



CITY OF FORT LAUDERDALE

**DRAFT**  
**MEETING MINUTES**  
**CITY OF FORT LAUDERDALE**  
**MARINE ADVISORY BOARD**  
**FORT LAUDERDALE FIRE RESCUE DEPARTMENT**  
**528 NW 2<sup>ND</sup> STREET, STATION #2**  
**FORT LAUDERDALE, FLORIDA 33311**  
**3<sup>RD</sup> FLOOR CONFERENCE ROOM**  
**THURSDAY, MAY 1, 2025 – 6:00 P.M.**

**Cumulative Attendance**  
**May 2025-April 2026**

Steve Witten, Chair	P	1	0
Robert Washington, Vice Chair	P	1	0
Norm Bekoff	A	0	1
Tyler Brunelle	P	1	0
Jeffrey Coburn	P	1	0
Jason Dunbar	P	1	0
Barry Flanigan (arr. 6:06)	P	1	0
Robert Franks	P	1	0
John Lynch	P	1	0
Noelle Norvell	A	0	1
Bob Swindell	A	0	1
LaRhonda Ware	P	1	0

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

**Staff**

- Andrew Cuba, Marine Facilities Manager
- Luis Villanueva, Marine Facilities Senior Administrator
- City Manager Rickelle Williams
- Acting Assistant City Manager Chris Cooper
- Assistant City Manager Anthony Fajardo
- Assistant City Manager Susan Grant
- Acting Assistant City Manager Laura Reece
- Assistant City Manager Ben Rogers
- Bob Dunckel, Assistant City Attorney
- Marco Aguilera, Chief Waterways Officer
- Sergeant Travis O’Neal, Marine Unit
- Edward Eason, Code Compliance Officer
- Captain Chad Robertson, Fort Lauderdale Fire Rescue Marine Unit
- Assistant Chief Stewart Ahearn, Fort Lauderdale Fire Rescue
- Police Chief William Schultz
- L. Harmon, Recording Secretary, Prototype, Inc.

## **Communications to City Commission**

None.

### I. Call to Order / Roll Call

Chair Witten called the meeting to order at 6:01 p.m.

- **Motion to permit Jason Dunbar to Participate Virtually**

### II. Statement of Quorum

Roll was called and it was noted a quorum was present.

### III. Marine Advisory Board Elections – Chair / Vice Chair

Mr. Cuba noted that motions are required to nominate members as Chair or Vice Chair.

**Motion** made by Mr. Lynch, seconded by Mr. Brunelle, to nominate Steve [Witten].

**Motion** made by Mr. Brunelle, seconded by Mr. Franks, to close nominations. In a voice vote, the **motion** passed unanimously.

In a voice vote, Mr. Witten was unanimously reelected as Chair.

**Motion** made by Mr. Witten, seconded by Mr. Brunelle, to nominate Robert Washington as Vice Chair.

**Motion** made by Mr. Lynch, seconded by Mr. Franks, to close nominations. In a voice vote, the **motion** passed unanimously.

In a voice vote, Mr. Washington was unanimously elected as Vice Chair.

### IV. Introduction of New Member – Jeffrey Coburn

New Board member Jeffrey Coburn introduced himself at this time.

### V. Approval of Minutes – March 6, 2025

**Motion** made by Mr. Franks, seconded by Mr. Brunelle, to approve. In a voice vote, the **motion** passed unanimously.

### VI. Waterway Crime and Boating Safety Report

- **Sgt. Travis O’Neal (FLPD) / Deputy Chief Garrett Pingol (Fire) / Edward Eason (Code)**

Captain Chad Robertson of the Fort Lauderdale Fire Rescue Marine Unit reported that there were seven fire boat calls in April 2025, and briefly reviewed details from two of the calls.

Assistant Fire Chief Stewart Ahearn provided an overview of the Fire Department’s mission and the Marine Unit’s role, explaining that there are 12 Fire Stations within Fort Lauderdale. Fire Station 49 covers the southern end of the Fort Lauderdale Beach as well as the Las Olas Isles. This station includes eight personnel, as well as Engine 49, Ladder 49, and Rescue 49.

The City’s two fire boats are maintained at Station 49, although they are not permanently staffed; personnel from the land-based units are moved to the boat units as needed. If the land-based units are out on other calls, Station 49 will not have enough personnel to put the boats in service. When this occurs, Broward County’s fire boat is called, although the County’s team does not have dive capabilities.

Chair Witten emphasized the Marine Advisory Board’s (MAB’s) commitment to ensuring that the City’s Fire Rescue services have the right assets available to them.

Sergeant Travis O’Neal of the Marine Unit reported the following activity from April 2025:

- 42 citations
- 3 boating accidents
- 3 water rescues

He also provided additional detail on an incident that occurred at the Tortuga Festival.

Code Compliance Officer Edward Eason reported that the waterway team is working with the City’s Building Department to identify homes where unpermitted work has been done on the waterway. He briefly reviewed two active cases, including a dock in disrepair and a derelict vessel.

Chair Witten advised that Code Compliance and City Staff are working to expedite the process for removal of derelict vessels.

**VII. Meet & Greet our new City Manager Rickelle Williams and the City Manager’s Office. “How the Sausage Gets Made!”**

- **Assistant / Acting Assistant City Managers Chris Cooper, Anthony Fajardo, Susan Grant, Laura Reece, and Ben Rogers plus Fire Chief Stephen Gollan and Police Chief William Schultz**

New City Manager Rickelle Williams introduced herself at this time, explaining that the City Manager is responsible for overseeing the City's day-to-day responsibilities. Her greatest responsibility is to help implement the vision of the City Commission based on their policies. The City has two Assistant City Managers and three Acting Assistant City Managers, as well as a Chief Waterways Officer. Ms. Williams emphasized Fort Lauderdale's commitment to supporting its waterways.

Assistant City Manager Susan Grant advised that she currently oversees the City's Finance Department as well as the Fort Lauderdale Executive Airport (FXE). She also works closely with the City's Chief Education Officer.

Acting Assistant City Manager Laura Reece stated that her focus is on budget management, human resources, and the Office of Professional Standards. She works closely with the Police and Fire Departments to develop replacement plans for vehicles, gear, and equipment.

Acting Assistant City Manager Chris Cooper explained that he oversees the City's Neighbor Support Division, which connects the City Commission, City Manager, and Fort Lauderdale's civic associations and residents. He also oversees the City's Community Redevelopment Agency (CRA) and Development Services Department.

Assistant City Manager Ben Rogers stated that he oversees the Parks and Recreation, Transportation and Mobility, Real Estate, and Marine Facilities Departments. He is also the City's liaison to the Marine Industries Association of South Florida (MIASF), and works closely with the Fort Lauderdale International Boat Show as well as the City's marina projects.

