



CITY OF FORT LAUDERDALE

DRAFT
MEETING MINUTES
CITY OF FORT LAUDERDALE
MARINE ADVISORY BOARD
FORT LAUDERDALE FIRE RESCUE DEPARTMENT
528 NW 2ND STREET, STATION #2
FORT LAUDERDALE, FLORIDA 33311
3RD FLOOR CONFERENCE ROOM
THURSDAY, SEPTEMBER 4, 2025 – 6:00 P.M.

Cumulative Attendance
May 2025-April 2026

Steve Witten, Chair	P	4	0
Robert Washington, Vice Chair	P	4	0
Norm Bekoff	P	3	1
Tyler Brunelle	P	4	0
Jeffrey Coburn	P	4	0
Jason Dunbar	P	4	0
Barry Flanigan	P	2	2
Robert Franks	P	3	1
John Lynch	P	3	1
Sam Mitchell	P	1	0
Ted Morley	P	1	0
Dr. Bret Ribotsky	P	3	0
Bob Swindell	P	2	2
LaRhonda Ware	P	4	0

As of this date, there are 14 appointed members to the Board, which means 8 would constitute a quorum.

Staff

- Andrew Cuba, Marine Facilities Manager
- Marco Aguilera, Chief Waterways Officer
- Dean Trantalis, Mayor of Fort Lauderdale
- Bob Dunckel, Assistant City Attorney
- Sergeant Travis O’Neal, Marine Unit
- Captain Chad Robertson, Fire Rescue
- Deputy Chief Garrett Pingol, Fire Rescue Marine Team
- Edward Eason, Code Compliance Officer
- Susan Leon, Chief Education Officer
- Glenn Marcos, Chief Procurement Officer
- N. Day, Recording Clerk, Prototype, Inc.

Communications to City Commission

None.

I. Call to Order / Roll Call

Chair Witten called the meeting to order at 6:02 p.m.

II. Statement of Quorum

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

III. Introduction of New Members – Ted Morley & Sam Mitchell

New Board members Sam Mitchell and Ted Morley introduced themselves at this time.

IV. Approval of Minutes – July 8, 2025

Motion made by Dr. Ribotsky, seconded by Mr. Bekoff, to approve. In a voice vote, the **motion** passed unanimously.

Chair Witten requested a moment of silence to honor the memory of Rachel Nisanov, who recently passed away following a waterway accident.

Chair Witten reported that an amendment to City Ordinance 8145 was recently passed upon first reading by the City Commission. This amendment addresses anchoring within the City. He recognized Assistant City Attorney Bob Dunckel and Chief Waterways Officer Marco Aguilera for their work in preparing this amendment.

Chair Witten continued that he and Marine Unit Sergeant Travis O'Neal met with representatives of Florida's Fish and Wildlife Commission (FWC) with regard to the regulation of speed on the City's waterways. He also raised the subject of providing throw rings and life jackets at City docks to FWC and was informed that these were available upon request.

Chair Witten distributed copies of the Marine Advisory Board's (MAB's) purpose and duties to the Board members, emphasizing the importance of their responsibilities with regard to the City's waterways.

The Chair cited three ongoing items for which the Board is seeking support:

- An electric boat for use by the Marine Unit: Mr. Lynch will partner with Sergeant O'Neal and Chief Waterways Officer Aguilera on this effort
- Naming the City's new pump-out boat: Ms. Ware will partner with Fort Lauderdale Chief Education Officer Susan Leon
- Developing a staggered capital replacement program for City vessels

Chair Witten continued that he has reached out to jet ski rental providers to learn more about how riders are prepared for use of these vessels, including suggestions for how safety could be improved. Assistant City Attorney Bob Dunckel advised that Florida Statutes prohibit discrimination with regard to the use of personal watercraft.

