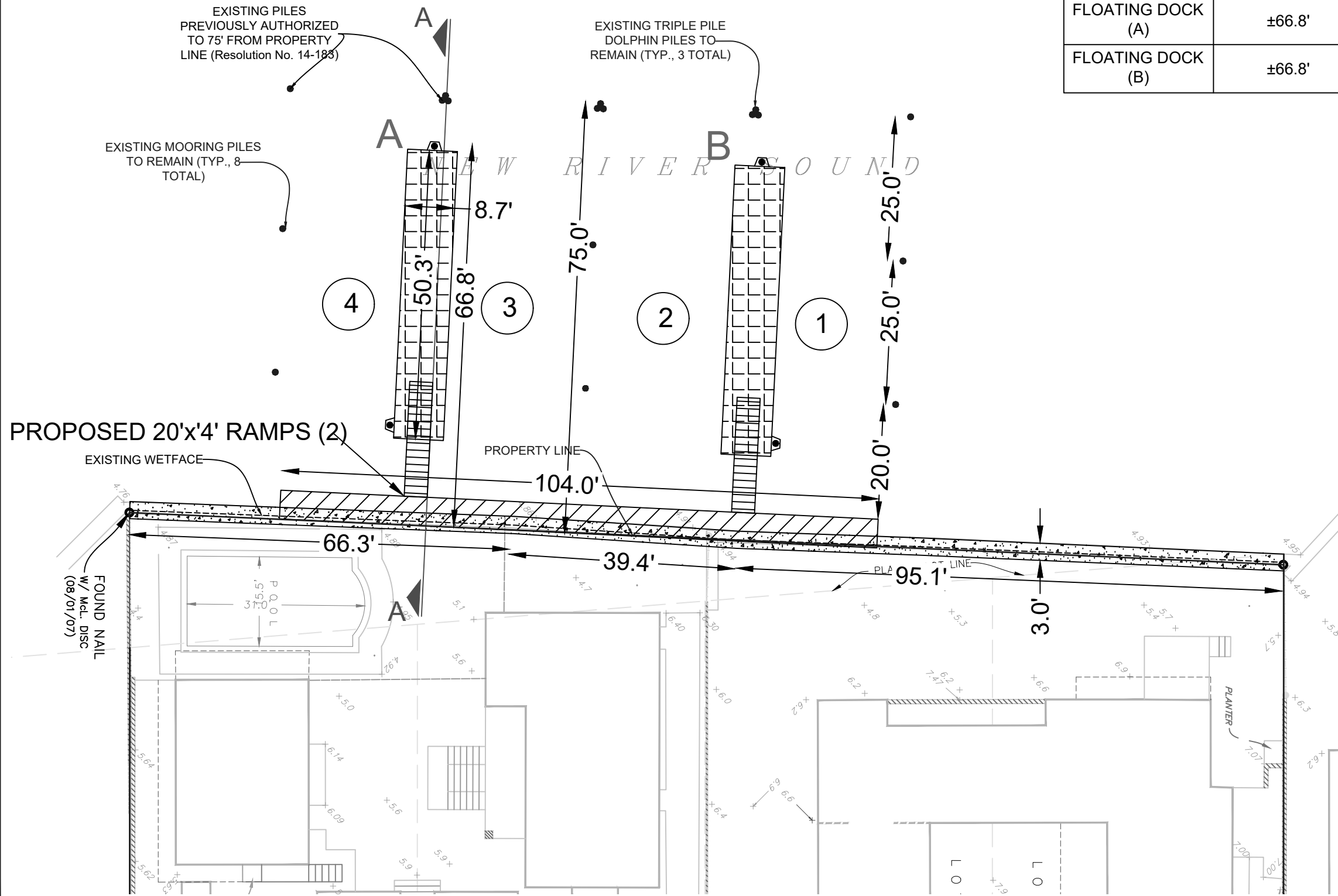
PREPARED FOR:  
**MR. LEE ENGLER**

COVER

Date: 12/6/2022	Sheet : <b>1</b>	of : <b>6</b>
Proj No.: 21-0038.001		



PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
FLOATING DOCK (A)	±66.8'	25'	41.8'
FLOATING DOCK (B)	±66.8'	25'	41.8'



### LEGEND

- SUBJECT SITE (0.58 AC)
- EXISTING CONCRETE SEAWALL W/ 3.0' CAP TO REMAIN (±200 LN. FT.; ±300 SQ. FT. OVERWATER)
- EXISTING CONCRETE MARGINAL DOCK TO REMAIN (±520 SQ. FT.)
- EXISTING MOORING PILES TO REMAIN (8)
- EXISTING TRIPLE MOORING PILES TO REMAIN (3)
- EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL17-0002 (4)
- PROPOSED FLOATING DOCKS (±875 SQ. FT.)

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

- NOTE:**
- EXISTING LOCATIONS ARE APPROXIMATE AND BASED ON SURVEY BY MCLAUGHLIN ENGINEERING COMPANY FILE NO. 06-3-004(07).
  - EXISTING STRUCTURES PREVIOUSLY AUTHORIZED UNDER BCEPGMD ERL NO. DF14-1052 AND FDEP NO. 06-0323079-001.
  - EXISTING PILES WERE PREVIOUSLY AUTHORIZED UNDER RESOLUTION 14-183.

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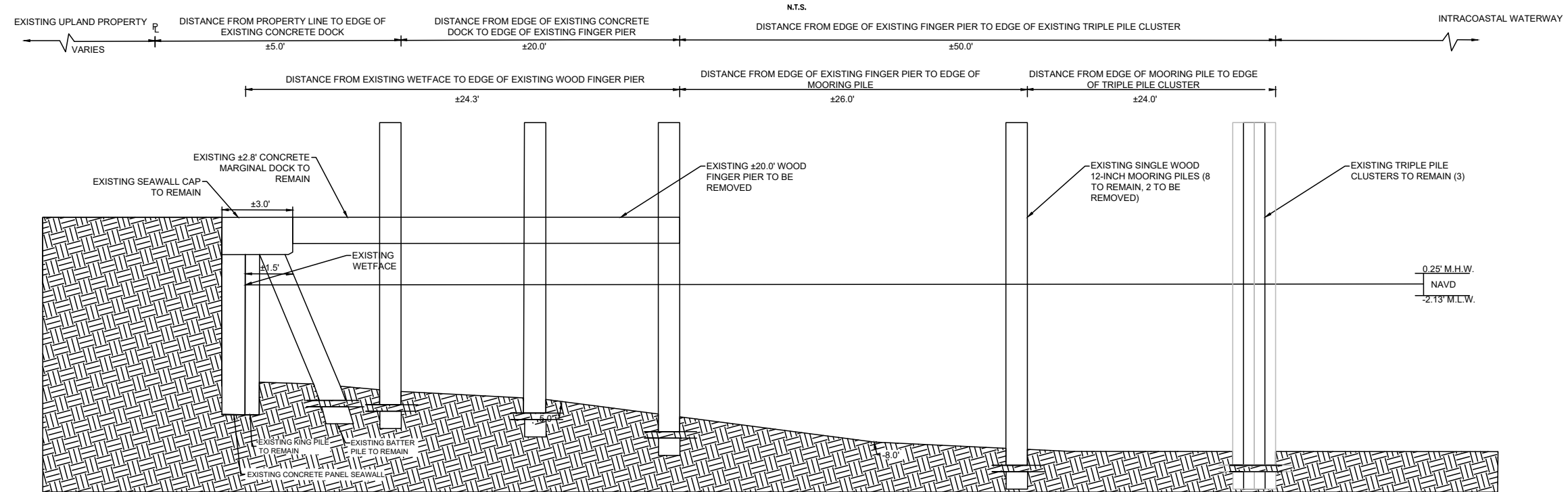
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- Marina & Wetland Permitting
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## 321 N BIRCH RD- ENGLER FLOATING DOCKS

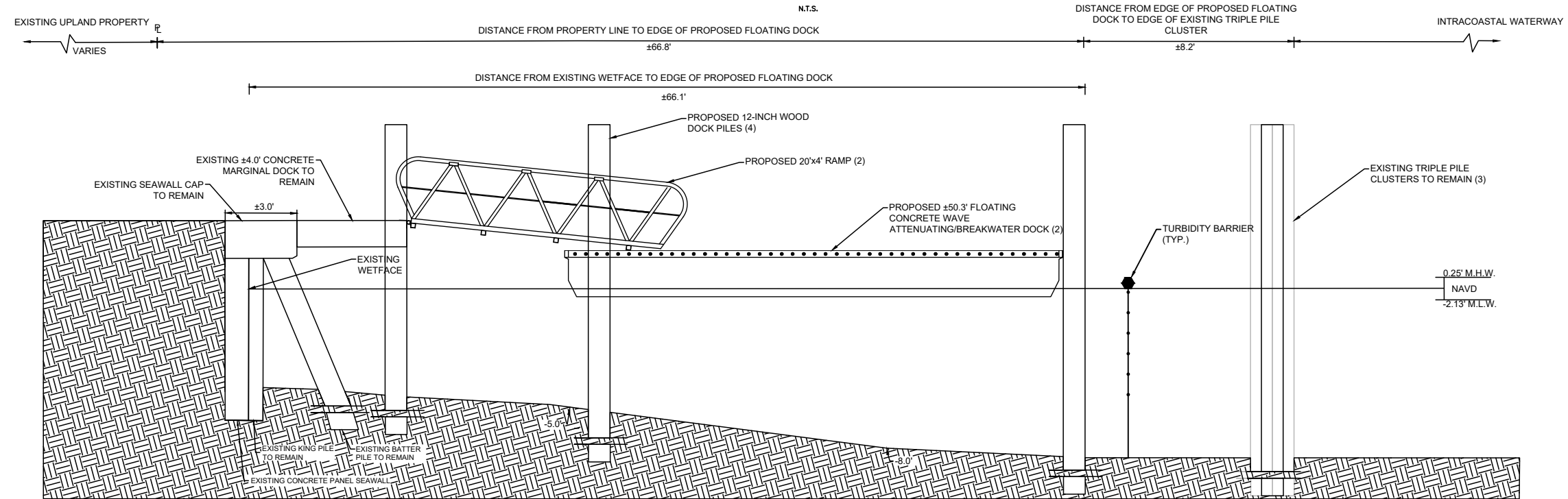
PREPARED FOR:  
MR. LEE ENGLER

PROPOSED CONDITIONS		
Date: 12/6/2022	Sheet : <b>3</b>	of : <b>6</b>
Proj No.: 21-0038.001		

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



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



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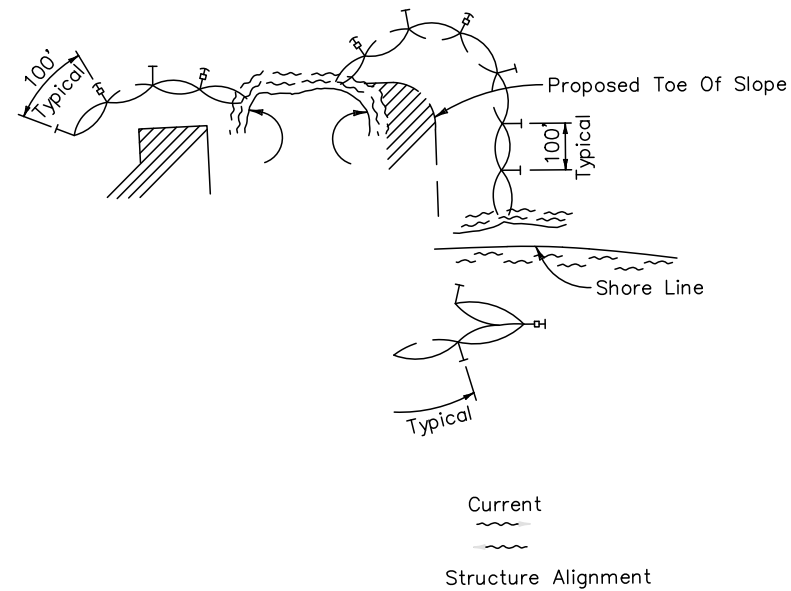
**321 N BIRCH RD- ENGLER FLOATING DOCKS**

PREPARED FOR:  
**MR. LEE ENGLER**

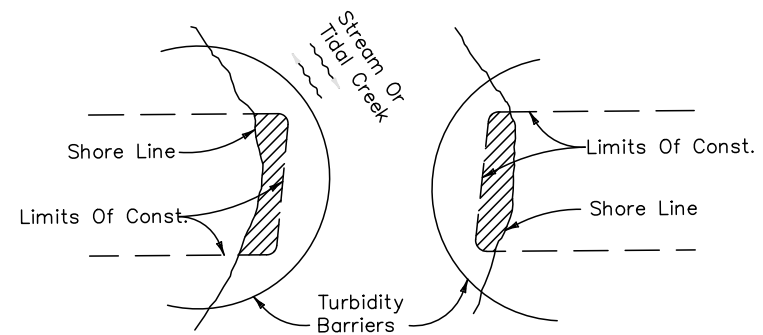
SECTION A		
Date: 12/6/2022	Sheet : <b>4</b>	of : <b>6</b>
Proj No.: 21-0038.001		