Police Chief William Schultz briefly reviewed the responsibilities of the Fort Lauderdale Police Department's Marine Unit, which include emergency responses, calls for service, speed zone violations, boating accidents and investigations up to major injury, safety inspections, derelict/abandoned vehicles, open water rescues, support of the Police dive team, Port Everglades and local security escorts, marine education, and other aspects of maritime enforcement. Their jurisdiction covers 165 miles of navigable waterways.

The Marine Unit currently consists of one supervisor and six Officers, which allows for one day shift seven days per week. They also provide additional patrols through a grant from Broward County's Enhanced Marine Law Enforcement Grant (EMLEG) program. EMLEG contributes roughly \$156,000 per year to allow for overtime enforcement seven days per week. The grant is funded through County boat registration fees.

Chief Schultz reviewed the Marine Unit's responsibilities during emergencies, including storms and severe flooding. The Unit has a rescue boat as well as two john boats for shallow-water rescues.

Chief Waterway Officer Marco Aguilera introduced himself at this time, explaining that this is a new position dedicated to making a difference for the City's waterways. He will regularly attend MAB meetings going forward.

Chair Witten briefly reviewed some of the priority items identified at the January 2025 MAB meeting, including both short- and long-term goals.

**VIII. Dock Permit – 909 SE 2<sup>nd</sup> Street / 909 Beverly, LLC**

Jena Robbins, representing the Applicant, explained that the Application is a request for private use of public property. The subject site is a residential multi-family property located on the Himmarshee Canal. The Applicant requests permission to build a dock adjacent to the City's seawall. The Applicant will adhere to the 5 ft. setback required by Code.

The proposed dock will cantilever over the existing seawall and will not be permanently affixed to it. All upland landscaping will remain as is, and stairs on the landward side will be cut around existing trees. Broward County is currently processing environmental approvals for the Application.

Assistant City Attorney Bob Dunckel commented that he appreciated the identification of where a 25% or 35% extension into the waterway would be located. He also noted that the Application is very responsive to environmental concerns.

**Motion** made by Mr. Franks, seconded by Mr. Lynch, to approve. In a roll call vote, the **motion** passed unanimously (9-0).

**IX. Dock Permit – 915 SE 2<sup>nd</sup> Street / 915 Beverly, LLC**

Ms. Robbins, representing the Applicant, showed an aerial view and boundary survey of the site, as well as trees in the area. The Applicant proposes a dock that would be cantilevered over the seawall as well as compliant with the 5 ft. side yard setback and the limitation to 25% of the waterway.

**Motion** made by Mr. Franks, seconded by Mr. Dunbar, to approve. In a roll call vote, the **motion** passed unanimously (9-0).

**X. Dock Waiver – 738 NE 20<sup>th</sup> Avenue / HG Middle River Investments LLC / Hal E. Griffith**

Alejandra Giraldo, representing the Applicant, showed an aerial view of the subject property and surrounding area. She noted that the body of water is 622 ft. wide at the location from property line to property line.

The maximum extension into the waterway would be 129 ft. Extraordinary circumstances include the width of the waterway, as well as the safety of vessels from severe weather

and high wake energy. Several other properties in the area have requested and received waivers, and the Applicant received letters of support from neighbors.

Mr. Cuba confirmed that all properties located within 300 ft. of the subject site were mailed notice more than 10 days in advance. He did not receive any letters of opposition to the Application.

**Motion** made by Mr. Lynch, seconded by Mr. Franks, to approve. In a roll call vote, the **motion** passed unanimously (9-0).

**XI. Old / New Business – Follow up on MAB recommendations specific to “Extraordinary Circumstances”**

Chair Witten observed that there are currently several absences on the Board, and encouraged the members to reach out to the community.

Attorney Dunckel stated that in the past, the City has considered extraordinary circumstances in terms of a range of conditions. He advised that he would encourage the City Commission to continue to administer permits and waivers in the same manner as the last several years unless the Ordinance governing these items is changed.

Mr. Flanigan asserted that he did not feel use of the term “extraordinary circumstances” is supported, as it is often applicants themselves who create such circumstances. The Board discussed the subjectivity of the term, including its application to high wakes, storms, water sports activity, and other conditions. There was also consideration of whether the same standards are applied for nearby properties, as well as whether or not structures in the waterway create navigational hazards.

Mr. Cuba confirmed that three waiver requests recommended by the Board are expected to go before the City Commission at their May 6, 2025 meeting.

Mr. Cuba also noted that the Board members had provided information on the conditions they felt were or were not acceptable as extraordinary circumstances for the granting or denial of a waiver. Chair Witten pointed out that the Board is asked to review the circumstances for each waiver request on an individual basis; there is no “one size fits all” policy that applies equally to all waiver applications.

The Board members also discussed the identification of “layup” areas, which can help them to identify areas where navigation could be affected by structures in the waterway.

**XII. Adjournment**

There being no further business to come before the Board at this time, the meeting was adjourned at 7:55 p.m.

Marine Advisory Board

May 1, 2025

Page 7

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 VIII

## MEMORANDUM MF NO. 25-10

DATE: April 16, 2025

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities and Parks Manager

RE: June 5, 2025 MAB Meeting - Dock Waiver of Distance Limitations – Douglas C. Marty 1500 SE 12<sup>th</sup> Street Unit 2A Slip #19

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Attached for your review is an application from Douglas C. Marty / 1500 SE 12<sup>th</sup> Street Unit 2A Slip 19.

### APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for one (1) existing boat lift. The distances the structure extends from the property line into the adjacent Cerro Gordo River is shown in the survey and summarized in **Table** below:

**TABLE**

<b>EXISTING STRUCTURE</b>	<b>STRUCTURE DISTANCE FROM PROPERTY LINE</b>	<b>PERMITTED DISTANCE WITHOUT WAIVER</b>	<b>AMOUNT OF DISTANCE REQUIRING WAIVER</b>
<b>Boat Lift</b>	<b>+/-29.81'</b>	<b>25'</b>	<b>+/-4.81'</b>

The City's Unified Land and Development Regulations (UDLR) Secs. 47-19.3.C limits the maximum distance of mooring structures to 25' or 25% of the width of the waterway, whichever is less. Section 47-19.3. E authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances. The applicant cites the boat lifts positive environmental impact derived from the vessels' removal from the water. In addition, the boat lift serves to reduce potential damage to the watercraft while docked.

### PROPERTY LOCATION AND ZONING

The property is located in the Rio Vista Isles neighborhood where the Zoning is RML-25, Residential Multi Family Low Rise / Medium Density District. It is situated on the northern shore of the Cerro Gordo River where the width of the waterway to the adjacent property line has been identified as +/- 120 feet.