V. Waterway Crime and Boating Safety Report

- **Sgt. Travis O’Neal (FLPD) / Capt. Chad Robertson (Fire Rescue) / Edward Eason (Code)**

Code Compliance Officer Edward Eason reported the following activity:

- Citation of a property owner for a rafting vessel that obstructed the waterway; the vessel has since been removed
- Citation of a vacant lot for storage of a boat on undeveloped vacant land; the property owner has not complied and is scheduled for a Special Magistrate hearing on September 9, 2025

Captain Chad Robertson of Fort Lauderdale Fire Rescue reported the following activity:

- 29 calls for service, including three calls for fire boats
- Jet ski accident resulting in injury
- Overturned vessel on the Intracoastal Waterway
- Jet ski accident resulting in injury and death

Sergeant Travis O’Neal of the Fort Lauderdale Police Department Marine Unit reported that the Florida Fish and Wildlife Commission (FWC) is investigating the jet ski accident which led to injury and death. Officers in the Marine Unit responded to this call, which occurred on the Middle River when two individuals on a jet ski crossed a wake and struck a dock and seawall. The owner of the jet ski operation that rented the vessel was arrested and placed on probation.

Sgt. O’Neal emphasized the importance of recognizing whether or not young people are able to adequately operate a jet ski or similar equipment. He noted that the operator in question was licensed to provide guided tours on jet skis.

The following Items were taken out of order on the Agenda.

VII. Presentation of Award to Florida Department of Environmental Protection (FDEP) for well over 30 years of support to the City of Fort Lauderdale and a big “Thank You” for our first pump out boat.

Chair Witten noted that the purchase of the City’s new pump-out boat will go before the City Commission for authorization at the October 7, 2025 Commission meeting. He pointed out that the Board has worked with the Florida Department of Environmental Protection (FDEP) for over 30 years to secure grants, most recently including grant funds to rebuild Cooley’s Landing. He and Chief Waterways Officer Marco Aguilera recognized

representatives of FDEP who were in attendance via communications technology (Zoom) for their assistance over the years.

VIII. Introduction to Susan Leon, Chief Education Officer for Fort Lauderdale. Brief discussion on plans to involve school children in naming the pump out boat.

Chair Witten explained that the Board wished to celebrate the addition of a pump-out boat to the City's marine fleet, and recalled that it had been suggested that local schoolchildren participate in a naming contest for the new boat. Board Member Ms. Ware will work with Fort Lauderdale Chief Education Officer Susan Leon on this effort.

IX. Presentation – Aquatic Control Group / Melissa Doyle (Sustainability Division Mgr.) & Robert Mureidas (Aquatic Control Group – Managing Partner)

Chair Witten introduced Melissa Doyle, Sustainability Division Manager, and Robert Mureidas, Managing Partner, with Aquatic Control Group. The group was awarded a contract to provide waterway and canal cleaning.

Mr. Mureidas explained that a second boat was recently added to expand cleanup services in designated areas. One boat regularly serves 14 locations, while the other addresses "hot spots." Each boat collects approximately 50 bags of garbage from the water, which may include vegetation, plastic, litter, and more.

Ms. Doyle advised that Aquatic Control Group is in regular contact with the Fort Lauderdale Police Department, including the Marine Unit. The presentation showed the locations of hot spots as well as regular service, which covers 165 miles of waterway each month. Some materials, such as fuel spills, require HAZMAT responses.

Mr. Bekoff advised that he had read Aquatic Control Group's contract with the City and did not see any exhibits clarifying a maximum payable amount. He requested additional information on this. It was explained that the contract, which was re-bid the previous year, is based upon estimates.

Mr. Bekoff emphasized the importance of waterway cleanliness and expressed concern with the level of debris in the New River. He asserted that there is significant room for improvement in the contractor's level of service. Ms. Doyle reviewed additional information about the service, noting that Aquatic Control Group collects over 155 tons of waterway debris and trash annually. She recognized that there are opportunities for improvement and encouraged feedback.