## CONSTRUCTION BARGE (TYP.)



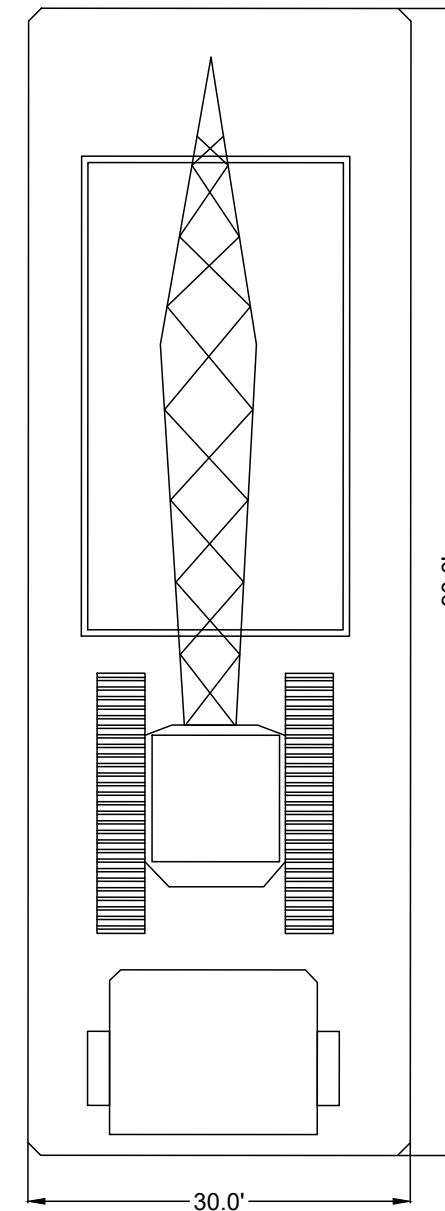
- LEGEND**
- Pile Locations
  - ▨ Dredge Or Fill Area
  - Mooring Buoy w/Anchor
  - ⊥ Anchor
  - Barrier Movement Due To Current Action



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

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

### TURBIDITY BARRIER APPLICATIONS



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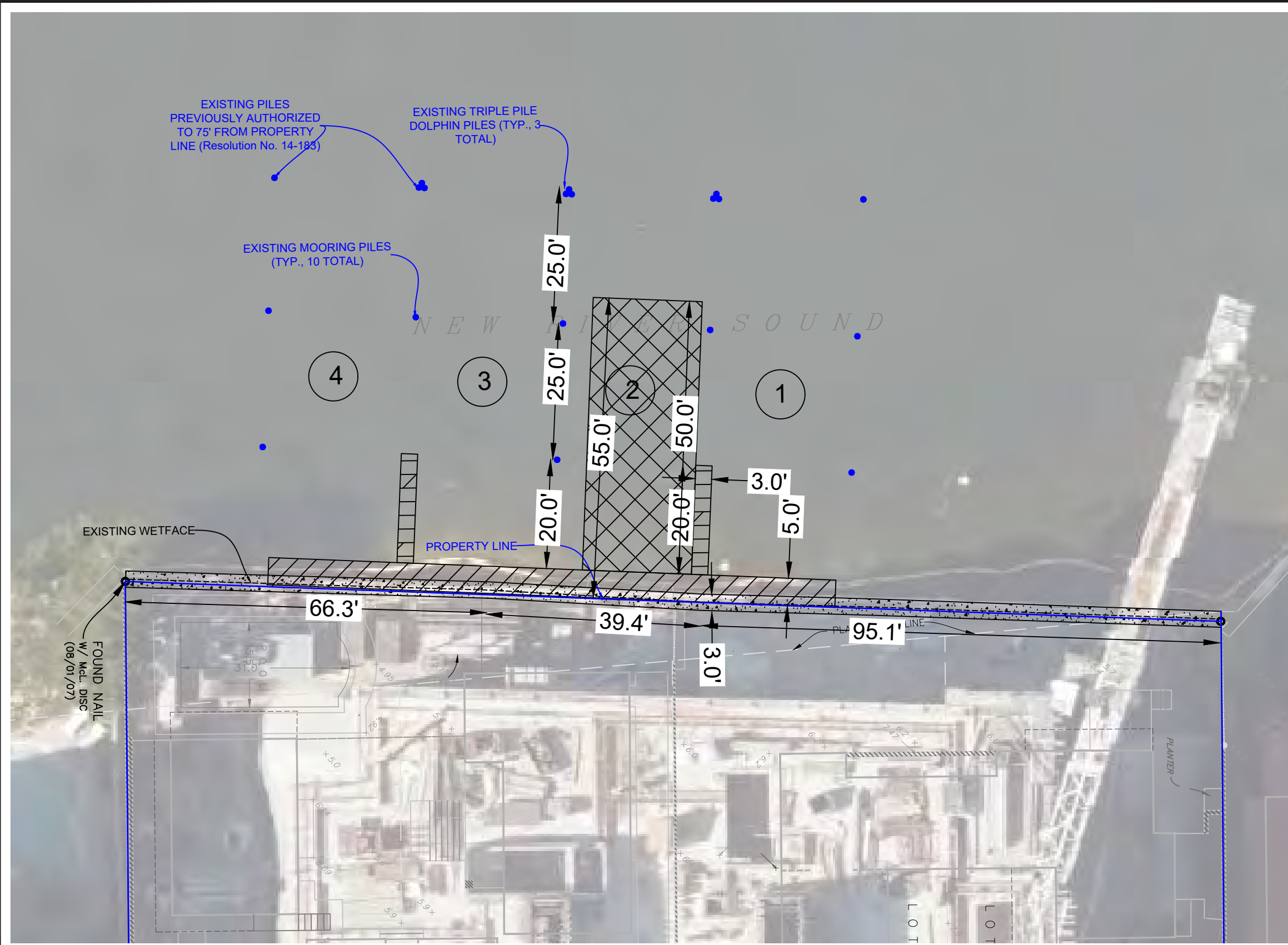
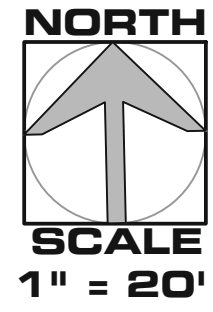
321 N BIRCH RD- ENGLER FLOATING DOCKS

PREPARED FOR:  
MR. LEE ENGLER

DETAILS

Date: 12/6/2022	Sheet : <b>6</b>	of : <b>6</b>	
Proj No.: 20-0038.001			

## EXHIBIT VIII DISTANCE EXHIBIT



### LEGEND

- SUBJECT SITE (0.58 AC)
- EXISTING CONCRETE SEAWALL W/ 3.0' CAP TO REMAIN (±200 LN. FT.; ±300 SQ. FT. OVERWATER)
- EXISTING CONCRETE MARGINAL DOCK TO REMAIN (±520 SQ. FT.)
- EXISTING WOOD FINGER PIERS TO BE REMOVED (±120 SQ. FT.)
- EXISTING 50,000 LB NO PROFILE BOAT LIFT TO BE REMOVED (±1,000 SQ. FT.)
- EXISTING MOORING PILES (10)
- EXISTING TRIPLE PILE DOLPHIN PILES TO REMAIN (3)
- 1 EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL17-0002 (4)

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

**NOTE:**

1. EXISTING LOCATIONS ARE APPROXIMATE AND BASED ON SURVEY BY MCLAUGHLIN ENGINEERING COMPANY FILE NO. 06-3-004(07).
2. EXISTING STRUCTURES PREVIOUSLY AUTHORIZED UNDER BCEPGMD ERL NO. DF14-1052 AND FDEP NO. 06-0323079-001.
3. EXISTING PILES WERE PREVIOUSLY AUTHORIZED UNDER RESOLUTION 14-183.
4. EXISTING BOAT LIFT PREVIOUSLY AUTHORIZED UNDER RESOLUTION 21-37.

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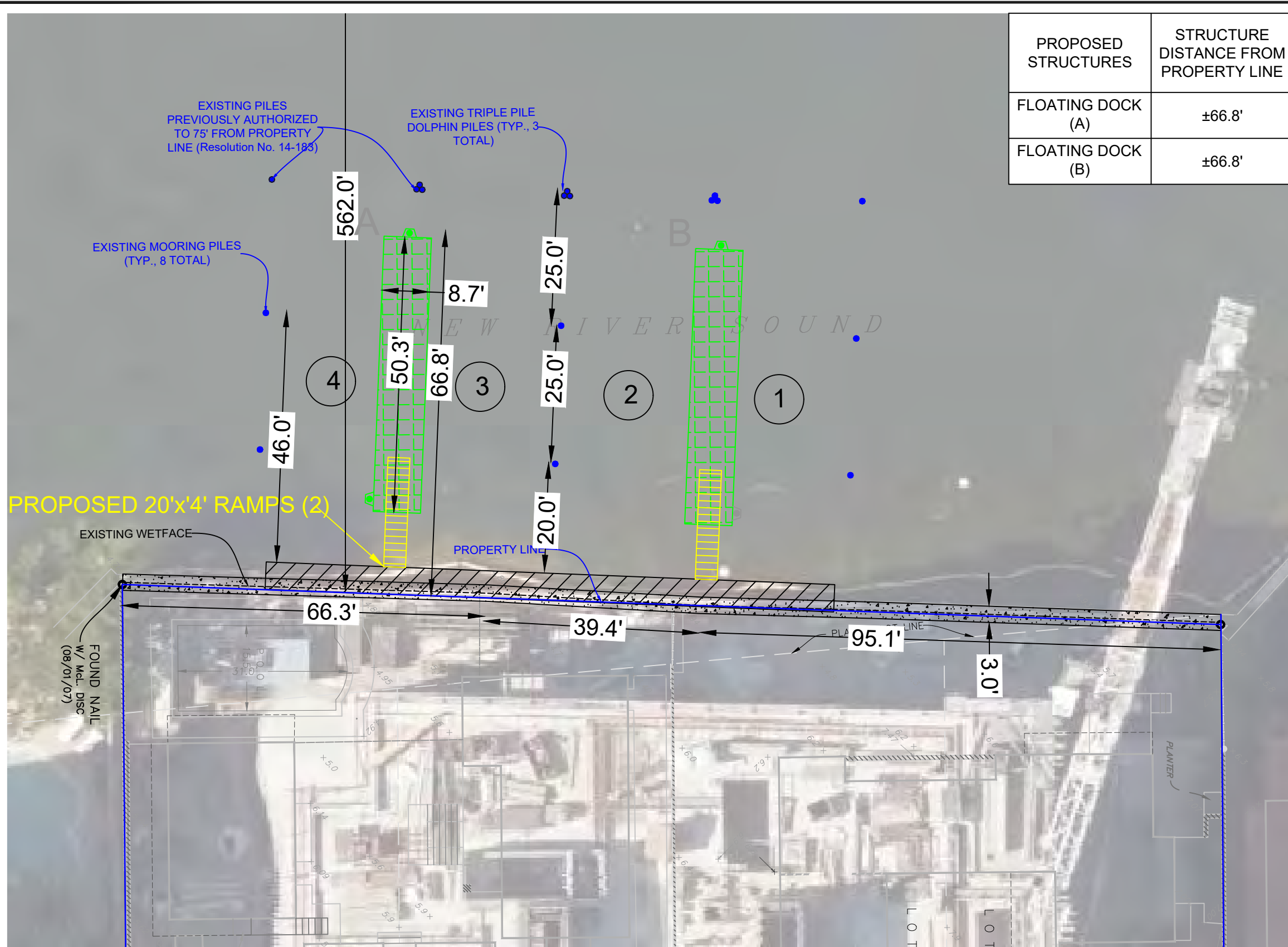
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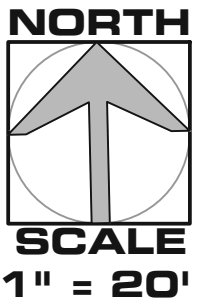
321 N BIRCH RD- ENGLER FLOATING DOCKS

PREPARED FOR:  
**MR. LEE ENGLER**

DISTANCE AERIAL - EXISTING		
Date:	Sheet :	of :
12/6/2022	1	3
Proj No.:		
21-0038.001		



PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
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FLOATING DOCK (B)	±66.8'	25'	41.8'



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  - EXISTING TRIPLE MOORING PILES TO REMAIN (3)
  - 1 EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL17-0002 (4)
  - PROPOSED FLOATING DOCKS (±875 SQ. FT.)
- M.H.W. = 0.25' NAVD      M.L.W. = (-)2.13' NAVD

- NOTE:**
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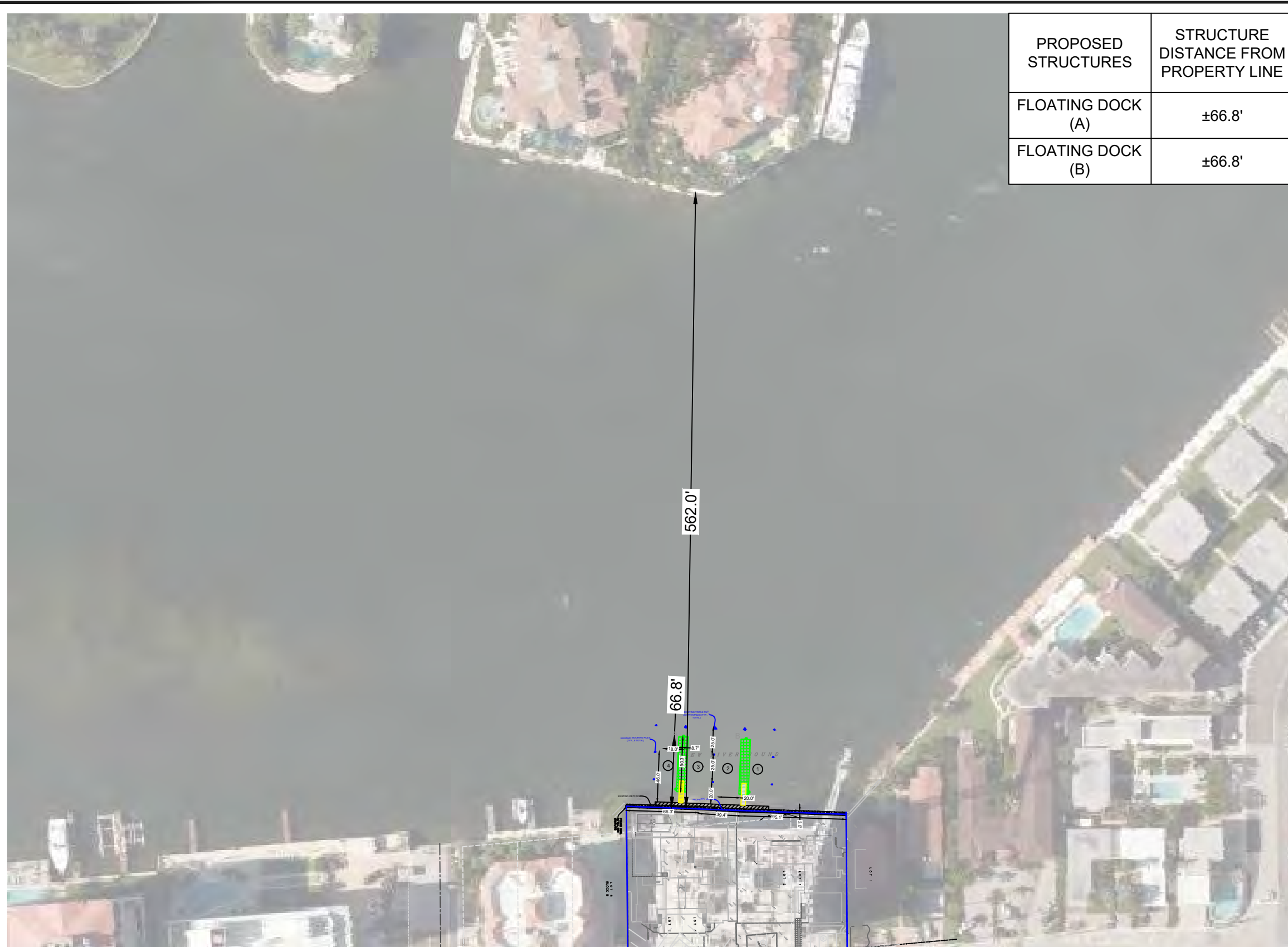
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## 321 N BIRCH RD- ENGLER FLOATING DOCKS

PREPARED FOR:  
MR. LEE ENGLER

DISTANCE AERIAL - PROPOSED

Date: 12/6/2022	Sheet : <b>2</b>	of : <b>3</b>
Proj No.: 21-0038.001		



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  3. EXISTING PILES WERE PREVIOUSLY AUTHORIZED UNDER RESOLUTION 14-183.