### RECOMMENDATIONS

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

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

AC  
Attachment  
cc:

Enrique Sanchez, Deputy Director of Parks and Recreation  
Luis Villanueva, Marine Facilities Supervisor

Douglas C. Marty  
1500 SE 12<sup>th</sup> St-Unit 2A  
Fort Lauderdale, FL 33316  
Slip # 19

**Application for waiver of distance limitation  
for existing boat lift**

## Table of Contents

- Application-Page 4
- Narrative-Page 6
- Proof of Ownership-Page 9
- Distance Waiver Resolution 24-234- Page 13
- Zoning Aerial-Page 20
- Current Survey (Wetface)-Page 22
- Current Survey (Property Line)-Page 24
- Site Photographs-Page 27

# Application

**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: Douglas C. Marty

TELEPHONE NO: 305-970-3923 EMAIL: dougie.marty@airguidemfg.com  
(home/cellular) (business)

2. APPLICANT'S ADDRESS (if different than the site address): 1500 SE 12<sup>th</sup> St Unit 2A, Fort Lauderdale, FL 33316

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: Request waiver of distance limitation for existing boat lift

4. SITE ADDRESS: 1500 SE 12<sup>TH</sup> ST UNIT 2A, FT LAUDERDALE FL 33316, ASSIGNED BOAT SLIP #19  
ZONING: RML-25-Residential Multifamily Low Rise/Medium Density

LEGAL DESCRIPTION AND FOLIO NUMBER: Hemingway Landings Condo BLDG 3 Unit 2A (AKA 18)  
Per CDO BK/PG: 46599/19

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

*D. C. Marty*  
Applicant's Signature

4-7-2025  
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 \_\_\_\_\_

# Narrative

## Narrative

Doug Marty (“Applicant”) files this Marine Advisory Board (“MAB”) application for an after-the-fact distance waiver with respect to an existing Boat Lift owned by the applicant.

The applicant acquired the real property 07/10/2012 with a boat slip assigned to the property. The applicant filled out a request to install a boat lift in the assigned slip # 19 from the HOA of Hemingway Landings, the application was reviewed and approved.

The existing boat lift received Broward County, Environmental Engineering and Permitting Division, Environmental Resource and General License: GL-FTL2107-045. The existing boat lift also received a building permit from the city of Fort Lauderdale, permit BLD-BDSP-21080018. The boat lift was installed and the permit was closed on 8/30/2023.

On 12/13/2024 the violation below was issued to the applicant for having the boat lift extend more than the allowed 25’ into the waterway:

**Violation Date:**

12/13/2024

**Violation Code:**

47-19.3.(C)

**Violation Type:**

Boat slips, docks, boat davits, hoists and similar mooring structures.

**ToWit:**

THERE IS A BOAT LIFT MOORING STRUCTURE INSTALLED AT BOAT SLIP NINETEEN (19) ON THIS PROPERTY THAT EXTENDS BEYOND THE PERMITTED TWENTY-FIVE (25) PERCENT OF THE WIDTH OF THE CANAL OR WATERWAY OR TWENTY-FIVE (25) FEET OF THE WIDTH OF THE CANAL OR WATERWAY (WHICHEVER IS LESS AS MEASURED FROM THE PROPERTY LINE). THE BOAT LIFT MOORING STRUCTURE WAS MEASURED TO EXTEND TO APPROXIMATELY TWENTY-EIGHT AND SIX (28.6) FEET INTO THE CANAL OR WATERWAY.

**Corrective Action:**

MAKE ALL REPAIRS AND/OR ALTERATIONS NECESSARY TO THE BOAT LIFT MOORING STRUCTURE TO COMPLY WITH THE PERMITTED ENCROACHMENT INTO THE WATERWAY OF TWENTY-FIVE (25) PERCENT OF THE WIDTH OF THE CANAL OR WATERWAY OR TWENTY-FIVE (25) FEET OF THE WIDTH OF THE CANAL OR WATERWAY (WHICHEVER IS LESS AS MEASURED FROM THE PROPERTY LINE) AS PER THE REQUIREMENTS OF SECTION 47-19.3.(C). OBTAIN ALL PERMITS REQUIRED.

**Ordinance:**

No boat slips, docks, boat davits, hoists, and similar mooring structures not including mooring or dolphin piles or a seawall, may be constructed by any owner of any lot unless a principal building exists on such lot and such lot abuts a waterway. Mooring structures, not including mooring or dolphin piles, shall not extend into the waterway more than twenty-five (25) percent of the width of the waterway or twenty-five (25) feet whichever is less as measured from the property line.

This waiver request is justified due to the extraordinary circumstances surrounding the existing boat lift for the following reasons:

1. The existing boat lift is mounted on two each pilings that are marked “U” and “V” on the attached survey. The city has granted a waiver of distance for the 2 pilings – Resolution 24-234 that is attached.
2. The existing boat lift is situated extremely close to the permissible 25ft boundary 10” from piling “U” and piling “V”. Requiring removal and replacement of these structures would present an extraordinary challenge due to the proximity of the existing embedment. Creating a new embedment in such close proximity to the current ones would likely compromise the stability of the new embedment and affect the stability of the boat lift.

The boat lift has a positive environmental impact derived from removing the vessel from the water. In addition to protecting the watercraft and reducing the potential for damage to the watercraft while docked, boat lifts keep bottom paints out of Florida’s water and reduce the possibility of pollution incidents from watercrafts while they are docked on the boat lift.

3. The existing boat lift structure does not exceed 30% of the width of the waterway, remaining well within regulatory limits.
4. Due to the extraordinary width of the waterway at this location at its thinnest point being +/- 118 feet from wetface to wetface or +/- 120 feet property line to property line, the existing structure does not impede navigation within the Cerro Gordo River.

Applicant requests the support of the Marine Advisory Board and approval of the distance waiver for the boat lift of +/- 28.6’ (wetface to wetface) or +/- 29.81’ (property line to property line – see attached property line survey) for structure on piling “U” and “V” (please note as indicated that piling “U” and “V” both have an approved waiver for +/- 27.7’ wetface to wetface – Resolution 24-234).

# Proof of Ownership



This Instrument Prepared By and Return to:  
EQUITY LAND TITLE, LLC  
One Circlelake Center  
250 E. Australian Ave #700  
West Palm Beach, Florida 33401

Hem-3-2A

**SPECIAL WARRANTY DEED**

THIS INDENTURE, made this 10th day of July 2012, between Hemingway Landings, LLC, a Delaware limited liability company, 665 Simonds Road, Williamstown, MA, 01267, in the State of Florida, PARTY OF THE FIRST PART, and Douglas C. Marty, an unmarried man whose post office address is: 795 W. 20th Street, Hialeah, FL 33018 PARTY OF THE SECOND PART.

**WITNESSETH**

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

Condominium Unit 3-2A, Building 1500, HEMINGWAY LANDINGS, A CONDOMINIUM, together with an undivided interest in the common elements, according to the Declaration of Condominium thereof recorded in Official Record Book 46699, Page 16, as amended from time to time, of the Public Records of Broward County, Florida.  
#604214-BF-0180

Property Address: 1500 SE 12th Street #3-2A, Fort Lauderdale, FL, 33316

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

THIS CONVEYANCE IS SUBJECT TO: Zoning and/or restrictions imposed by governmental authority; Restrictions, easements and other matters according to the plat and/or common to the subdivision; Declaration of Condominium for Hemingway Landings, a Condominium Association, as referenced above, together with all amendments thereto; and taxes and assessments for the year 2012 and all subsequent years.