Ms. Doyle continued that both Aquatic Control Group and City Staff have access to global positioning systems (GPS) information which allows them to receive alerts. If issues occur in particular areas or residents have specific concerns, she receives text and email alerts

for these locations. She noted that some areas have higher concentrations of debris and require either further investigation or greater frequency of pickup.

Jeff Maggio, member of the public, expressed concern that although he regularly uses the City's waterways, he has not seen Aquatic Control Group there. Ms. Doyle advised that individuals who can share opportunities for improvement are invited to contact her office.

Chair Witten stated that he will follow up with Ms. Doyle on some of the issues discussed at today's presentation. He concluded that he would prepare a report to be shared with the Board at a subsequent meeting.

Mike Lambrechts, member of the public, asked how residents can support Aquatic Control Group and help make their efforts more efficient and effective. Mr. Mureidas encouraged use of the City's phone numbers to let the company know when and where there are problems with waterway maintenance and cleanup.

Mr. Bekoff asked if Aquatic Control Group's operators are licensed mariners. Mr. Mureidas replied that this is not a requirement of the service.

Mr. Aguilera acknowledged that one ongoing issue is the need to encourage other municipalities that share waterways to participate in cleanup of those areas, or otherwise reduce the amount of trash or debris that can be transmitted to Fort Lauderdale via shared waterways.

VI. A Visit by Mayor Dean J. Trantalis *Discussion of the Mayor's Priorities / Front Burner Marine Related Items. Are We Moving Down Concurrent Paths.*

Chair Witten explained that in preparation for the Mayor's visit, he had reached out to the Board members to solicit questions he could provide to the Mayor in advance of tonight's meeting. He had received a very strong response, which will be compiled in a format that will be provided to all the City Commissioners as well as the Mayor. The document will include several items discussed by the Board as priorities at their January 2025 meeting, including some items on which progress has already been made as well as other concerns.

Fort Lauderdale Mayor Dean Trantalis introduced himself at this time. He emphasized the importance of the City's waterways and the marine economy, and expressed concern that these waterways are often desecrated by pollution, including litter and discharge. He noted that water quality is regularly tested in Fort Lauderdale and will continue to do so.

Mayor Trantalis briefly addressed water color, pointing out that while the City's water appears brown, this does not mean it is contaminated, but instead reflects hardness

through discoloration. He advised that a new water treatment plant is being constructed for the City which will likely affect water color.

With regard to the City's waterways, Mayor Trantalis asserted that his focus is on improving water quality. He expressed concern with discharge of solid waste or effluent into the water, acknowledging that this is not a recent development. He added that the Marine Advisory Board members are more involved with the City's waterways than the City Commission, and may have ideas on how to improve conditions, such as the recommendation to provide more boats for trash pickup.

Mayor Trantalis continued that the appointment of Chief Waterways Officer Marco Aguilera shows the City Commission's commitment to focusing on marine issues and conditions. While it is impossible to track down all the individuals responsible for discharge and trash in the City's waterways, he hopes to change the culture with respect to violations.

Chair Witten noted recent positive changes, including the purchase of a pump-out boat as well as the recent update to Ordinance 8145, both of which he characterized as important first steps. Mayor Trantalis emphasized the importance of enforcement as well as education to foster a culture of respect for the waterways. He also referred to the amended Ordinance, which limits the amount of time in which boats can anchor in Fort Lauderdale.

Mayor Trantalis also addressed safety, citing the recent tragedy that occurred on the Middle River. He recalled that there have been a great many complaints regarding the safety of rented jet skis, which may be rented to individuals too young to operate them correctly. He again emphasized the importance of education and enforcement.

Mayor Trantalis continued that several miles of the City's seawalls are being replaced, which carries a significant expense. This is primarily to ensure resilience against rising sea levels.

Chair Witten recalled that day dockage is also an issue in which many residents are interested. At present, residents cannot dock their boats temporarily at a reasonable expense and access different areas of the City. Mr. Dunbar also noted that overstuffed garbage receptacles on shore may fall into the water. Mr. Bekoff added that the City's marinas should offer pump-out service to the public, as some do not allow boats to come in for this service.