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

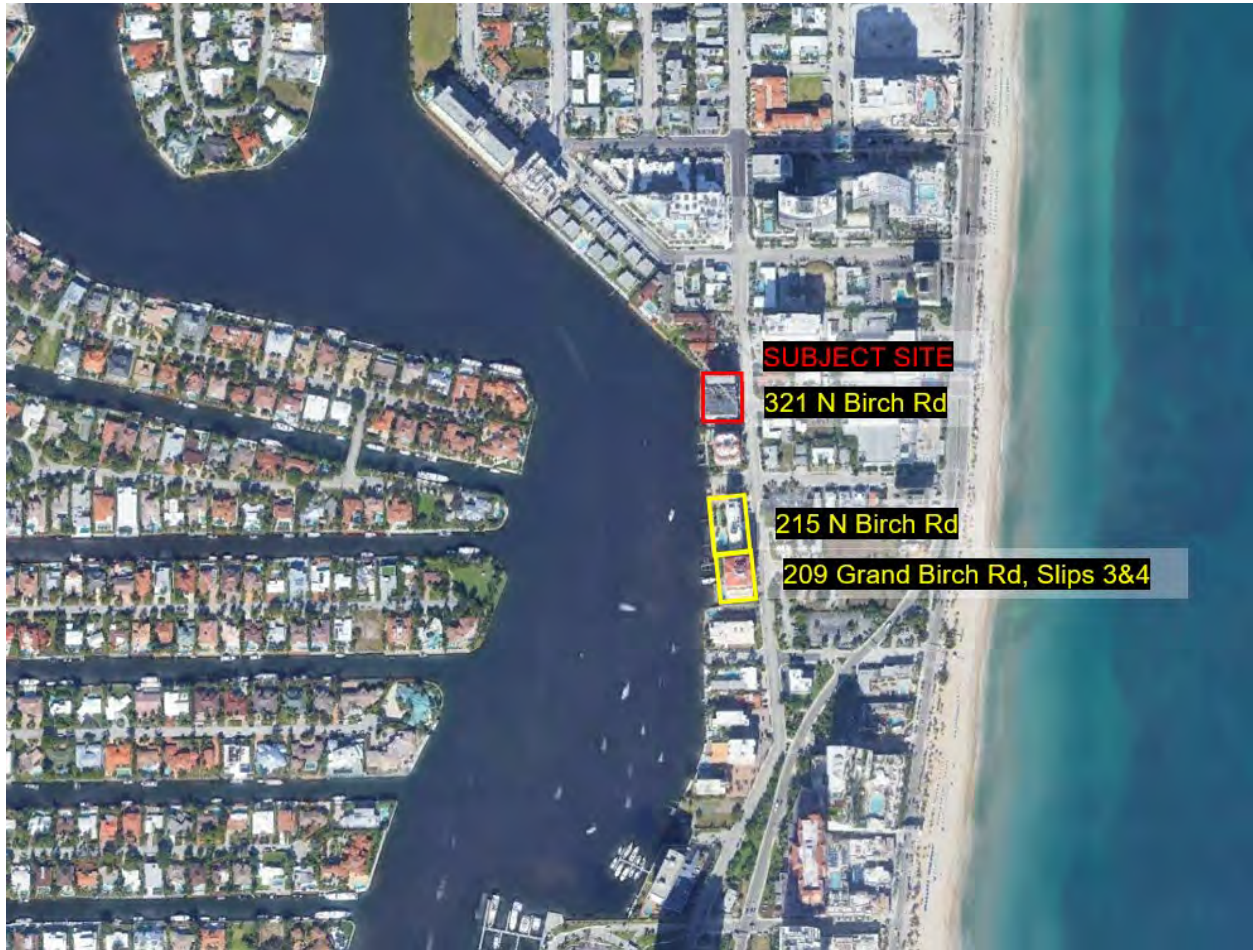
- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Tree Surveys/Appraisals

**321 N BIRCH RD- ENGLER FLOATING DOCKS**  
 PREPARED FOR:  
 MR. LEE ENGLER

DISTANCE AERIAL - PROPOSED		
Date: 12/6/2022	Sheet : <b>3</b>	of : <b>3</b>
Proj No.: 21-0038.001		

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

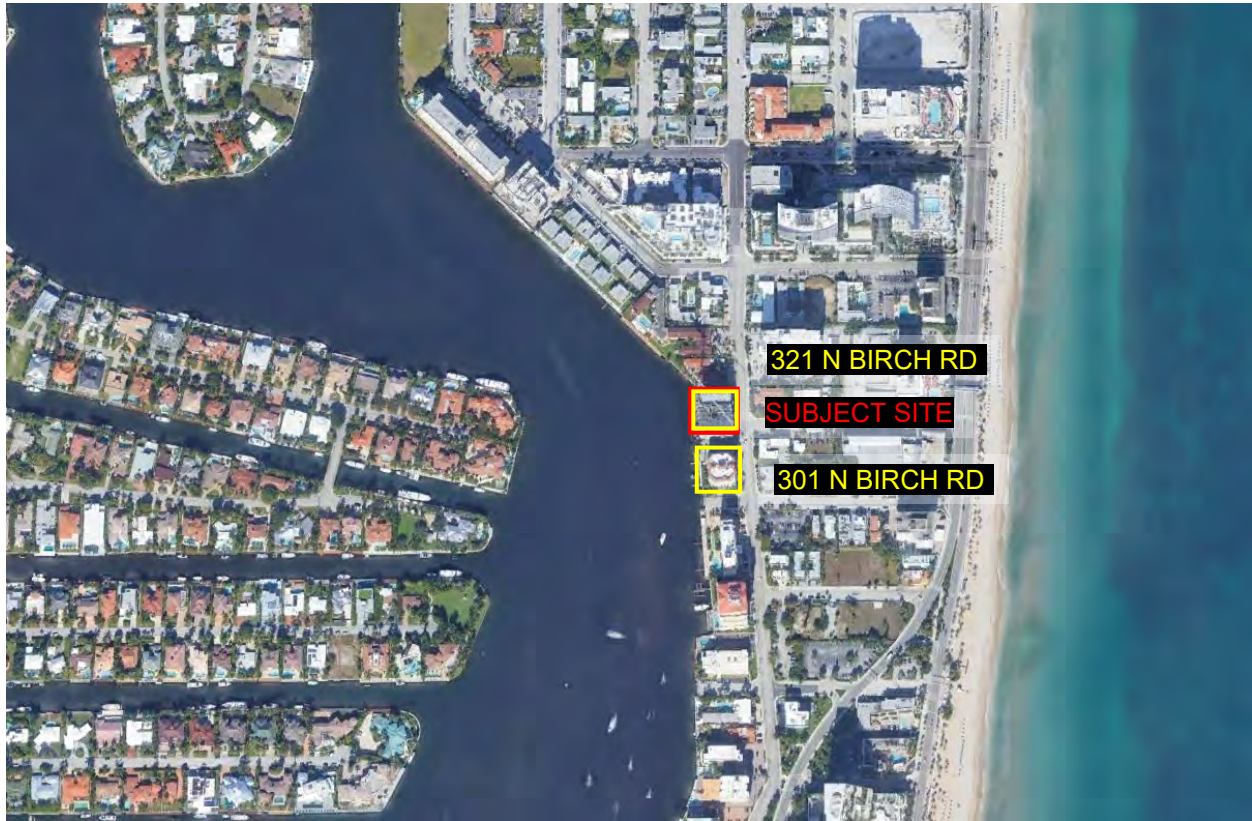
**EXISTING WAIVERS IN THE VICINITY**



ADDRESS	MAXIMUM DISTANCE
321 N Birch Rd	75'
321 N Birch Rd	55'
215 N Birch Rd	47.5'
209 Grand Birch, Slip 3	39.3'
209 Grand Birch, Slip 4	45.5'
<b>Subject Site</b>	<b>66.8'</b>

## EXHIBIT X LETTERS OF SUPPORT

**LETTERS OF SUPPORT**



ADDRESS	OWNER
301 N Birch Rd	Michael Kelly, Treasurer, Birch Pointe Condo Association
321 N Birch Road #401	Richard Caparso
321 N Birch Rd #403	Edward & Jeannie Cave
321 N Birch Rd #503	Daniel Adams
321 N Birch Road #602	Jeffrey & Dawn Grubs
321 N Birch Rd #603	Peter Rosenfeld
321 N Birch Rd #701	Patrick Sullivan
321 N Birch Rd #702	Harri Weckstrom
321 N Birch Rd #703	Robert Hughes
321 N Birch Rd #501	Michael DiTullio

ADDRESS	OWNER
321 N Birch Rd #1002	Steven Huntley
321 N Birch Rd #1003	Richard & Deborah Maser
321 N Birch Rd #801	Margo Cook & Renee Cohen
321 N Birch Rd #802	Malkon Baboyian
321 N Birch Rd #803	Robert Verdun
321 N Birch Rd #901	Brenda Lapointe
321 N Birch Rd #902	Pierre Grenier
321 N Birch Rd #903	David Sidwell
321 N Birch Rd #PH01	Robert & Mary Berard
321 N Birch Rd #PH02	Herbert Parker

June 1, 2022

Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,

Handwritten signature of Richard Caparso in black ink, written in a cursive style.

Richard & Joan Caparso  
321 N Birch Road Apt 401  
Fort Lauderdale, FL 33304

June 1, 2022

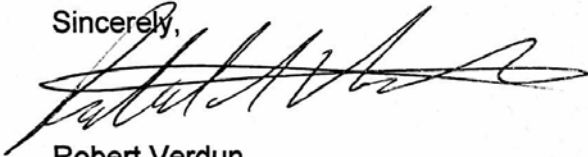
Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

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Sincerely,

A handwritten signature in black ink, appearing to read 'Robert Verdun', written over a horizontal line.

Robert Verdun  
321 N Birch Road Apt 803  
Fort Lauderdale, FL 33304

June 6, 2022

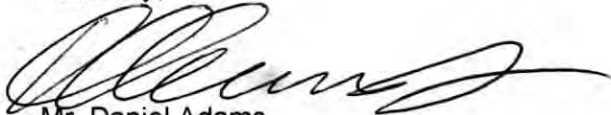
Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

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Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Adams", with a long, sweeping horizontal stroke extending to the right.

Mr. Daniel Adams  
321 N Birch Road Apt 503  
Fort Lauderdale, FL 33304

June 6, 2022

Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #501, and support the project as proposed.

Sincerely,



Michael DiTullio  
321 N Birch Road Apt 501  
Fort Lauderdale, FL 33304

June 6, 2022

Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #1003, and support the project as proposed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard & Deborah Maser". The signature is fluid and cursive, with the first name being the most prominent.

Richard & Deborah Maser  
321 N Birch Road Apt 1003  
Fort Lauderdale, FL 33304

June 6, 2022

Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #PH02, and support the project as proposed.

Sincerely,

A handwritten signature in black ink that reads "Herbert Parker". The signature is written in a cursive style with a long horizontal line extending to the right.

Herbert Parker  
321 N Birch Road Apt PH02  
Fort Lauderdale, FL 33304

June 1, 2022


Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,

A handwritten signature in blue ink, consisting of several loops and a trailing line, positioned above the typed name and address.

Edward & Jeannie Cave  
321 N Birch Road Apt 403  
Fort Lauderdale, FL 33304

June 1, 2022

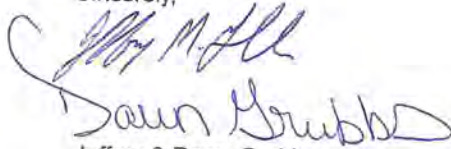
Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,

Handwritten signature in blue ink, appearing to read "Jeffrey & Dawn Grubbs".