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

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

(2)

Signed, Sealed and Delivered  
in the Presence of:

Angela Lee Caron

Print Name: Angela Lee Caron

Print Name: Nicole Westall

Herringway Landings, LLC, a Delaware limited liability company

BY: PFC Projects, LLC, a Delaware limited liability company, Sole Member

BY: NATIONAL LAND PARTNERS, LLC, a Delaware Limited Liability Company, Manager

By: American Land Partners, Inc., A Delaware Corporation, Its Manager

By: Thomas Bajda Authorized Signatory

State of Massachusetts )  
  ) SS:

County of Berkshire )  
The foregoing instrument was acknowledged before me this 10 day of July, 2013, Thomas Bajda, as Authorized Signatory of American Land Partners, Inc., a Delaware Corporation, Manager of National Land Partners, LLC, a Delaware Limited Liability Company, Manager of PFC Projects, LLC, a Delaware limited liability company, Sole Member of Herringway Landings, LLC, a Delaware limited liability company, on behalf of the company, who is personally known to me.



Angela Lee Caron  
NOTARY PUBLIC  
STATE OF Massachusetts

## Distance Waiver Resolution 24-234

RESOLUTION NO. 24-234

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 47-19.3(e) OF THE CITY OF FORT LAUDERDALE, FLORIDA UNIFIED LAND DEVELOPMENT REGULATIONS ("ULDR") GRANTING AN AFTER THE FACT WAIVER OF THE LIMITATIONS OF ULDR SECTION 47-19.3 (d) TO PERMIT HEMMINGWAY LANDINGS CONDOMINIUM ASSOCIATION, INC., A NOT FOR PROFIT FLORIDA CORPORATION, AS ASSIGNEE OF AND FOR THE USE AND BENEFIT OF THE RESPECTIVE CONDOMINIUM UNIT BOAT SLIP OWNERS, WHICH SUCH BOAT SLIPS ARE LIMITED COMMON ELEMENTS UNDER THE DECLARATION OF CONDOMINIUM FOR THE HEMMINGWAY LANDINGS CONDOMINIUM, SUCH DECLARATION BEING RECORDED AT OFFICIAL RECORDS BOOK 46599, PAGE 19 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID CONDOMINIUM BEING LOCATED WITHIN THE RIO VISTA ISLES NEIGHBORHOOD, GRANTING A WAIVER FOR THE TWENTY TWO (22) EXISTING PILES EXTENDING A MAXIMUM OF 27.7' +/- FROM THE SOUTHERLY WATERWARD CONDOMINIUM PROPERTY LINE INTO THE ADJACENT WATERS OF CERRO GORDO RIVER, SUCH PROPERTIES BEING LOCATED AT 1414, 1424 and 1500 SE 12<sup>TH</sup> STREET, FORT LAUDERDALE, FLORIDA, 33316 AND MORE PARTICULARLY DESCRIBED BELOW; SUBJECT TO CERTAIN TERMS AND CONDITIONS; REPEALING ANY AND ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the term "Condominium" as used herein shall refer to the property subjected to the Declaration of Condominium dated October 16, 2009 and recorded in the Public Records of Broward County, Florida at Official Records Book 46599, Page 19 (hereinafter, "Declaration of Condominium"); and

WHEREAS, Hemmingway Landings Condominium Association, Inc. a Florida not for profit corporation, as assignee for and on behalf of the Condominium Unit Boat Slip Owners (hereinafter "Applicant") who own the Condominium Unit Boat Slip #s in question as limited common elements appurtenant to the individually owned Condominium Units under the Declaration of Condominium r, such Boat Slips being located at 1414, 1424 and 1500 S.E. 12<sup>th</sup>

Street in the City of Fort Lauderdale, Broward County, Florida, a topographic survey of the Slips for Hemmingway Landings Condominium is attached hereto as Exhibit "A," a copy of which is on file with the City of Fort Lauderdale's Office of Marine Facilities; and

WHEREAS, Applicant, as assignee of and on behalf of the Condominium Unit Boat Slip Owners, is requesting approval for the twenty-two (22) existing mooring piles extending a maximum of 27.7' +/- from the property line into the Cerro Gordo River, as measured from the Southerly condominium waterward property line; and

WHEREAS the Condominium Unit Boat Slip Owners and the respective Boat Slips they own are set forth in Exhibit "B" attached hereto; and

WHEREAS, the term "Upland Property" as used herein is described in Exhibit "A" to the Declaration of Condominium; and

WHEREAS, the City's Marine Advisory Board on September 5, 2024, reviewed the application for dock waiver filed by the Applicant and voted unanimously in a roll call vote to recommend approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That pursuant to the provisions of Section 47-19.3(e) of the City of Fort Lauderdale, Florida Unified Land Development Regulations (ULDR), the City Commission hereby grants a waiver of the limitations of ULDR Section 47-19.3 (d), to allow the respective Condominium Unit Boat Slip Owners' use of twenty-two (22) existing mooring piles extending a maximum of 27.7' +/- from the Southerly waterward condominium property line into the Cerro Gordo River, such distances being more specifically set forth in the Table of Distances set forth below:

EXISTING STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Piling B	25.7 +/-	25'	0.7' +/-
Piling C	25.6 +/-	25'	0.6' +/-
Piling E	25.7 +/-	25'	0.7' +/-
Piling F	25.7 +/-	25'	0.7' +/-
Piling G	25.2 +/-	25'	0.2' +/-
Piling H	25.3 +/-	25'	0.3' +/-
Piling I	26.2 +/-	25'	1.2' +/-
Piling J	26.6 +/-	25'	1.6' +/-
Piling K	26.3 +/-	25'	1.3' +/-
Piling L	26.3 +/-	25'	1.3' +/-
Piling M	26.2 +/-	25'	1.2' +/-
Piling N	26.2 +/-	25'	1.2' +/-
Piling O	26.0 +/-	25'	1 +/-
Piling R	25.5 +/-	25'	0.5' +/-
Piling S	25.7 +/-	25'	0.7' +/-
Piling T	25.6 +/-	25'	0.6' +/-

<b>Piling U</b>	<b>27.7 +/-</b>	<b>25'</b>	<b>2.7' +/-</b>
<b>Piling V</b>	<b>27.7 +/-</b>	<b>25'</b>	<b>2.7' +/-</b>
<b>Piling W</b>	<b>27.3 +/-</b>	<b>25'</b>	<b>2.3' +/-</b>
<b>Piling X</b>	<b>27.1 +/-</b>	<b>25'</b>	<b>2.1' +/-</b>
<b>Piling Y</b>	<b>27.1 +/-</b>	<b>25'</b>	<b>2.1' +/-</b>
<b>Piling Z</b>	<b>26.1 +/-</b>	<b>25'</b>	<b>1.1' +/-</b>

**SECTION 2.** That the above waiver is subject to the following additional conditions to be performed by the Applicant or Condominium Unit Boat Slip Owners as more particularly set forth herein:

1. Except as to the existing mooring piles authorized by this Resolution to extend beyond the limitations provided in ULDR Section 47-19.3(d), the Condominium Unit Boat Slip Owners, their successors and assigns, are 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. Use of the Boat Slips, which are appurtenant to the upland single-family Condominium Unit residences, and occupation thereof, shall be in conformity with the above referenced Declaration of Condominium and the City's ULDR and other applicable municipal, county, state and federal laws, rules, regulations and ordinances, including, but not limited to City Codes, Unified Land Development Regulations and City's Minimum Housing Code, as same may be amended from time to time.
3. Maintenance and repair of the vessels moored within the Boat Slips at this location shall be permitted only in accordance with City Code § 8-149 and in compliance with City Code of Ordinances, Chapter 17, Noise Control.