Chair Witten expressed concern that signage on waterways, such as signs addressing pump-out facilities and speed zones, is often insufficient and cannot be easily read by boaters. He was confident that when the City's pump-out boat services areas where live-aboard vessels congregate, it will make a significant difference regarding discharge into the water.

Mayor Trantalis requested additional information on the water treatment systems aboard some boats, as well as what can or cannot be discharged. Mr. Aguilera explained that water can be discharged after it is treated with a specific type of sanitation device. He added that the state and federal governments are empowered to establish No Discharge Zones, where no effluent can be discharged regardless of the level of sanitation.

Chair Witten addressed waterway areas where there can often be excessive speed and/or blind corners, noting that FWC has recently visited Fort Lauderdale to review these locations. He continued that another major concern raised early in 2025 was the importance of ensuring safe and accessible waterways, which can be compromised by excessive wakes and speeds.

Ms. Ware addressed dredging, particularly in canals near Broward Boulevard. Mayor Trantalis replied that the City Commission had considered dredging canals in this area some years ago, but there was opposition from residents who lived on the canals, which led the Commission to take no action.

Dr. Ribotsky addressed public dockage, expressing concern that many destinations no longer offer affordable public dockage to patrons. Attorney Dunckel replied that some locations, such as the Las Olas Marina, have to consider issues such as insurance when permitting public dockage, which contributes to the cost.

X. Presentation – Procurement Process / Glenn Marcos (Chief Procurement Officer)

Chair Witten introduced Chief Procurement Officer Glenn Marcos, who reviewed basic information about public procurement, which refers to the process by which governments and public institutions acquire goods and services from the public sector. Because public money is involved, it is important to ensure this process is transparent, efficient, and fair.

Mr. Marcos explained that the City uses a very transparent process which is intended to show accountability. They must not only show that responses to solicitation are responsive to requirements but must also demonstrate the responsibility of vendors. Different methods of solicitation may be used depending upon specifications, including invitations to bid (ITBs) or requests for proposals (RFPs). ITBs provide detailed specifications that show the exact needs of the City, This method is subject to testing for pricing, responsiveness, and responsibility for looking into the qualifications and experience of the bidder. It is not based solely on the lowest bid.

RFPs function differently, as these are issued when the City has identified a problem and is seeking a solution to that problem from the private sector. Respondents to the RFP offer different solutions which are compared by the City. This process is more subjective than the ITB process, as it involves the use of weighted criteria and input from subject matter experts on the Evaluation Committee (EC). Responses are ranked according to

the criteria embedded in the solicitation. Due diligence occurs within the Procurement Office. Once these are ensured, the EC will review and rank the proposals.

Mr. Bekoff asked if there is any way to involve citizens' oversight boards such as the MAB before selecting a contractor. Mr. Marcos replied that this is unlikely, as it could compromise the transparency and accountability of the process.

Mr. Marcos continued that the subject matter experts who serve on ECs are usually City Staff, as they are required to adhere to the City's code of ethics. These experts ensure that the requirements of the RFP are met.

Mr. Bekoff stated that there are cases, such as the contract of the Aquatic Control Group, in which there are inefficiencies in the contract which must be addressed after that contract was signed. He asserted that in the future, if contracts such as this came before the MAB, it could help the procurement process. Mr. Marcos replied that he will reach out to representatives of the Aquatic Control Group to suggest that in the future, when preparing a response with requirements, they may wish to come before the MAB to hear and possibly consider additional requirements.

Mr. Marcos reviewed procurement information on the City's website, including a list of all active contracts as well as renewal options. Prices are included so competitors can determine how they may be more responsive in the future.