Jeffrey & Dawn Grubbs  
321 N Birch Road Apt 602  
Fort Lauderdale, FL 33304

June 1, 2022

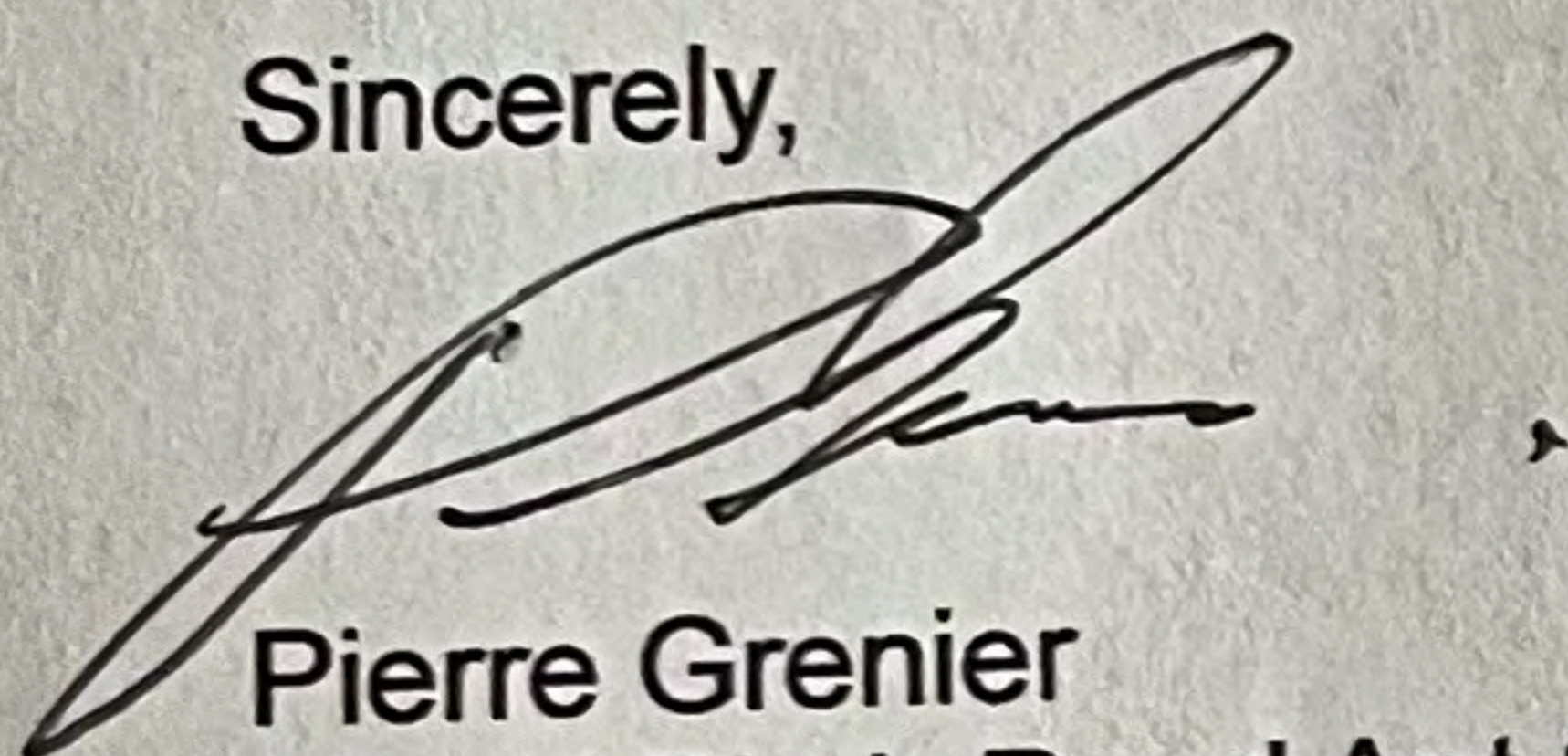
Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,



Pierre Grenier  
321 N Birch Road Apt 902  
Fort Lauderdale, FL 33304

June 1, 2022

Mr. Lee Engler  
321 N Birch Road #PH03  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 301 N Birch Rd, and support the project as proposed.

Sincerely,



Mr. Michael Kelly  
Birch Pointe Condo Association, *TREASURER*  
301 N Birch Rd  
Fort Lauderdale, FL 33304

June 1, 2022

Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,



Harri Weckstrom  
President, Midaja Inc.  
321 N Birch Road Apt 702  
Fort Lauderdale, FL 33304

June 6, 2022

Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #603, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter M. Rosenfeld". The signature is written in a cursive, flowing style.

Mr. Peter M. Rosenfeld  
321 N Birch Road Apt 603  
Fort Lauderdale, FL 33304

June 6, 2022

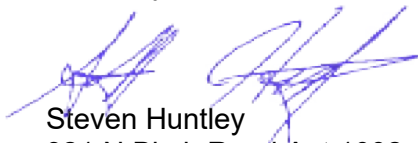
Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #1002, and support the project as proposed.

Sincerely,



Steven Huntley  
321 N Birch Road Apt 1002  
Fort Lauderdale, FL 33304

June 1, 2022

Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,

A handwritten signature in cursive script that reads "Mary Berard".

Robert & Mary Berard  
321 N Birch Road Apt PH01  
Fort Lauderdale, FL 33304

June 6, 2022

Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #703, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read "R Hughes", with a stylized, cursive flourish at the end.

Robert Hughes  
321 N Birch Road Apt 703  
Fort Lauderdale, FL 33304

June 6, 2022

Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #701, and support the project as proposed.

Sincerely,

A handwritten signature in blue ink that reads "Patrick M. Sullivan". The signature is written in a cursive style with a long horizontal flourish at the end.

Patrick Sullivan  
321 N Birch Road Apt 701  
Fort Lauderdale, FL 33304

June 6, 2022

Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #802, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Baboyian". The signature is fluid and cursive, written over a horizontal line.

Mr. Malkon Baboyian  
321 N Birch Road Apt 802  
Fort Lauderdale, FL 33304

June 6, 2022

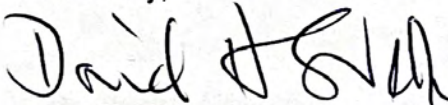
Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

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I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #903, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read "David Sidwell". The signature is stylized and cursive.

David Sidwell  
321 N Birch Road Apt 903  
Fort Lauderdale, FL 33304

June 1, 2022

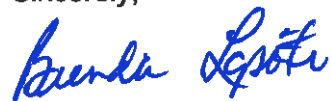
Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,



Brenda Lapointe  
321 N Birch Road Apt 901  
Fort Lauderdale, FL 33304

June 6, 2022

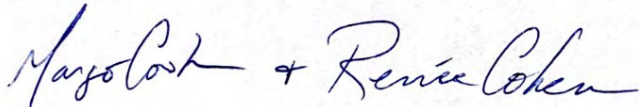
Mr. Lee & Patti Engler  
321 N Birch Road Apt 1103  
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd  
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #801, and support the project as proposed.

Sincerely,

Handwritten signature in blue ink, reading "Margo Cook + Renee Cohen".

Margo Cook & Renee Cohen  
321 N Birch Road Apt 801  
Fort Lauderdale, FL 33304

# ITEM VI

## MEMORANDUM MF NO. 22-32

DATE: November 7, 2022

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities Manager

RE: January 5, 2023 MAB Meeting – Application for Dock Permit – Max Showker / 1028 SE 13 Terrace

Attached for your review is an application from Max Showker / 1028 SE 13 Terrace.

### APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for the installation of one 55'+/- long x 7'9"+/-' wide Floating Dock, fixed platform, and two (2) access gangways extending a maximum distance of 9'9" +/- from the wet face of the seawall on public property abutting the waterway adjacent to 1028 SE 13 Terrace. 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

January 5, 2023

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

**BOTTOM LINE CONSTRUCTION MGMT  
340 SUNSET DRIVE, SUITE 2605  
FORT LAUDERDALE, FLORIDA 33301  
CGC-1250501  
954-274-9275  
[FMNYC5@AOL.COM](mailto:FMNYC5@AOL.COM)**

**1028 SE 13<sup>TH</sup> TERRACE  
FORT LAUDERDALE, FLORIDA 33316**

**APPLICATION FOR WATERWAY PERMIT**

## Table of Contents

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BOTTOM LINE CONSTRUCTION MGMT  
340 SUNSET DRIVE, SUITE 2605  
FORT LAUDERDALE, FLORIDA 33301  
CGC-1250501  
954-274-9275  
[FMNYC5@AOL.COM](mailto:FMNYC5@AOL.COM)

**SUMMARY DESCRIPTION**  
**1028 SE 13<sup>th</sup> TERRACE**  
**FORT LAUDERDALE, FLORIDA 33316**

The project site is located at 102 SE 13<sup>th</sup> Terrace, located in Stranahan River in Section 11, Township 50, South, Range 42 East in the city of Fort Lauderdale, Broward County, Florida

The property is in the Stranahan River area in Fort Lauderdale, which is a tidal water. The nearest direct connection to the Atlantic Ocean is approximately 4 miles to the southeast at the Port Everglades Inlet. As the project is located to the north of the inlet the tides move from the south to north and outgoing water (ebb) move to the east.

The project site consists of an existing 50' section of seawall that was constructed by the city of Fort Lauderdale. We propose to install a floating dock. The assembly will be as follows:

- (2) 12" Precast piles driven to refusal on each side of the fixed platform which will not rest on the sea wall. (3) 10" wood piles to hold the water section of the floating dock 02'-00' from the seawall on the waterside.
- (2) 03'x15' gangway with railing (1) on west side sitting on level ground. (1) on the 07'-09"x 55'-00" main floating platform.

The proposed structures have all been permitted and approved with the Broward County Environmental Protection and Growth Management, Florida Department of Environmental Protection, and the US Army Corp of Engineers under the previous owner of the property and we are awaiting the transfer over to the new owner of the property.

If the waiver is approved the applicant will comply with all necessary construction conditions requirements stated in all agency guidelines.



<b>Site Address</b>	1028 SE 13 TERRACE, FORT LAUDERDALE FL 33316-1355	<b>ID #</b>	5042 11 18 1820
<b>Property Owner</b>	SHOWKER, MAX B	<b>Millage</b>	0312
<b>Mailing Address</b>	1028 SE 13 TER FORT LAUDERDALE FL 33316-1355	<b>Use</b>	01-01
<b>Abbr Legal Description</b>	RIO VISTA ISLES UNIT 3 7-47 B LOT 3 N1/2,4,31,32 N1/2 BLK 22		

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

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

**Property Assessment Values**

Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2022*	\$678,260	\$694,770	\$1,373,030	\$1,192,070	
2021	\$678,260	\$609,590	\$1,287,850	\$625,920	\$11,412.86
2020	\$678,260	\$574,710	\$1,252,970	\$617,280	\$11,198.16

**2022\* Exemptions and Taxable Values by Taxing Authority**

	County	School Board	Municipal	Independent
<b>Just Value</b>	\$1,373,030	\$1,373,030	\$1,373,030	\$1,373,030
<b>Portability</b>	\$180,960	\$180,960	\$180,960	\$180,960
<b>Assessed/SOH 22</b>	\$1,192,070	\$1,192,070	\$1,192,070	\$1,192,070
<b>Homestead 100%</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>	\$1,142,070	\$1,167,070	\$1,142,070	\$1,142,070

**Sales History**

Date	Type	Price	Book/Page or CIN
10/26/2021	WD-Q	\$3,275,000	117715050
2/16/2021	WD-T	\$100	117078483
8/7/2013	WD-T	\$100	111761366
6/1/1991	WD	\$560,000	18490 / 676
10/1/1988	WD	\$260,000	

**Land Calculations**

Price	Factor	Type
\$40.00	9,310	SF
\$32.40	9,440	SF
<b>Adj. Bldg. S.F. (Card, Sketch)</b>		3219
<b>Units/Beds/Baths</b>		1/4/5
<b>Eff./Act. Year Built: 1964/1939</b>		

**Special Assessments**

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

[Search By Parcel Id](#)

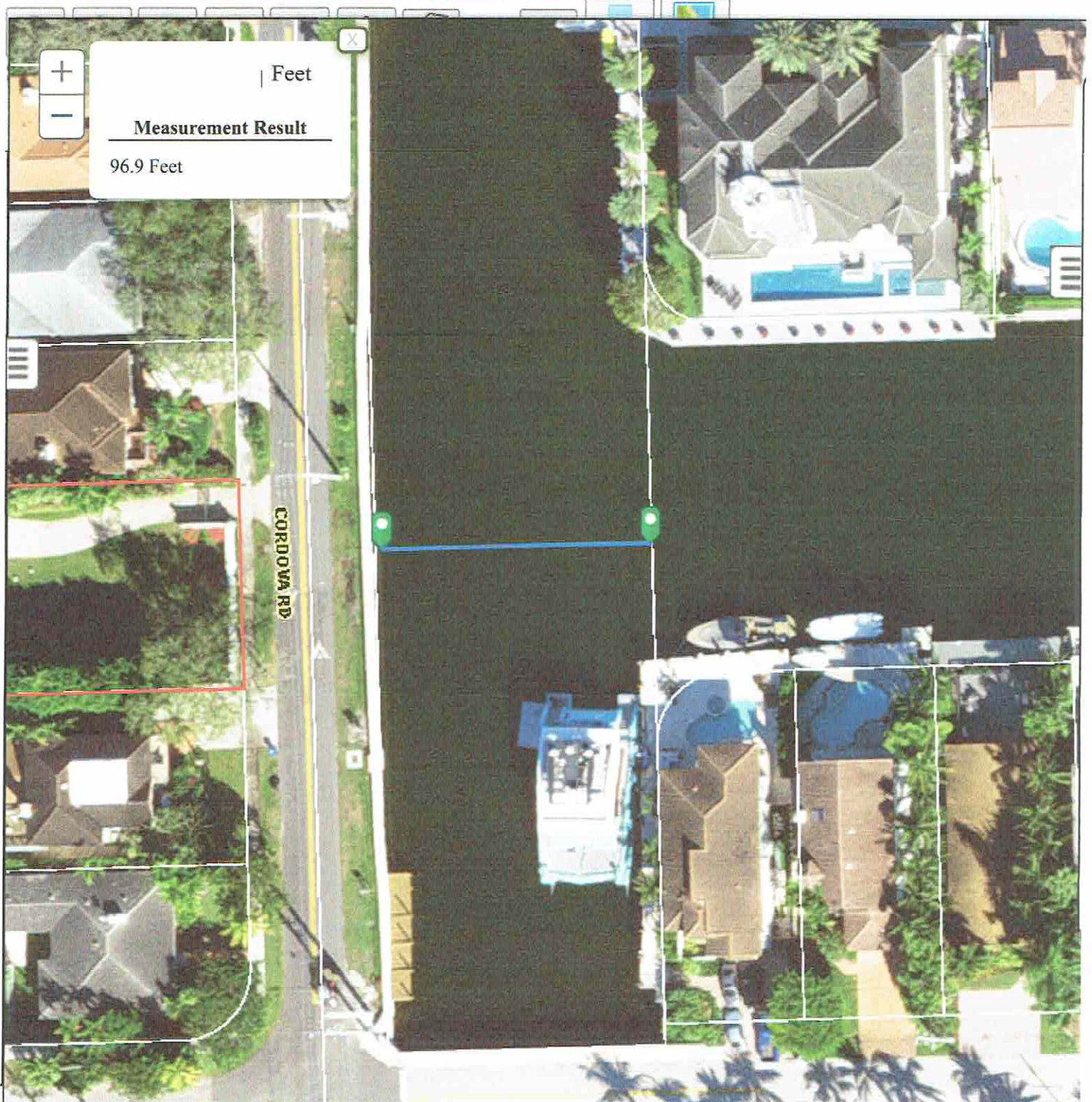
[Search By Name](#)