4. Use of the Boat Slips shall be limited to the Condominium Unit Owners or their tenants or occupants in possession of the corresponding Condominium Units within the Upland Property.
5. As a condition of granting this "waiver" pursuant to ULDR Sec. 47-19.3 (e) and Section 10.6 of the Declaration of Condominium, (A) no portion of a Condominium Unit (other than the entire Condominium Unit) may be rented; (B) Condominium Units may be leased only for periods of at least six (6) consecutive months; (C) No Condominium Unit may be leased more than two (2) times per year; and (D) Tenants of a Condominium Unit may not sublease that Condominium Unit.
6. Violation of any of the foregoing conditions is unlawful and constitutes a violation of the City's ULDR and may result in revocation of this Resolution by the City Commission.
7. The Applicant is required to install and affix reflector tape to the existing mooring piles authorized to extend beyond the limitations provided in ULDR Section 47-19.3(d). The reflector tape must be formulated for marine use and be in one (1) of the following uniform colors: international orange or iridescent silver. On all such piles, the reflector tape shall be at least five (5) inches wide and within eighteen (18) inches of the top of the pile.


SECTION 3. That all Resolutions or parts of Resolutions in conflict with this Resolution are hereby repealed.

SECTION 4. That this Resolution shall be effective upon (i) Applicant, at Applicant's expense, recording a certified copy of this Resolution and (ii) filing a copy of the recorded Resolution with the Supervisor of Marine Facilities and City Clerk within ninety (90) days of the adoption of this Resolution. Failure to timely meet the conditions of (i) and (ii) shall cause this Resolution to be of no further force and effect.

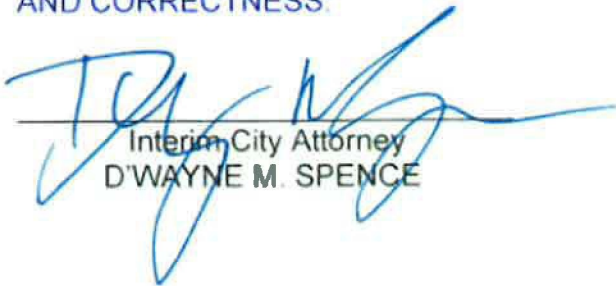
ADOPTED this 7<sup>th</sup> day of November, 2024.

  
\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:

  
\_\_\_\_\_  
City Clerk  
DAVID R. SOLOMAN

APPROVED AS TO FORM  
AND CORRECTNESS:

  
\_\_\_\_\_  
Interim City Attorney  
D'WAYNE M. SPENCE

Dean J. Trantalis	<u>Yea</u>
John C. Herbst	<u>Yea</u>
Steven Glassman	<u>Yea</u>
Pamela Beasley-Pittman	<u>Yea</u>
Warren Sturman	<u>Nay</u>

# Zoning Aerial



CITY OF FORT LAUDERDALE

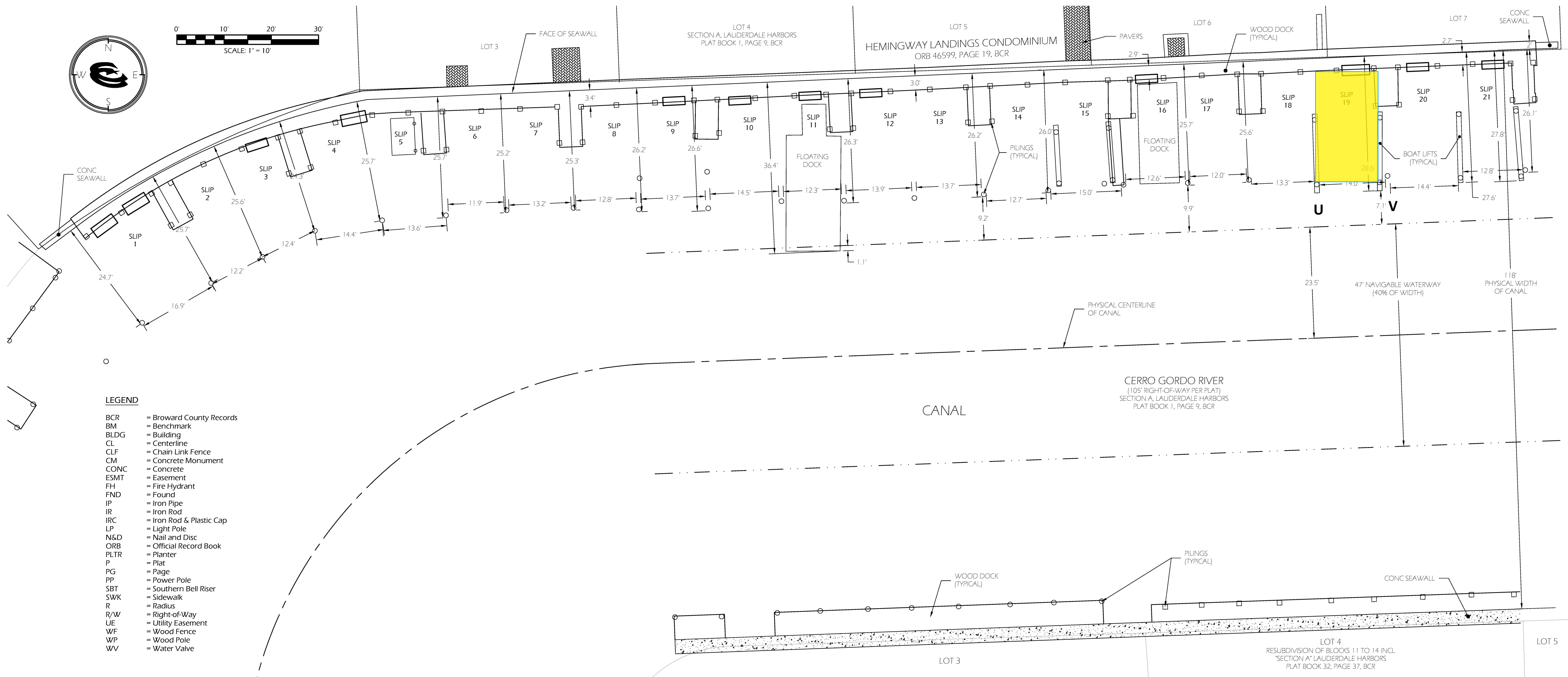
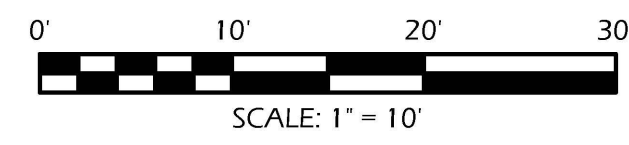
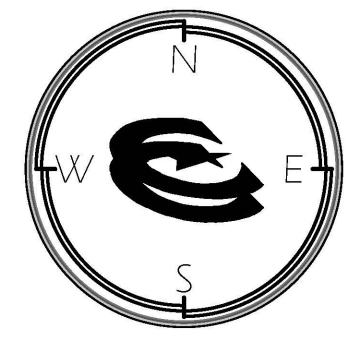
Map Created by GIS Mapper