XI. Dock Waiver – 3013-3019 Harbor Drive / Peter Jago, Mgr. of Ocean Harbor Properties, LLC

Stephanie Toothaker, representing the Applicant, explained that the subject property is adjacent to the former Bahia Cabana site. Applicant Peter Jago of Ocean Harbor Properties, LLC partnered with a yachting entity to form Reba Residences, which are condominiums located on the site. She noted that neighbors of the site have provided letters of support for the requested waiver.

Ms. Toothaker continued that there will be no conflicts with the Fort Lauderdale International Boat Show, and representatives of the Boat Show have provided letters of support.

Gabe Detina of the Chappell Group, also representing the Applicant, showed aerials and other visuals of the subject property, noting that most of the boats docked on the site are approximately 50 ft. to 65 ft. in size. Many of the boats have been docked at the site for several years.

Mr. Detina reviewed the existing layout of the site, which extends approximately 39.1 ft. from the property line into the waterway. The closest distance to structures across the waterway is 159 ft. The existing dock is 36 ft. in length.

Mr. Detina continued that boats at the 3019 Harbor Drive property will be moved to the middle of the location. The proposed project, which will include mooring piles at 54.5 ft., is 159.4 ft. from structures at Bahia Mar. This is roughly the same distance as what currently exists. Additional mooring piles are located at 38 ft. from the property line, while the docks are 28 ft. from the property line.

Extraordinary circumstances on the site include:

- Deterioration of the existing structures
- Improvement to the safety and maneuverability of the area within the same footprint

Mr. Detina reviewed existing waivers in the vicinity of the subject site and produced letters of support from the owner of the Boat Show as well as from neighbors to the property. Mr. Cuba noted that there are also two letters of objection.

Mr. Detina continued that there is an existing submerged land lease on the property. The proposed changes would lessen the subject property's footprint by 1 ft., as it is wider but does not extend farther into the waterway. Setbacks on each side are being increased to 25 ft. on both sides of the property.

Pat Rathburn, representing the Villa Madrid Apartments, Inc., explained that her clients' property is a 24-unit two-story cooperative located at 325 Harbor Drive, directly west of the subject site. The Villa Madrid's board voted to have their objections heard at tonight's meeting.

Ms. Rathburn noted that the Application states the change to the site would include three finger piers and 14 mooring piles; however, the Applicant's documentation shows three finger piers and 15 mooring piles. She continued that while the Applicant asserts the waterway is roughly 1,000 ft. from wet face to wet face, her measurements show the actual navigable waterway distance is approximately 700 ft. She estimated that the distance from the edge of the property line to Bahia Mar is roughly 118 ft.

Attorney Dunckel requested clarification of the distance from the subject property line to structures at Bahia Mar. Ms. Rathburn stated that while the City's Ordinance considers distances as measured from property lines, the impact of the proposed change would lessen the distance from the mooring piles to the Bahia Mar property on the other side of the waterway to a maximum of 118 ft. of navigable waterway.

Attorney Dunckel explained that his concern is to ensure the waiver sought by the Applicant would not extend more than 30% into the waterway. In his opinion, the change would not exceed this limit.

It was clarified that there is a distance of 255 ft. from property line to property line. Mr. Morley stated that the Applicant's measurements are consistent with the measurements found on Google Earth.

Ms. Rathburn advised that her client's objection is not to the measurements of the plans but to the navigable waterway as affected by the proposed docks. Attorney Dunckel confirmed that there are places on the New River for which a waiver request may look acceptable but could still impede navigation.

Ms. Rathburn addressed the extraordinary circumstances described by the Applicant, pointing out that the actual width of the waterway is less than the 1,000 ft. cited in the Application. Another circumstance cited is that the structures would be perpendicular to the waterway rather than horizontal, which she did not feel was a significant factor. The third extraordinary circumstance noted that the prior property included finger piers and a submerged land lease, which are reconfigured in the Application. She asserted that this does not make sense, as the existing structures are being removed rather than reconfigured.