[Search By Address](#)

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[About](#)

### Marty Kiar Broward County Property Appraiser Florida



Prepared by and Return To:  
DENNIS J. EISINGER, ESQUIRE  
EISINGER LAW  
4000 Hollywood Boulevard, Suite 265-S  
Hollywood, Florida 33021  
Tel: (954) 894-8000  
Fax: (954) 894-8015

---

### STATUTORY WARRANTY DEED

THIS INDENTURE, made this 26<sup>th</sup> day of October, 2021, between **Judith Altman Paskoski, a widow, Individually and as Trustee of the Judith Altman Paskoski Trust dated August 7, 2013**, whose mailing address is 1050 Seminole Drive, #4A, Fort Lauderdale, Florida 33304, Grantor\*, and **MAX B. SHOWKER, a single man**, whose mailing address is 1028 SE 13<sup>th</sup> Terrace, Fort Lauderdale, Florida 33316 Grantee\*.

**WITNESSETH**, That said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars 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:

**THE NORTH 1/2 (N 1/2) OF LOTS 3 AND 32, AND ALL OF LOTS 4 AND 31, BLOCK 22, RIO VISTA ISLES UNIT 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 47, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, Folio No. 504211-18-1820**

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 and plural, as context requires.

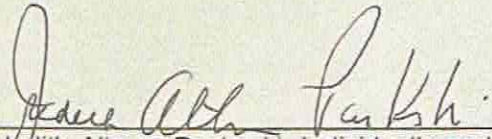
#### SUBJECT TO:

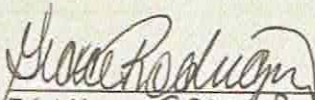
1. Taxes and assessments for the year 2021 and subsequent years which are not yet due and payable;
2. Covenants, conditions, easements, restrictions, limitations, reservations, and other matters of record, without intending to reimpose same; and
3. Applicable zoning regulations and ordinances.

IN WITNESS WHEREOF, Grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered  
in our presence

  
Print Name: Dennis Eisinger

  
Judith Altman Paskoski, Individually and as  
Trustee of the Judith Altman Paskoski Trust  
dated August 7, 2013

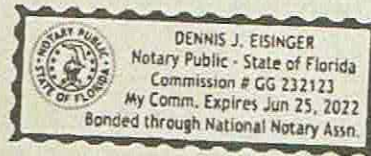
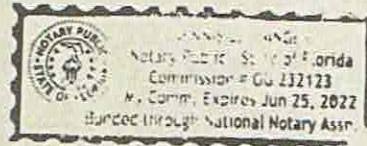
  
Print Name: Grace Rodriguez

STATE OF FLORIDA        )  
COUNTY OF BROWARD    )

The foregoing instrument was acknowledged, sworn to and subscribed before me by means of  physical presence of \_\_\_\_\_ online notarization, this 26 day of October, 2021, by Judith Altman Paskoski, Individually and as Trustee of the Judith Altman Paskoski Trust dated August 7, 2013, who is personally known to me () or who has produced \_\_\_\_\_; as identification.

  
NOTARY PUBLIC - STATE OF FLORIDA

My Commission Expires:





# PINNELL SURVEY, INC.

5300 W. HILLSBORO BLVD., SUITE 215-A COCONUT CREEK, FLORIDA 33073  
 PHONE(954)418-4940 FAX(954)418-4941 EMAIL: order@pinnell.net  
 CERTIFICATE NO.: LB6857

**SURVEY ADDRESS:**  
 1028 S.E. 13TH TERRACE  
 FORT LAUDERDALE, FLORIDA 33316

**CERTIFY TO:**  
 1. STEVEN PASKOSKI AND JUDITH ALTMAN

**FLOOD ZONE & ELEVATIONS:**  
 FLOOD ZONE: AE / X / X(0.2%)  
 BASE FLOOD ELEVATION: 5'  
 CONTROL PANEL NO.: 125105-0557-H  
 DATE OF FIRM INDEX: 08/18/14

**POTENTIAL ENCROACHMENTS:**  
 1. 6 FOOT WOOD FENCE, 6 FOOT C.B.S. WALL AND COLUMNS CROSS OVER THE SOUTHERLY PROPERTY LINE.  
 2. C.B.S. WALL, 5 FOOT ALUMINUM FENCE, CORAL AND BRICK PAVER CROSS OVER THE NORTHERLY PROPERTY LINE.  
 3. 5 FOOT CONCRETE SIDEWALK CROSSES OVER THE WESTERLY PROPERTY LINE.

**LEGAL DESCRIPTION:**  
 THE NORTH 1/2 OF LOTS 3 AND 32, AND ALL OF LOTS 4 AND 31, BLOCK 22, OF "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.

**LEGEND & ABBREVIATIONS:**


A = ARC	D.E. = DRAINAGE EASEMENT	P.C. = POINT OF CURVATURE
A/C = AIR CONDITIONER	ELEV. = ELEVATION	P.E. = POOL EQUIPMENT
A.E. = ANCHOR EASEMENT	E.S. = ELECTRIC SERVICE	P.I. = POINT OF INTERSECTION
B.M. = BENCHMARK	F.P. & L. = FLORIDA POWER & LIGHT	P.R.C. = POINT OF REVERSE CURVE
B.C.R. = BROWARD COUNTY RECORDS	L.B. = LICENSED BUSINESS	P.O.B. = POINT OF BEGINNING
C.B.S. = CONCRETE BLOCK STRUCTURE	L.P. = LIGHT POLE	P.O.C. = POINT OF COMMENCEMENT
CHATT. = CHATTAHOOCHEE	M.H. = MANHOLE	P.P. = POWER POLE
C.O. = CLEANOUT	(M) = MEASURED	R = RADIUS
CONC. = CONCRETE	NAVD = NORTH AMERICAN VERTICAL DATUM	R/W = RIGHT-OF-WAY
C.L.F. = CHAIN LINK FENCE	NGVD = NATIONAL GEODETIC VERTICAL DATUM	T = TANGENT
C.L.P. = CONCRETE LIGHT POLE	NO. = NUMBER	(TYP.) = TYPICAL
(C) = CALCULATED	O.H. = OVERHANG	U.E. = UTILITY EASEMENT
C.B. = CHORD BEARING	O.R.B. = OFFICIAL RECORDS BOOK	W.F. = WOOD FENCE
C.R. = CABLE RISER	O/S = OFFSET	W.M. = WATER METER
(D) = DEED	(P) = PLAT	Δ = DELTA OR CENTRAL ANGLE
D.B. = DEED BOOK	P.B.C.R. = PALM BEACH COUNTY RECORDS	— = CENTERLINE
M-D.C.R. = MIAMI-DADE COUNTY RECORDS	P.B. = PLAT BOOK	⊥ = ELEVATION

**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. 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.
4. UNLESS OTHERWISE NOTED, FIELD MEASUREMENTS ARE IN AGREEMENT WITH RECORD MEASUREMENTS.
5. ELEVATIONS SHOWN HEREON (IF ANY) ARE RELATIVE TO NAVD 1988, UNLESS OTHERWISE NOTED.
6. UNDERGROUND IMPROVEMENTS AND UTILITIES ARE NOT LOCATED.
7. FENCE AND WALL OWNERSHIP IS NOT DETERMINED.
8. 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.
9. ALL EASEMENTS SHOWN ON THE ATTACHED DRAWING ARE PER THE RECORD PLAT (UNLESS OTHERWISE NOTED).

**CERTIFICATION:**

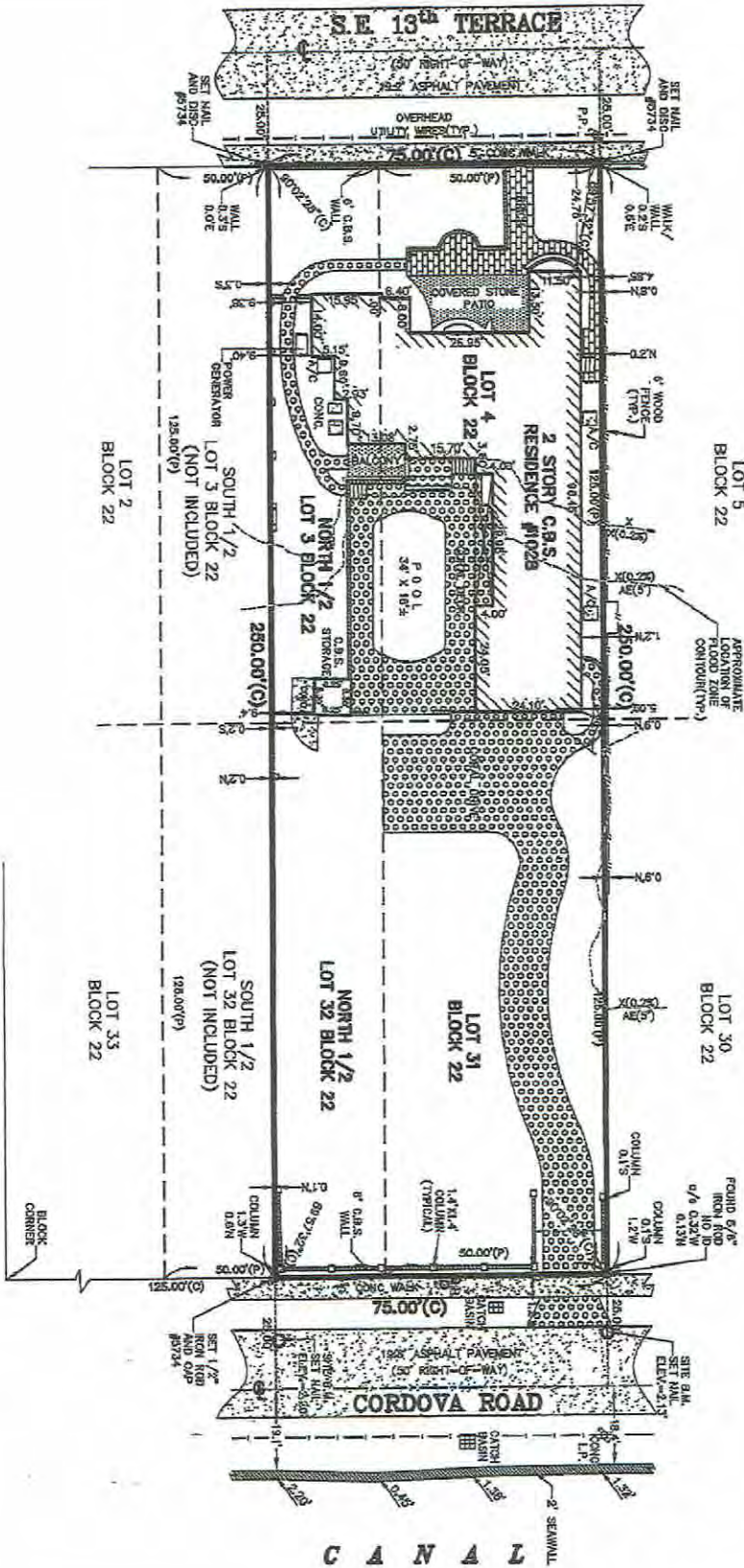
THIS IS TO CERTIFY THAT I HAVE RECENTLY SURVEYED THE PROPERTY DESCRIBED IN THE FOREGOING TITLE CAPTION AND HAVE SET OR FOUND MONUMENTS AS INDICATED ON THIS SKETCH AND THAT SAID ABOVE GROUND SURVEY AND SKETCH ARE ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE UNDER RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA STATE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, UNLESS IT IS ELECTRONICALLY SIGNED AND SEALED.