1500 SE 12th street



**GIS**  
Fort Lauderdale

# Current Survey (Wetface)



**LEGEND**

- BCR = Broward County Records
- BM = Benchmark
- BLDG = Building
- CL = Centerline
- CLF = Chain Link Fence
- CM = Concrete Monument
- CONC = Concrete
- ESMT = Easement
- FH = Fire Hydrant
- FND = Found
- IP = Iron Pipe
- IR = Iron Rod
- IRC = Iron Rod & Plastic Cap
- LP = Light Pole
- N&D = Nail and Disc
- ORB = Official Record Book
- PLTR = Planter
- P = Page
- PG = Page
- PP = Power Pole
- SBT = Southern Bell Riser
- SWK = Sidewalk
- R = Radius
- R/W = Right-of-Way
- UE = Utility Easement
- WF = Wood Fence
- WP = Wood Pole
- WV = Water Valve

**SURVEY NOTES:**

THE PURPOSE OF THIS SURVEY IS TO SHOW THE LOCATION OF CONSTRUCTED PILES AND DOCKS WITHIN THE CANAL ADJACENT TO THE HEMINGWAY LANDING CONDOMINIUM IN AREAS SPECIFIED BY THE CLIENT AND SHOW THEIR RELATION TO THE EXISTING CANAL.

THIS IS NOT A BOUNDARY SURVEY. PLAT AND RIGHT-OF-WAY INFORMATION SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY. NO BOUNDARY CORNERS WERE SET IN THE PERFORMANCE OF THIS SURVEY.

OWNERSHIP OF FENCES AND WALLS SHOWN ON THIS DRAWING WERE NOT DETERMINED.

EASEMENTS SHOWN HEREON ARE PER PLAT UNLESS NOTED OTHERWISE.

THE WOODEN DOCK ON THE NORTH SIDE OF THE CANAL HAS BEEN BUILT OVER TOP OF THE CONCRETE SEAWALL. ITS LOCATION SHOWN HEREON IS OUR BEST APPROXIMATION FROM INDIRECT LOCATIONS OF THE PHYSICAL EDGE OF WALL AND MAY VARY FROM ACTUAL LOCATION WHEN DEPICTED UNDER THE WOODEN DOCK.

SYMBOLS HAVE BEEN PLOTTED AT THE CENTER OF THE FIELD LOCATION AND MAY NOT REPRESENT THE ACTUAL SIZE OR SHAPE OF THE FEATURE.

THIS SURVEY IS LIMITED TO THE LOCATION OF ABOVE GROUND IMPROVEMENTS ONLY. UNDERGROUND FOUNDATIONS AND ENCROACHMENTS WERE NOT LOCATED OR SHOWN HEREON. ANY UTILITY LINES SHOWN HEREON WERE LOCATED AS PAINT MARKS ON THE GROUND, AS MARKED BY OTHERS.

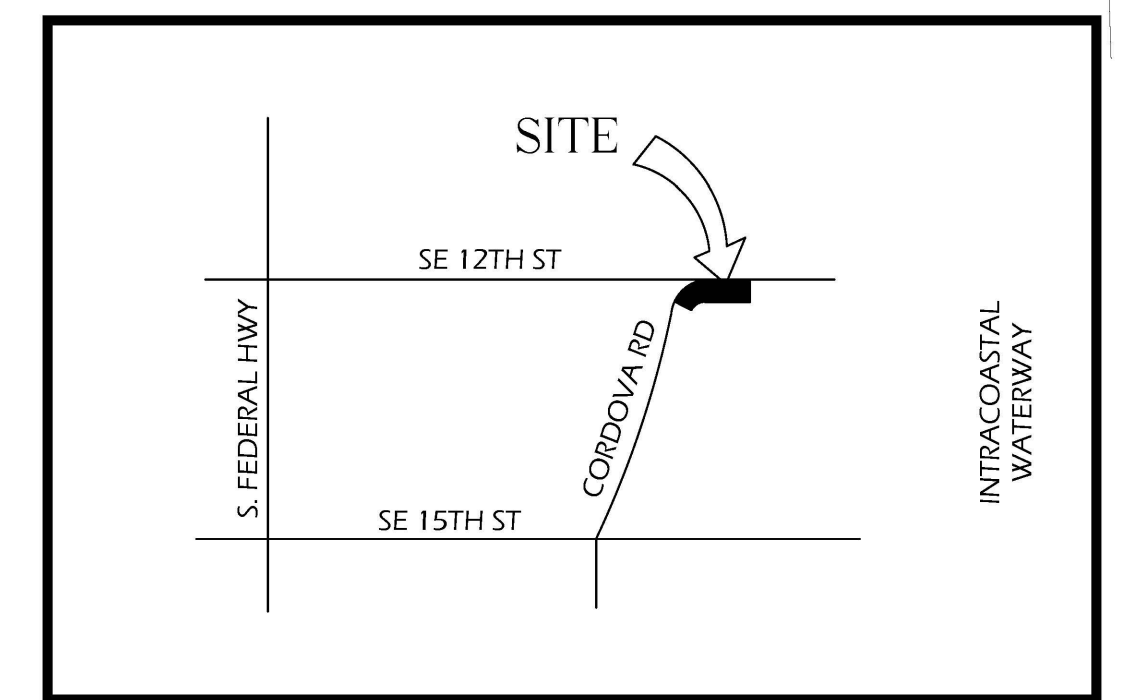
INSTRUMENTS OF RECORD SHOWN HEREON REFER TO THOSE FOUND IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA UNLESS NOTED OTHERWISE.