Ms. Rathburn concluded that her clients object to the requested waiver because it will result in larger boats that affect navigation on a busy area of the waterway. They also feel it will negatively affect views from the clients' properties and does not identify actual hardships. She added that the Applicant's letters of support are not from nearby properties.

Mr. Detina reviewed the waterway distance cited in the Application, pointing out that the reconfigured docks will reduce projection into the waterway from 36 ft. to 25 ft. The waiver request for the finger piers is 3 ft. The Application proposes 14 pilings. He acknowledged that large boats regularly navigate the area, and added that boats at the subject site would be moved farther away from the objecting property by the reconfiguration. The lease area is being reduced and the boats will be stacked so smaller vessels are on the outside slips.

Mr. Bekoff asked if the pilings are being moved farther into the waterway. Tyler Chappell, also representing the Applicant, confirmed that they would be "a couple of feet" beyond the existing pilings. It was clarified that if the Application is approved, there would not be significantly larger vessels docked in the same space.

Mr. Morley commented that applications cannot be approved or denied based on view, and acknowledged that the Application moves structures further into the site. He expressed concern with the temporary placement of additional docks in the area for the duration of the Boat Show. A representative of the Boat Show confirmed that they have no objections to the waiver request.

Chair Witten emphasized that the Board's focus does not involve the upland property on the site.

The Board members further discussed measurements on the site and the waterway, including temporary docks during the Boat Show. It was clarified that existing conditions include a sovereign submerged land lease which cannot be exceeded. The maximum

boat size that can be docked at the location is 65 ft. The Applicant expects to receive a new submerged land lease which would be 1 ft. less in width. It was confirmed that the Applicant was willing to accept a condition limiting vessel size to no more than 65 ft.

Chair Witten requested that Attorney Dunckel draft a Resolution restricting vessel size to 65 ft. Attorney Dunckel confirmed that this is a legal condition that may be imposed upon the waiver, subject to enforcement by Code Compliance.

Motion made by Mr. Morley, seconded by Mr. Brunelle, to approve.

Dr. Ribotsky requested clarification of the value of moving the pilings. It was explained that the existing pilings are in disrepair.

Dr. Ribotsky also asked if it would be possible to place a restriction on Bahia Mar regarding boat size. Chair Witten clarified that the Board is only charged with reviewing the subject parcel. Attorney Dunckel added that Code is structured to permit 30% projection into the waterway on each side, leaving 40% in the center. It was pointed out that the boats docked at the subject property will remain the same size while the dock configuration will change.

In a roll call vote, the **motion** passed 10-4 (Mr. Coburn, Mr. Franks, Mr. Lynch, and Dr. Ribotsky dissenting).

Mr. Mitchell asked if Board members are permitted to visit the sites for which waivers are requested. Chair Witten confirmed that this is allowed.

XII. Dock Waiver – 309 Sunset Drive / The Hogan Group LLC

Lisa McConnell, representing the Applicant, explained that the request is from a five-unit condominium building on Sunset Lake which wishes to repair and/or replace dilapidated dock structures, including finger piers. There are no navigational issues at the site. The greatest proposed distance requested by the waiver is 12 ft. for a total of 37 ft. from the property line to the outside of the mooring piles. The slips are 14 ft. wide.

Ms. McConnell confirmed that the request would replace the same configuration as currently exists. The site includes a nonconforming existing structure. Mr. Cuba confirmed that the replacement will be within the same footprint.

Ms. McConnell further clarified that environmental approvals have already been obtained from regulatory agencies.

Chair Witten asked if the Applicant had received letters of support. Ms. McConnell replied that while she did not submit letters of support, there have been no letters of objection.

Motion made by Mr. Swindell, seconded by Mr. Lynch, to approve. In a roll call vote, the **motion** passed unanimously (14-0).

XIII. Communication from the Bridge – Marco Aguilera / Chief Waterways Officer

Mr. Aguilera reported that the City's second mangrove planting will be held on September 13, 2025 at Coontie Hatchee Park. This planting is made possible with the assistance of the Coastal Conservation Association. He encouraged the members to participate in the planting, which will begin at 8 a.m.