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

REVISIONS	DATE	CHK'D BY

SKETCH NO.: 20-1415  
 DATE OF SURVEY: 07/28/20  
 CHECKED BY: O.C.  
 FIELD BOOK/PAGE: 616/68  
 SIDE 1 OF 2

NORTH



SCALE: 1" = 30'  
 DRAWN BY: Q.D.L.  
 SKETCH NO.: 20-1415  
 SIDE 2 OF 2

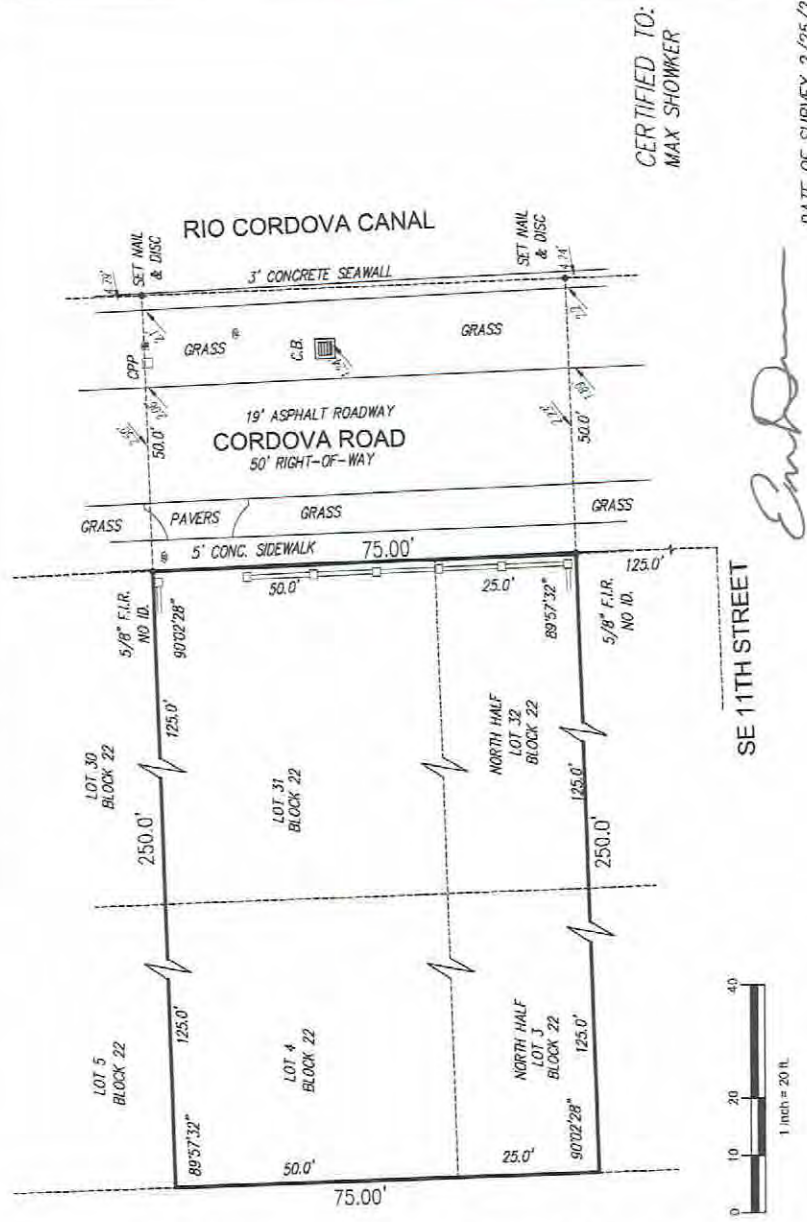
**ERNEST W. DUNCAN P.S.M. 5182**  
 PHONE: (754) 264-2166  
 FAX: (954) 827-0535

521 SE 5TH COURT  
 POMPANO BEACH, FL. 33060

1028 SE 13TH TERRACE  
 FORT LAUDERDALE, FL

Scale: 1" = 20'

**LEGAL DESCRIPTION:**  
 THE NORTH 1/2 OF LOTS 3 AND 32, AND ALL OF LOTS 4 AND 31, BLOCK 22, 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.



**SURVEYORS NOTES:**

- THIS IS NOT A BOUNDARY SURVEY. THIS IS A SPECIFIC PURPOSE SURVEY WHOSE PURPOSE IS TO PERMIT FOR A NEW DOCK ALONG EXISTING SEAWALL EAST OF CORDOVA ROAD.
- ANGLES SHOWN HEREON ARE REFERENCED TO THE RECORD PLAT AND ARE AS MEASURED.
- BENCHMARK REFERENCE: BROWARD COUNTY BENCHMARK NO. 3711 ELEVATION=7.264' NGVD29. ELEVATIONS SHOWN ARE REFERENCED TO NAVD83.
- MINIMUM LINEAR ACCURACY OBTAINED: 1 FOOT IN 7,500 FEET AS REQUIRED FOR A SUBURBAN SURVEY
- NO ATTEMPT WAS MADE TO LOCATE ANY UNDERGROUND IMPROVEMENTS, OVERHEAD UTILITIES, (POWERSLINES, 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.

C.B. DENOTES CATCH BASIN  
 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  
 LS DENOTES LICENSED LAND SURVEYOR  
 P.S.M. DENOTES PROFESSIONAL LAND SURVEYOR  
 N/A DENOTES NOT APPLICABLE  
 CPP DENOTES CONCRETE POWER POLE

**CERTIFIED TO:**  
 MAX SHOWKER

DATE OF SURVEY 2/25/22

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.

FLOOD ZONE: AE  
 BASE FLOOD ELEV.= 5.0'  
 FEMA MAP # 12011C 0557 H  
 DATE OF FRM: 08/18/14

SE 11TH STREET

1 inch = 20 ft

**SYMBOL**

□	UTILITY POLE	⊙	EXISTING ELEVATION
○	UTILITY POLE	⊙	ELECTRIC BOX
—	WOOD FENCE (W.F)	⊙	TELEPHONE BOX
—	METAL FENCE (M.F)	⊙	WATER VALVE
—	PLASTIC FENCE (P.F)	⊙	



City of Fort Lauderdale © S



CITY OF FORT LAUDERDALE

Map Created by GIS Mailer

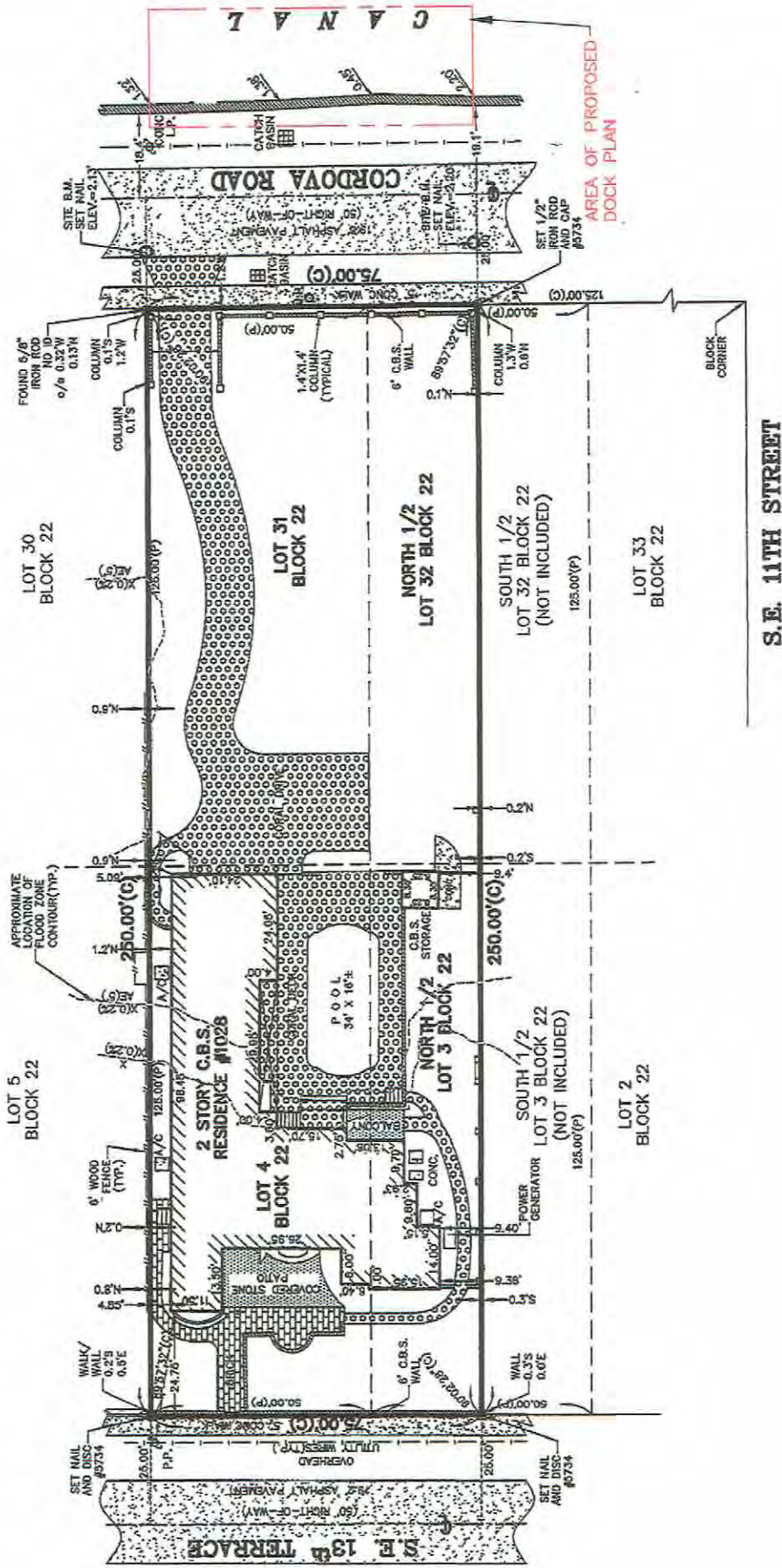
1028 SE 13 TERRACE




**GIS**  
Fort Lauderdale

Printed on: 11/4/2022





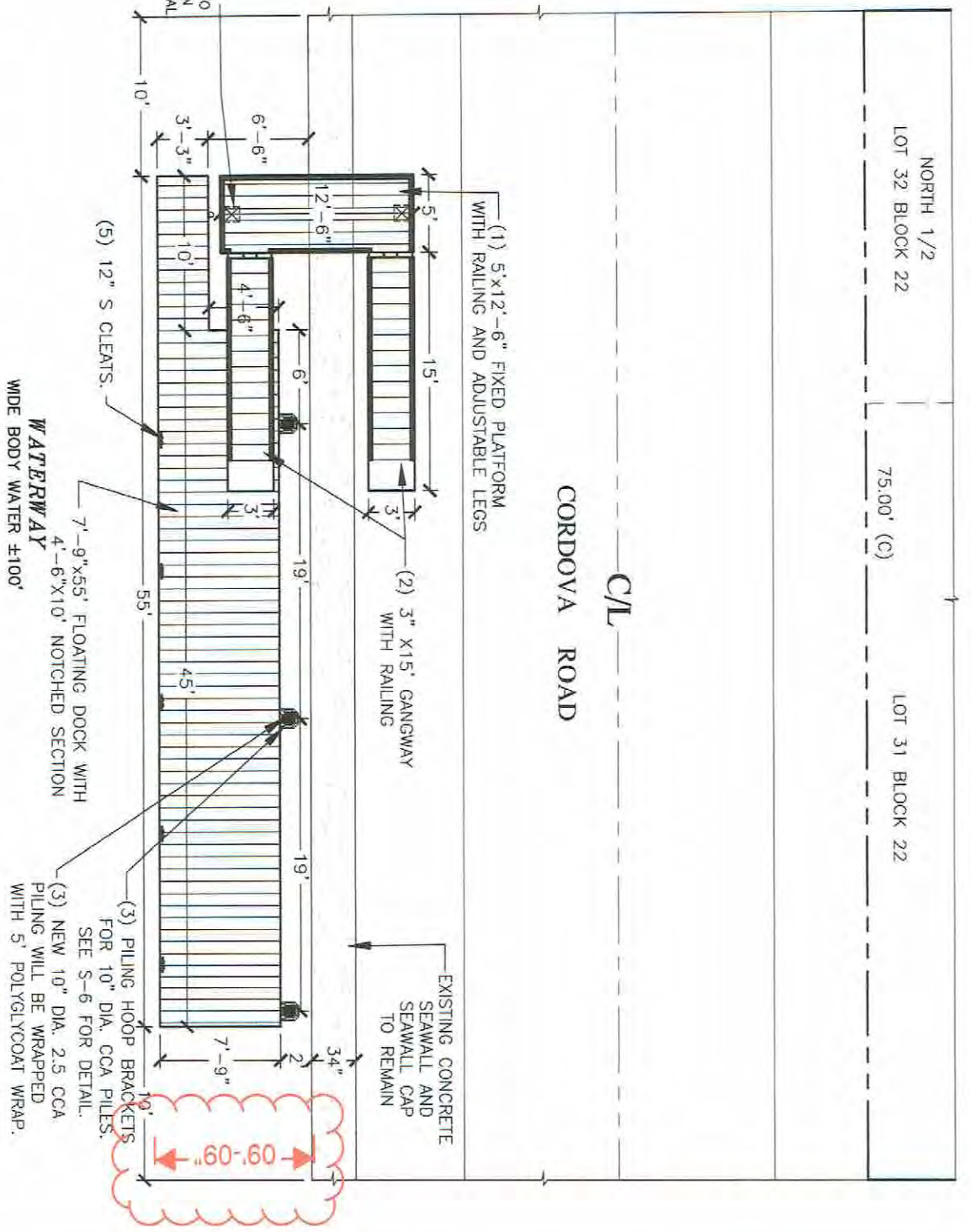
**SITE PLAN**  
SCALE 1"=40'

DATE: REVISED: DRAWN BY:	OSCAR M. BERMUDEZ, P.E., P.E. Date: Reg. Florida No. 55141 Digitally signed by Oscar M Bermudez Date: 2022.12.14 11:16:34 -05'00'	B&B Consulting Engineers 2237 Woods Edge Circle Orlando Florida 32817 (772)-708-7785 (772)-708-7787	MAX B. SHOWKER 1028 SE 13 TER. FORT LAUDERDALE FL. 33316	LINDA RIFFLE DRAFTING & DESIGN 772-834-1906 LindaDraft1@att.net
S-2			<p><b>FLOATING DOCK PLAN</b></p>	



**DESIGN WINDLOAD INFORMATION**  
 CODE: 7 EDITION 2020 FBOR  
 ASCE 7-16  
 Wind Speed: 175 MPH, 3 Second Gust  
 Exposure "D"  
 Importance Factor: 1.0  
 Internal Pressure Coeff.: 0.00  
 Height: 6ft. Mean

(2) PRECAST 12" SQ. CONCRETE PILES W/ 5,000 PSI MIN. CONCRETE. PILES TO BE DRIVEN TO A MINIMUM PENETRATION OF 12' INTO FIRM MATERIAL OR REFUSAL PILES TO BE DRIVEN TO A BEARING CAPACITY OF 25 TONS.