FENCELINES MAY MEANDER ALONG THEIR LENGTH INSTEAD OF BEING STRAIGHT AS SHOWN. FENCELINES MAY ALSO FALL WITHIN VEGETATION FURTHER OBSCURING THEIR EXACT POSITION ALONG THEIR ENTIRE LENGTH. THE FENCELINES SHOWN DENOTE ENDPOINTS AND OBVIOUS CHANGES OF DIRECTION.

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**CERTIFICATION:**

I HEREBY CERTIFY: This TOPOGRAPHIC SURVEY of the above described property is true and correct to the best of my knowledge and belief as recently surveyed under my direction, and conforms to the standards of practice as set forth by the Florida Board of Professional Land Surveyors in Chapter 5J17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.



**LOCATION MAP**  
(Not to Scale)

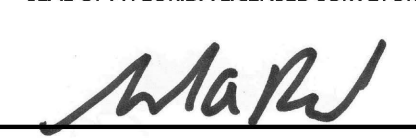
Drawing: R:\2024\24012\24012.dwg - Hemingway Landings Condo (Broward)\dwg\24012.dwg 01

TITLE:

## TOPOGRAPHIC SURVEY HEMINGWAY LANDINGS CONDO

SECTION 14, TOWNSHIP 50 SOUTH, RANGE 42 EAST, CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

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



SCOTT A. REID, P.S.M.  
FLORIDA SURVEYORS REGISTRATION NO. 6258

NO.	SHEET INDEX
1	SURVEYORS REPORT, MAP OF SURVEY

NO.	REVISION	FIELD DATE	BY
1	EXPAND TOPO OF MARINA TO WEST BOUNDARY OF CONDO	5/01/24	SAR

PROJECT MGR: BRW  
CHECKED BY: SAR



COMPASS POINT SURVEYORS

CPS PN: 24012-A-1  
DRAWN BY: SAR  
SCALE: AS NOTED  
FILE: 24012.dwg

3350 NW 22 TERRACE, STE 1200, POMPANO BEACH, FL 33069 - PH. 954.332.8181 - LB No.: 7535

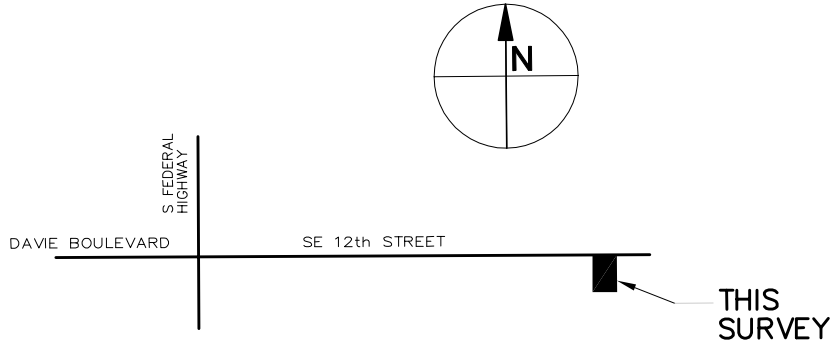
SHEET **01**  
OF **01**

Current Survey  
(Property Line)

**SPECIFIC PURPOSE SURVEY  
(LOCATE DOCK)**

**LEGAL DESCRIPTION:**

HEMINGWAY LANDINGS, A CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM THEREOF, ACCORDING TO THE DECLARATION OF CONDOMINIUM THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 46599, PAGE 19, OF THE OFFICIAL RECORDS OF BROWARD COUNTY, FLORIDA.



**NOTES:**

1. REPRODUCTIONS OF THIS SURVEY ARE NOT VALID UNLESS SEALED BY THE SIGNING SURVEYOR.
2. THIS DRAWING IS THE PROPERTY OF BDH CONSULTING GROUP, LLC AND SHALL NOT BE USED OR REPRODUCED IN WHOLE OR IN PART WITHOUT PERMISSION OF BDH CONSULTING GROUP, LLC.
3. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THE UNDERSIGNED FOR RIGHTS-OF-WAY, EASEMENTS, OR OTHER SIMILAR MATTERS OF RECORD. ALL EASEMENTS SHOWN ARE PER RECORD PLAT UNLESS NOTED OTHERWISE.
4. LEGAL DESCRIPTION FURNISHED BY THE CLIENT.
5. THIS SURVEY DOES NOT PURPORT TO IDENTIFY IMPROVEMENTS BELOW GRADE, IF ANY, EXCEPT AS SPECIFICALLY NOTED HEREON.
6. BUILDING TIES ARE PERPENDICULAR OR RADIAL TO BOUNDARY LINES UNLESS NOTED OTHERWISE.
7. PROPERTY ADDRESS: 1500 SE 12th STREET, FORT LAUDERDALE, FLORIDA 33316
8. CERTIFIED TO: DOUGIE MARTY

**STANDARD ABBREVIATIONS:**

- |                                    |   |
|------------------------------------|---|
| A/C = AIR CONDITIONER PAD          | PG. = PAGE                                |
| ADJ. = ADJACENT                    | N.A.V.D. = NORTH AMERICAN VERTICAL DATUM  |
| B.C.R. = BROWARD COUNTY RECORDS    | P.R.M. = PERMANENT REFERENCE MONUMENT     |
| B.M. = BENCHMARK                   | (P) = PLAT                                |
| (C) = CALCULATED                   | P.B. = PLAT BOOK                          |
| CONC. = CONCRETE                   | P.O.B. = POINT OF BEGINNING               |
| C.B.S. = CONCRETE BLOCK STRUCTURE  | P.O.C. = POINT OF COMMENCEMENT            |
| D = DELTA ANGLE                    | PROP. = PROPOSED                          |
| ESMT. = EASEMENT                   | P.B.C.R. = PALM BEACH COUNTY RECORDS      |
| D.C.R. = DADE COUNTY RECORDS       | P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER |
| EL. = ELEVATION                    | R. = RADIUS                               |
| F.F. = FINISHED FLOOR              | R/W = RIGHT OF WAY                        |
| F.P.L. = FLORIDA POWER & LIGHT CO. | S/W = SIDEWALK                            |
| FD. = FOUND                        | U.E. = UTILITY EASEMENT                   |
| GF = GARAGE FLOOR ELEVATION        |   |
| IP = IRON PIPE                     |   |
| IR = IRON ROD                      |   |
| IPC = IRON PIPE & CAP              |   |
| IRC = IRON ROD AND CAP             |   |
| L = LENGTH                         |   |
| L.B. = LICENSED BUSINESS           |   |
| (M) = MEASURED                     |   |
| M.H. = MANHOLE                     |   |
| N/D = NAIL AND DISK                |   |
| N/A = NON-APPLICABLE               |   |
| N.T.S. = NOT TO SCALE              |   |
| NO. = NUMBER                       |   |
| O.R.B. = OFFICIAL RECORD BOOK      |   |

NOTE: THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY DERIS H. BARDALES USING A DIGITAL SIGNATURE AND DATE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