Approval of the grant agreement funding the City's pump-out boat will be on the October 7, 2025 City Commission Agenda.

Mr. Aguilera continued that his office is working to prepare a welcome brochure for the City's waterways, as the amended Anchoring Ordinance is expected to keep vessels on the move. The Marine Unit will make contact with new boaters anchored in the area and provide them with the brochure and other information, including channel 9 use, bridge closure times, pump-out locations, and the requirements of the Anchoring Ordinance.

A Waterway Noise Ordinance will take effect on September 28, 2025. Music may not be audible more than 25 ft. away from the vessels where it originates.

The revised Anchoring Ordinance was passed by the City Commission upon first reading. It will be presented for second reading at the September 16, 2025 Commission meeting.

In light of the recent jet ski accident, City Commissioner Ben Sorensen has assembled a small working group, including the Fire and Police Chiefs as well as the City Manager, to explore options to improve waterway safety. A vessel traffic study was performed by the Police Department, with the results to be shared once they are available.

There is ongoing consideration of an electric Police boat, which will need to go through the procurement process although it would be considered on a trial basis. Mr. Aguilera was not certain whether the trial would occur before or after the Boat Show. The intent is to determine whether this technology should be considered for future use. A 126 ft. boat would cost approximately \$450,000. Chair Witten noted that an electric boat would likely be paid for through grant funds.

Mr. Aguilera continued that water quality testing continues, and a plan is being prepared to address cleanup on the North Fork of the New River, where tests have failed. There are several contributing factors in that area, the majority of which are not in Fort Lauderdale. The City's Urban Forester will help to identify invasive species along the riverbanks so they can be replaced with native plants, and the Aquatic Control Group will be active in the area as well. Another step will be the fencing of lots on the riverbank where homeless individuals may congregate.

Mr. Aguilera noted that several commercial properties located upstream from Fort Lauderdale contribute to this concern, and advised that many of these properties are accruing fines. He has spoken to FDEP to make them aware of the situation, and advised that it may be necessary to reach out to the city of Lauderdale or to Broward County to request that they take further action.

Mr. Morley asked if there is water quality monitoring in the subject area. Mr. Aguilera confirmed that there is waterway testing at Sweeting Park which has indicated the presence of fecal bacteria. Broward County tests for more contaminants than the City, but their ambient waterway quality testing only occurs on a quarterly basis. The City plans to identify five additional testing locations in the fiscal year (FY) 2026 budget, as well as source tracking. Waterway testing results are available on the City's website and are updated weekly.

Mr. Mitchell asked if the North Fork area has been dredged, as this could address buildup of fecal material. Chair Witten suggested that the Board invite Dr. Nancy Gassman of the Public Works Department to attend a subsequent meeting and provide additional data.

XIV. Old / New Business – New River GIS Mapping & Navigation Update from Captain Bob Franks

Mr. Franks recalled that one of the MAB's duties is regulation of boat docking in the New River and ensuring public navigable waterways. He pointed out that the marine industry employs over 144,000 individuals in Broward County and has a significant impact on the local economy.

The New River is regulated by the City beginning at markers 10 and 12, while the Intracoastal Waterway is regulated by the U.S. Coast Guard. The Coast Guard is empowered to federalize regulation of the New River upon request. Mr. Franks noted that barges and other large vessels regularly travel the New River for utility and construction purposes.

Docks may extend up to 25 ft. into the waterway from property lines without a waiver. They may not exceed 30% of the width of the waterway with moored vessels. Mr. Franks showed slides of different areas on the river including property lines, the waterway's navigable channel, the 25 ft. measurement from property lines, and the 30% limit of the waterway. He reviewed various locations on this area of the waterway, pointing out that the navigable channel is being squeezed at some points.