PROPOSED CONCRETE DOCK PLAN VIEW  
 SCALE 1"=10'

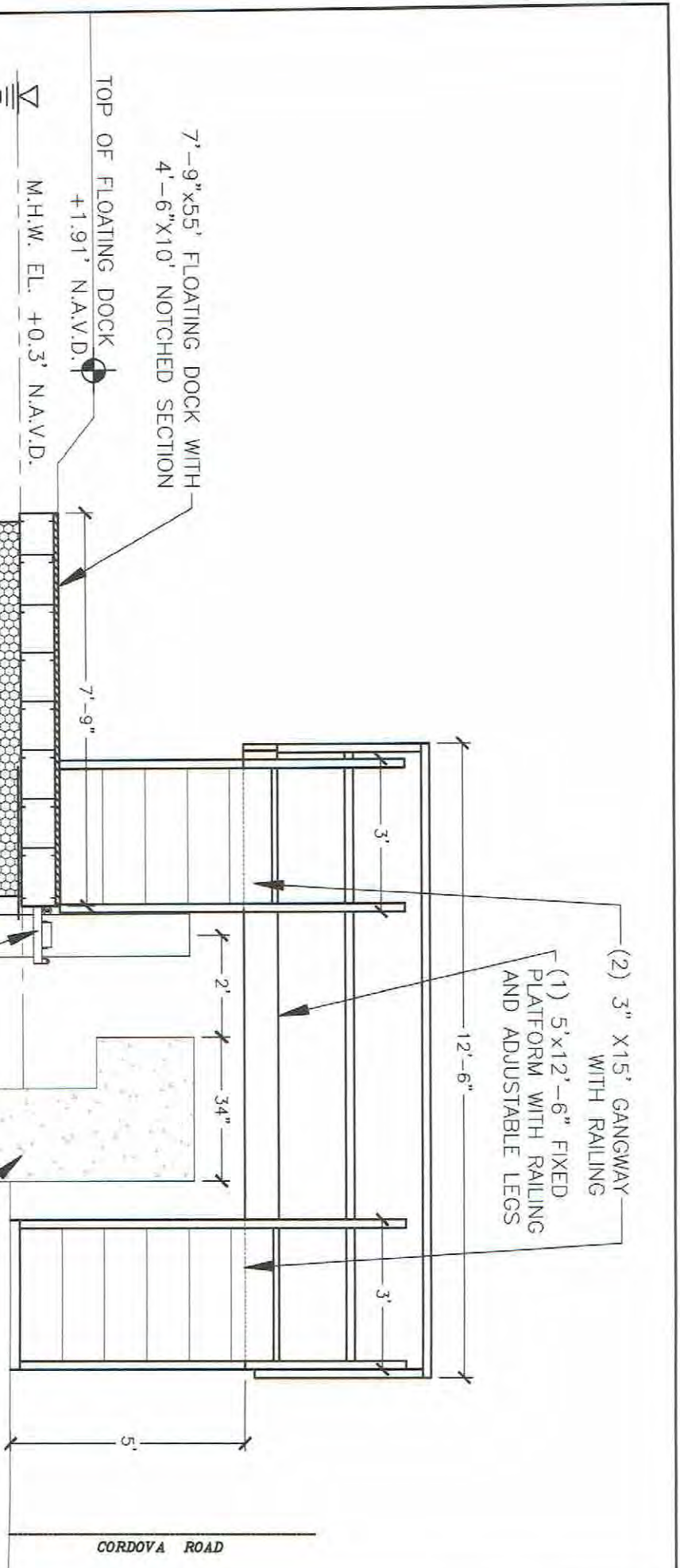
LINDA RIFFLE  
 DRAFTING & DESIGN  
 772-834-1906  
 LindaDraft1@att.net

MAX B. SHOWKER  
 1028 SE 13 TER.  
 FORT LAUDERDALE FL. 33316  
 FLOATING DOCK PLAN

B&B Consulting Engineers  
 2237 Woods Edge Circle  
 Orlando Florida 32817  
 (772)-708-7785 (772)-708-7787

OSCAR M. BERMUDEZ, P.E., P.E. Date:  
 Reg. Florida No. 55141  
 Digitally signed by Oscar M Bermudez  
 Date: 2022.12.14 11:16:57 -05'00'

DATE: 11/16/2022  
 SHEET: S-3



7'-9"x55' FLOATING DOCK WITH  
4'-6"x10' NOTCHED SECTION

TOP OF FLOATING DOCK  
+1.91' N.A.V.D.

M.H.W. EL. +0.3' N.A.V.D.

M.L.W. EL. -1.9' N.A.V.D.

(3) PILING HOOP BRACKETS  
FOR 10" DIA. CCA PILES.  
SEE S-6 FOR DETAIL.

SECTION VIEW A  
N.T.S.

(3) NEW 10" DIA. 2.5 CCA  
MARINE TREATED WOOD PILING

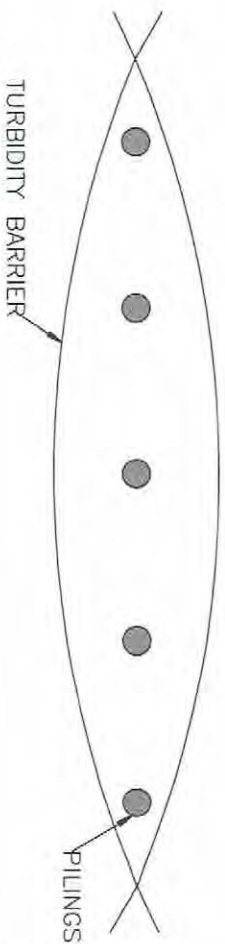
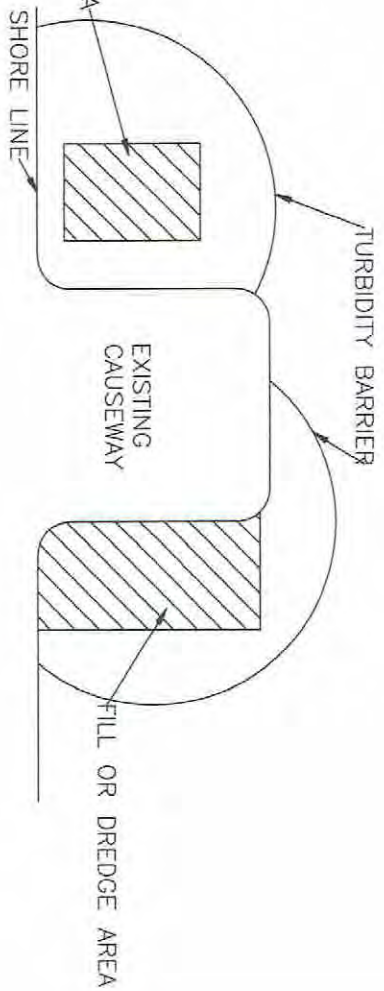
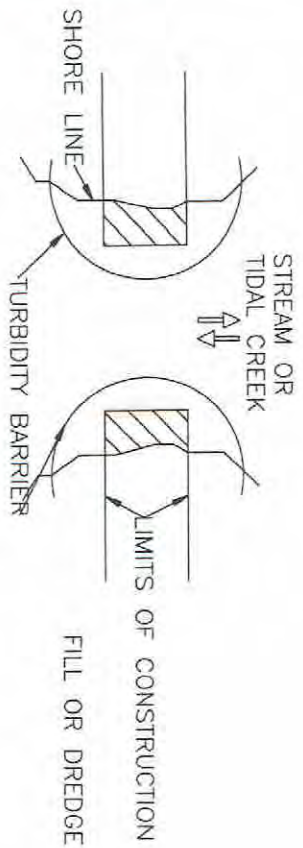
EXISTING CONCRETE  
SEAWALL AND  
SEAWALL CAP  
TO REMAIN

(2) 3" X 15' GANGWAY  
WITH RAILING  
(1) 5' X 12'-6" FIXED  
PLATFORM WITH RAILING  
AND ADJUSTABLE LEGS

CORDOVA ROAD

THE WORK SPECIFIED HEREIN HAS BEEN DESIGNED & WILL BE SUBJECT TO THE 7th EDITION 2020 FLORIDA BUILDING CODE.  
BEST MANAGEMENT PRACTICES: FLOATING TURBIDITY CURTAIN/EXTENDING CURTAIN OF BOTTOM TO BE INSTALLED DURING PILING INSTALLATION.

<p><b>LINDA RIFFLE</b> <b>DRAFTING &amp; DESIGN</b> 772-834-1906 LindaDraft1@at.net</p>	<p>MAX B. SHOWKER 1028 SE 13 TER. FORT LAUDERDALE FL. 33316</p>	<p>B&amp;B Consulting Engineers 2237 Woods Edge Circle Orlando Florida 32817 (772)-708-7795 (772)-708-7787</p>	<p>OSCAR M. BERMUDEZ, P.E., P.E. Date: Reg. Florida No. 55141 Digitally signed by Oscar M Bermudez Date: 2022.12.14 11:17:22 -05'00'</p>
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- 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.

**LINDA RIFFLE**  
**DRAFTING & DESIGN**

772-834-1906  
 LindaDraft1@aol.net

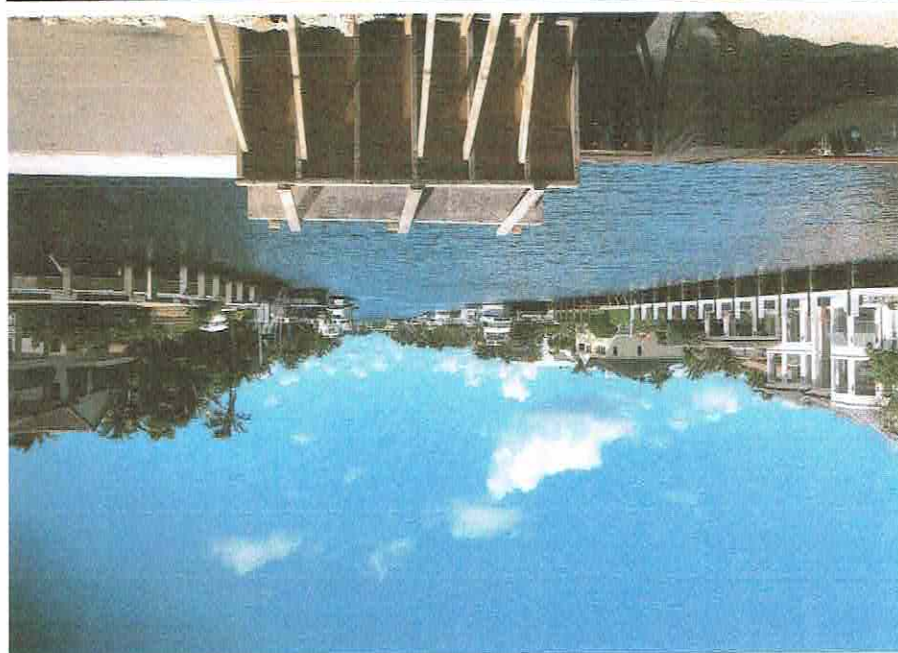
**MAX B. SHOWKER**  
 1028 SE 13 TER.  
 FORT LAUDERDALE FL. 33316  
**FLOATING DOCK PLAN**

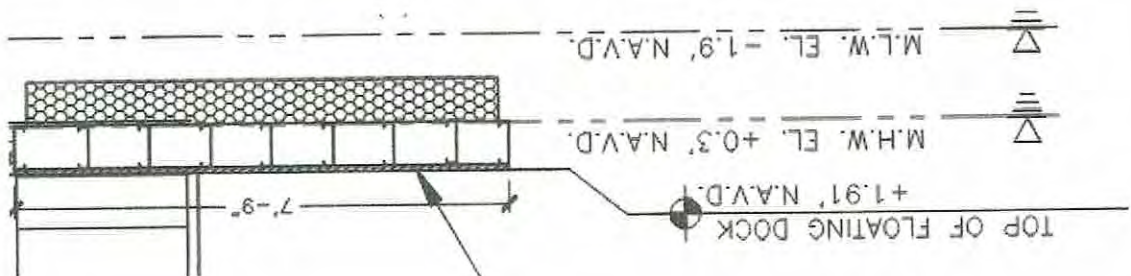
B&B Consulting Engineers  
 2237 Woods Edge Circle  
 Orlando Florida 32817  
 (772)-708-7785 (772)-708-7787