**SURVEYOR'S CERTIFICATION:**

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON COMPLIES WITH THE STANDARDS OF PRACTICE FOR SURVEYS AS CONTAINED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT SAID SURVEY IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Bardeles*

4-28-2025

DATE OF LAST FIELD WORK

DERIS H. BARDALES, PSM  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA REGISTRATION NUMBER 6778

DATE,  
SIGN &  
SEAL

DERIS H. BARDALES, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA REGISTRATION NUMBER 6778

**SPECIFIC PURPOSE SURVEY**

**HEMINGWAY LANDINGS**



712 NE 8TH AVENUE BOYNTON BEACH, FLORIDA 33435

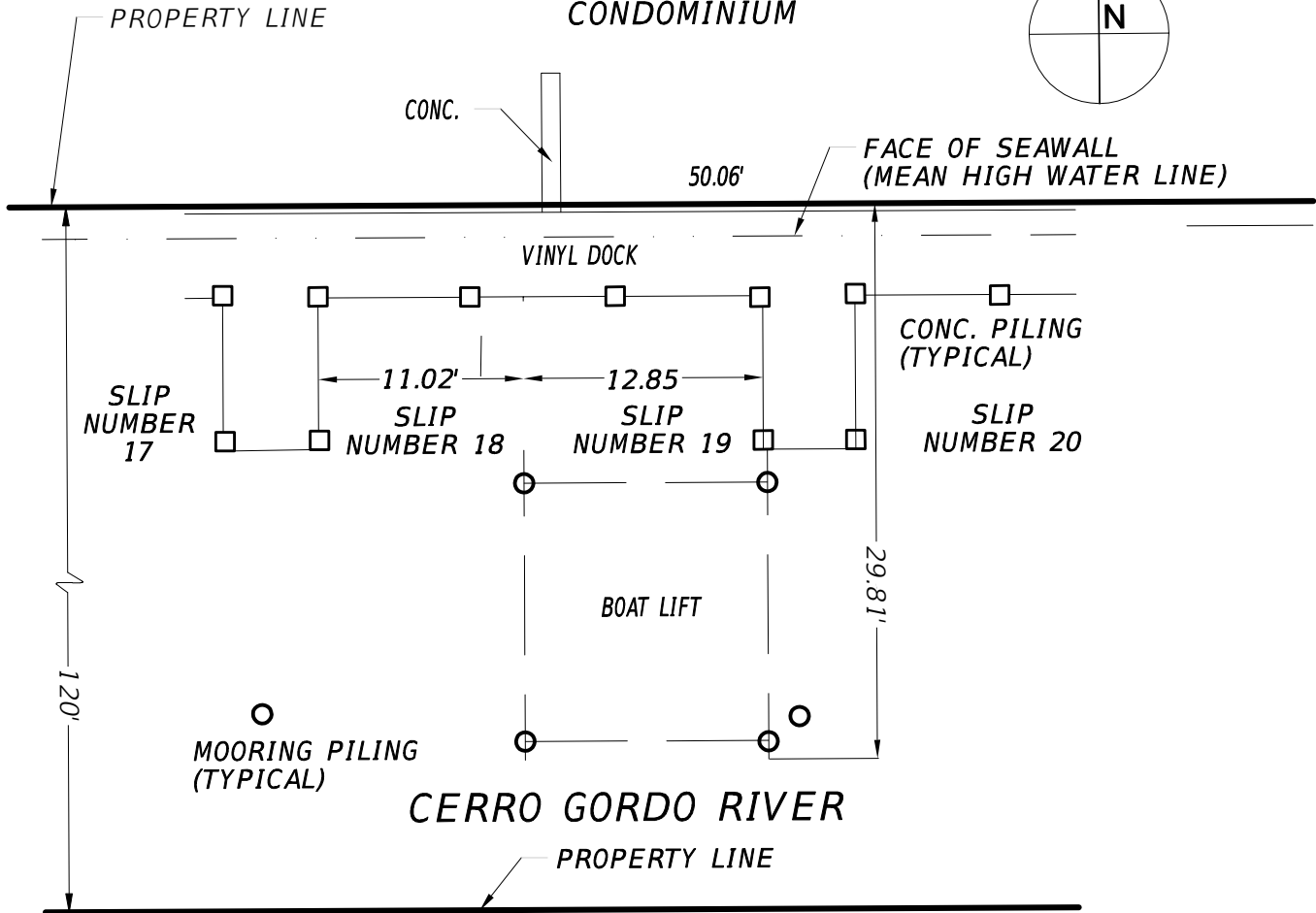
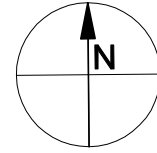
P: (561) 452-2348 • F: (561) 327-2654 • W: WWW.BDHCG.COM

STATE OF FLORIDA CERTIFICATE OF AUTHORIZATION # 30026  
STATE OF FLORIDA CERTIFICATE OF AUTHORIZATION # LB8012

<b>DRAWN:</b>	CB	<b>SCALE:</b>	NONE
<b>CHECKED:</b>	DB	<b>DATE:</b>	4-29-2025
<b>PROJ. NO.:</b>	25-04221	<b>SHEET</b>	1 OF 2

**SPECIFIC PURPOSE SURVEY  
(LOCATE DOCK)**

**HEMINGWAY LANDINGS  
CONDOMINIUM**



**LEGEND:**

- SET 5/8" IR & CAP (LB 6893)
- △ SET NAIL & TAB
- PCP
- ⊙ PRM
- ⊙ ELEVATION (EXISTING)
- ⊙ ELEVATION (PROPOSED)
- ⊙ FIRE HYDRANT
- ⊙ CENTERLINE
- MANHOLE (SANITARY)
- MANHOLE (STORM)
- ▨ CATCH BASIN
- ⊙ ELECTRIC SERVICE
- ⊙ TELEPHONE JUNCTION BOX
- ⊙ WATER METER
- ⊙ CABLE TV BOX
- ⊙ UTILITY POLE
- ⊙ LIGHT POLES

NOTE: THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY DERIS H. BARDALES USING A DIGITAL SIGNATURE AND DATE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

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*Bardales*

DERIS H. BARDALES, PSM  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA REGISTRATION NUMBER 6778

4-28-2025

DATE OF LAST FIELD WORK

DATE,  
SIGN &  
SEAL

DERIS H. BARDALES, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA REGISTRATION NUMBER 6778

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STATE OF FLORIDA CERTIFICATE OF AUTHORIZATION # 30026  
STATE OF FLORIDA CERTIFICATE OF AUTHORIZATION # LB8012

<b>SPECIFIC PURPOSE SURVEY</b>		
<b>HEMINGWAY LANDINGS</b>		
<b>DRAWN:</b>	<b>CB</b>	<b>SCALE:</b> 1"=10'
<b>CHECKED:</b>	<b>DB</b>	<b>DATE:</b> 4-29-2025
<b>PROJ. NO.:</b>	<b>25-04221</b>	<b>SHEET 2 OF 2</b>

## Site Photographs