OSCAR M. BERMUDEZ, P.E., P.E. Date:  
 Reg. Florida No. 55141

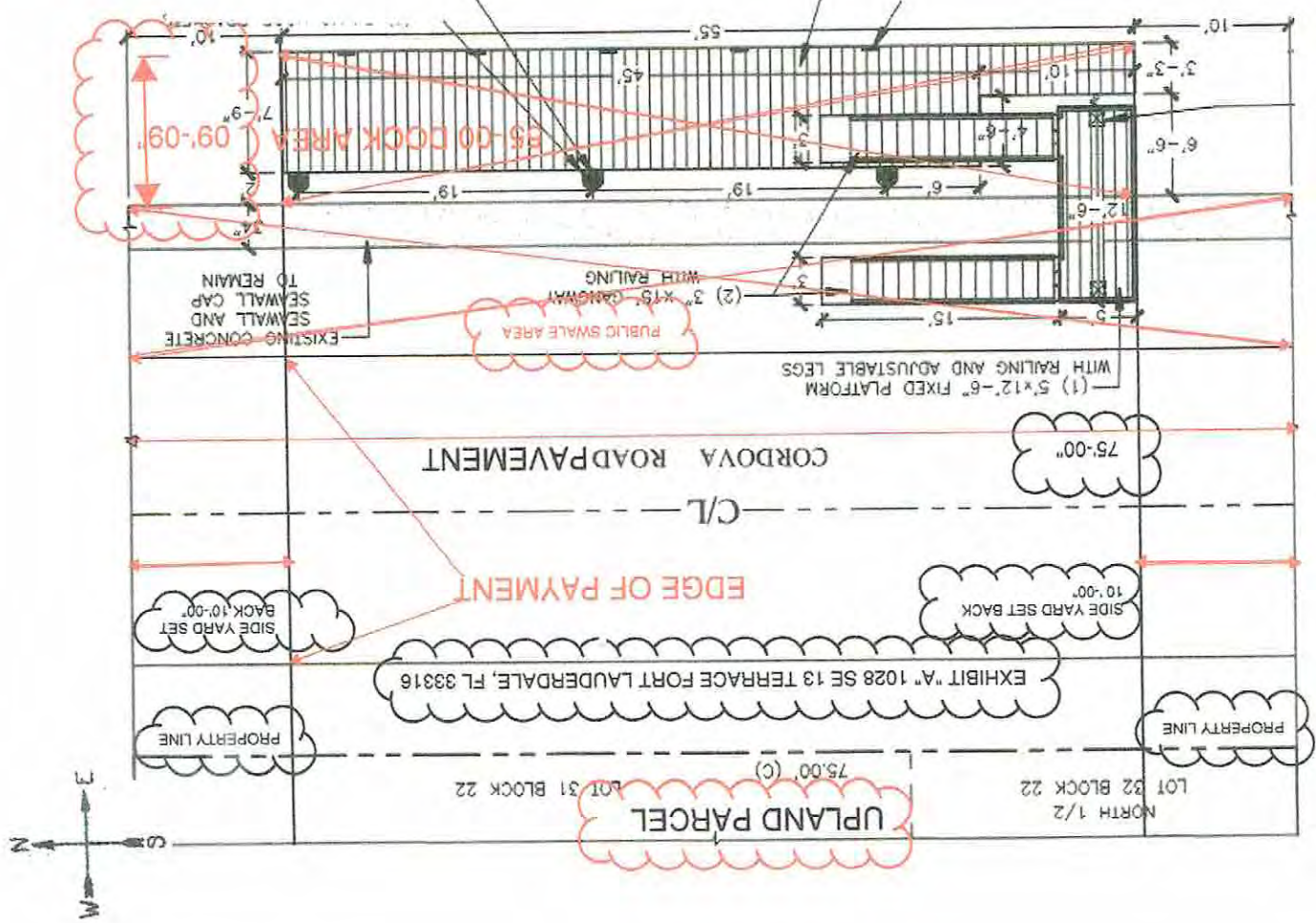


Digitally signed by Oscar M Bermudez  
 Date: 2022.12.14 11:17:45 -05'00'





WATERWAY  
WIDE BODY WATER ±100'



USCG Registered Motor Yacht - Tight Squeeze, 2016 Viking Princess

DHS, USCG, CG-1270 (REV. 06-04) OMB APPROVED  
1625-0027

**UNITED STATES OF AMERICA**  
DEPARTMENT OF HOMELAND SECURITY  
UNITED STATES COAST GUARD

NATIONAL VESSEL DOCUMENTATION CENTER

## CERTIFICATE OF DOCUMENTATION

VESSEL NAME TIGHT SQUEEZE		OFFICIAL NUMBER 1284977	IMO OR OTHER NUMBER PYIZ5149H516	YEAR COMPLETED UNKNOWN	
HAILING PORT FT LAUDERDALE FL		HULL MATERIAL FRP (FIBERGLASS)		MECHANICAL PROPULSION YES	
GROSS TONNAGE	NET TONNAGE	LENGTH	BREADTH	DEPTH	
55 GRT	44 NRT	61.3	16.4	8.2	
PLACE BUILT PLYMOUTH DEVON UNITED KINGDOM					
OWNERS NAUTICAL SUNS LLC COMPRISED OF TWO MEMBERS			OPERATIONAL ENDORSEMENTS RECREATION		
MANAGING OWNER NAUTICAL SUNS LLC 1413 SW 2ND AVE FT LAUDERDALE FL 33315					
RESTRICTIONS NO COASTWISE - FOREIGN BUILT; NO FISHERY - FOREIGN BUILT					
ENTITLEMENTS NONE					
REMARKS NONE					
ISSUE DATE APRIL 20, 2022		 DIRECTOR, NATIONAL VESSEL DOCUMENTATION CENTER			
THIS CERTIFICATE EXPIRES APRIL 30, 2027					

#14525802048

RENEWAL NOTICE: OBSOLETE. THIS CERTIFICATE MAY NOT BE ALTERED.



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## Detail by Entity Name

Florida Limited Liability Company  
NAUTICAL SUNS LLC

### Filing Information

<b>Document Number</b>	L21000362517
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<b>Date Filed</b>	08/12/2021
<b>Effective Date</b>	08/12/2021
<b>State</b>	FL
<b>Status</b>	ACTIVE

### Principal Address

1413 sw 2nd ave  
Fort Lauderdale, FL 33315

Changed: 01/25/2022

### Mailing Address

1413 SW 2ND AVE  
FORT LAUDERDALE, FL 33315

### Registered Agent Name & Address

SHOWKER, MAX B  
1028 se 13th terr  
Fort Lauderdale, FL 33316

Address Changed: 01/25/2022

### Authorized Person(s) Detail

#### **Name & Address**

Title MGRM

SHOWKER, MAX  
1028 SE 13th terr  
Fort Lauderdale, FL 33316

Title AMBR

Showker, Fred  
1532 SE 12TH ST  
Fort Lauderdale, FL 33316

### Annual Reports

<b>Report Year</b>	<b>Filed Date</b>
2022	01/25/2022



Environmental Protection and Growth Management Department  
**ENVIRONMENTAL ENGINEERING AND PERMITTING DIVISION**  
1 North University Drive, Mailbox 201, Plantation, Florida 33324 • 954-519-1483 • FAX 954-519-1412

November 3, 2020

Steven Paskoski  
1028 SE 13<sup>th</sup> Terrace  
Fort Lauderdale, FL 33316

Dear Mr. Paskoski:

This is to notify you of the Environmental Protection and Growth Management Department's (EPGMD) action concerning your applications received October 7, 2020. The applications have been reviewed for an Environmental Resource General License and Exemption Verification.

**Florida Department of Environmental Protection (DEP) Exemption Verification – Granted**

EPGMD has the authority to review the project for compliance with Rule 62-330 and Chapter 373 of the Florida Administrative Code pursuant to an agreement between EPGMD, DEP, and the South Florida Water Management District. The agreement is outlined in a document entitled "Delegation Agreement among the Florida Department of Environmental Protection, the South Florida Water Management District, and Broward County".

Based on the information submitted, Environmental Resource Exemption Permit No. 06-0394204-001 is hereby issued.

**Broward County Environmental Resource General License Review – Granted**

EPGMD has reviewed the project for compliance with Aquatic and Wetland Resource Protection Ordinance Sec. 27-331 through 27-341 of the Broward County Code.

Based on the information submitted, Environmental Resource General License No. GL-FTL2010-058 is hereby issued.

The above named permittee/licensee is hereby authorized to perform the work per the approved drawings(s), plans, documents and specifications as submitted by the licensee, and made a part hereof. The above referenced approvals will remain in effect subject to the attached FDEP General Conditions, Broward County General Conditions, combined FDEP and Broward County Specific Conditions, and attached exhibits.

Should you wish to object to the Agency action or file a petition, please provide written objections, petitions and/or waivers within ten (10) days from the rendition of the action (refer to the attached "Variance and Administrative Review Procedures", Chapter 27 -10 through 27-14) to Director, EEPD, 1 North University Drive Plantation, FL 33324.

The "Notice of Rights" addresses the procedures to be followed if you desire a public hearing or review of the Agency's action.



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
4400 PGA BOULEVARD, SUITE 500  
PALM BEACH GARDENS, FLORIDA 33410

December 11, 2020

Regulatory Division  
South Branch  
Palm Beach Gardens Section  
SAJ-2020-04151 (GP-CGK)

Steven & Judith Paskoski  
1028 Southeast 13th Terrace  
Fort Lauderdale, Florida 33316

Dear Mr. & Mrs. Paskoski:

Your application for a Department of the Army permit received on October 14, 2020, has been assigned number SAJ-2020-04151 (GP-CGK). A review of the information and drawings provided shows the proposed work is to install a 286 square foot wood fixed dock and a 144 square foot floating dock. Other proposed work associated with this site involves a new seawall which is part of a separate project and not part of this authorization. The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The project is located at 1028 Southeast 13th Terrace, in Section 11, Township 50 South, Range 42 East, Fort Lauderdale, Broward County, Florida.

Your project, as depicted on the enclosed drawings, is authorized by Regional General Permit (GP) SAJ-20. This authorization is valid until March 27, 2023. Please access the Corps' Jacksonville District Regulatory Division Internet page to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Once there you will need to click on "Source Book"; and, then click on "General Permits." Then you will need to click on the specific SAJ permit noted above. You must comply with all of the special and general conditions of the permit; and, any project-specific conditions noted below, or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

1. Reporting Address: The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:

Subject: **FDEP ERP Self-Certification Receipt**  
 Date: 10/6/2022 12:14:59 PM Eastern Standard Time  
 From: no-reply@dep.state.fl.us  
 To: fmny5@aol.com  
 Cc: fmny5@aol.com, SED\_PERMITTING@FLORIDADEP.GOV,  
 ERP.SELFCERTS@DEP.STATE.FL.US, SPGP@USACE.ARMY.MIL,  
 NMFS.SER.PROGRAMMATICREVIEW@NOAA.GOV, BROWARD.COUNTY-  
 SP@USACE.ARMY.MIL



**FLORIDA DEPARTMENT OF  
 Environmental Protection**

**Ron DeSantis**

Governor

**Jeanette Nuñez**

Lt. Governor

Bob Martinez Center  
 2600 Blair Stone Road  
 Tallahassee, Florida 32399-2400

**Shawn Hamilton**

Secretary

**Receipt for Submission**

**SELF-CERTIFICATION FOR A PROJECT AT A  
 PRIVATE, RESIDENTIAL SINGLE-FAMILY DOCK**

**10/06/2022**

Self-Certification File No.: **0427109001EE**

File Name: **1028 SE 13th Ter Fort Lauderdale, FL 33316 - Self Cert Exempt Dock with Boat Lift(s)  
 (General)**

Dear **Frank Mormando**: On **10/06/2022** you used the Florida Department of Environmental Protection's electronic Self Certification Process to certify compliance with the terms and conditions of the Single-Family Dock ERP Exemption Self Certification Process for a project at private, single-family residence located at:

LAT - Degrees: **26** Minutes: **6** Seconds: **34.9001**  
 LONG - Degrees: **-80** Minutes: **7** Seconds: **42.7316**  
 SITE ADDRESS: **1028 SE 13th Ter Fort Lauderdale, FL 33316**  
 COUNTY: **Broward**

For:  
**MAX SHOWKER**  
**1028 SE 13TH TERRACE Fort Lauderdale, FL 33316**

You have certified that the project you propose to construct at the above location meets all the conditions of the Self-Certification Process. A project that is built in conformance to those conditions (attached for reference) will:

1. Qualify for a regulatory exemption under Section 403.813(1)(b) of the Florida Statutes (F.S.) and Chapter 62-330, Florida Administrative Code (F.A.C.). As such, it is exempt from the need to obtain a DEP Environmental Resource Permit.;
2. Qualify for Consent by Rule or Letter of Consent (as applicable) under Chapter 253, F.S. and Chapter 18-21, F.A.C. (and Chapter 258, F.S. and Chapter 18-20, F.A.C., if applicable), when the project is located on submerged lands owned by the State of Florida.

Your Self-Certification is based solely on the information you provided under this process and applies only to the statutes and rules in effect when your certification was completed. The certification is effective only for the specific project proposed, and only if the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the Self-Certification Process. In addition, any substantial modifications in your plans should be submitted to the Department for review, as changes may result in a permit being required.

You have acknowledged that this Self Certification will automatically expire if:

1. Construction of the project is not completed within one year from the self-certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

Receipt of this Self-Certification constitutes authorization to use sovereignty/state-owned submerged lands, as required by rule 18-21.005, F.A.C.

The authorization must be visibly posted during all construction activities.

In waters that are accessible to manatees, obtain information on your mandatory Manatee Protection sign by [clicking here](#).

### **FEDERAL STATE PROGRAMMATIC GENERAL PERMIT (SPGP)**

Your project does not qualify for Federal Authorization under the State Programmatic General Permit. In addition to the Self-Certification process, you need to apply for federal authorization, unless your project was disqualified due to being in State-Assumed Waters. However, some projects in state-assumed waters may still need federal Section 10 authorization. Please contact the U.S. Army Corps of Engineers at <https://www.saj.usace.army.mil/Missions/Regulatory.aspx> for further information about how to receive authorization in order to proceed with your project.

### **ADDITIONAL INFORMATION**

This Self-Certification Process does not relieve you from the responsibility of obtaining other permits or authorizations from other agencies (federal, state, Water Management District, or local) that may be required for the project. Failure to obtain all applicable authorizations prior to construction of the project may result in enforcement.

10/6/22, 12:15 PM

If you have any questions or issues with the attached documents, please contact your local Department

District Office:

Southeast District

[SED\\_Permitting@FloridaDEP.gov](mailto:SED_Permitting@FloridaDEP.gov)

Sincerely,

Florida Department of Environmental Protection

**Attachments:**

FDEP Terms and Conditions



**Customer  
Service  
Survey**