Mr. Franks noted possible special navigation areas which are regularly traveled by large vessels and may need more channel space. He recalled that in 2023, there were discussions of a potential moratorium on waivers in some areas of the New River. Although the moratorium was ultimately not approved by the City Commission, there have been no further requests for waivers in some portions of the river.

Additional materials addressing navigability on the New River include a 2024 bathymetric survey, videos of large vessels on narrow portions of the river, and the Coast Guard's re-confirmation that the New River is not federally regulated upriver from the mile markers noted earlier. The City Attorney's Office has clarified that widths on the waterway are based upon property lines. A geographic information systems (GIS) map was created in 2025 to clarify the navigable channel.

Mr. Franks also reviewed the following:

- Dock mooring permits are based on recorded property lines
- The maximum extension allowed without a waiver is 25 ft.
- The maximum extension allowed for docked vessels is 30% of the waterway width
- While the Coast Guard does not regulate the New River, it can become involved if the City cannot resolve navigation issues
- Large vessel traffic and navigation challenges are increasing

Mr. Franks concluded that the City will need to focus on data-driven problem-solving, including identification of key questions, collection of stakeholder concerns, development and recommendation of clear actionable options to the City Commission, and prioritization of a balance of safety, commercial, residential, and industry needs.

It was asked whether the City might be able to adopt a resolution identifying specific choke points rather than addressing them one at a time. This would allow residents to know which areas are concerns in advance of waiver applications. Mr. Franks noted that the U.S. Army Corps of Engineers recommends channel widths for vessels of certain sizes, which can be applied to the river; however, these parameters will not be appropriate for all portions of the river due to varying widths. There are some areas where the permitted 25 ft. extension may be too much to accommodate vessels of certain sizes.

Chair Witten advised that he hoped the presentation would make its way to the City Commission for consideration.

XV. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 9:20 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 VII

MEMORANDUM MF NO. 25-18

DATE: October 9, 2025
TO: Marine Advisory Board
FROM: Andrew Cuba, Marine Facilities & Parks Manager
RE: November 6, 2025 MAB – Adopted Ordinance NO. C-25-35

Attached for your review is the Adopted Ordinance NO. C-25-35, which passed September 16th, 2025. House Bill Chapter 2025-39 Committee Substitute for House Bill No. 481 is provided for review. Two proposed amendments of Florida Statute 327 are included for discussion.

Specifically:

1. 150-foot Anchoring Setback
2. Definition of 'Live-Aboard Vessel'

AC
Attachment

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

ORDINANCE NO. C-25-35

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 8-145 (a), OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE ENTITLED "REGULATION OF VESSELS ANCHORED IN PUBLIC WATERWAYS," MAKING IT UNLAWFUL TO ANCHOR A VESSEL WITHIN THE CITY'S PUBLIC WATERWAYS DURING CERTAIN TIME PERIODS, AND REPEALING SECTIONS 8-145 (b), (c), (d) and (e) THEREOF AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale, in 1971, relying on its Home Rule Powers, pursuant to Florida Constitution, Article I, Section 2 (1968) and Florida Statue § 166.021 adopted City Ordinance No. C-71-171 that made it, among other matters, unlawful to anchor or moor a vessel in the public waterways of the City of Fort Lauderdale in excess of twenty-four (24) consecutive hours, except in emergency situations; and

WHEREAS, in 2009 by adoption of Laws of Florida 2009-86, amending Florida Statue § 327.60, the State of Florida pre-empted local governments from regulating the anchoring of vessels by prohibiting local governments from enacting, continuing in effect or enforcing any ordinance or local regulation regulating the anchoring of vessels outside the marked boundaries of mooring fields, pursuant to Rule No. 62-330.420, Florida Administrative Code "General Permit to Local Governments For Public Mooring Fields"; and

WHEREAS, by adoption of Laws Florida Chapter 2025-39 on May 19, 2025, Fla. Stat. § 327.60 was amended to allow a county or municipality with a county population of 1.5 million or more (which includes Broward County) to regulate vessels anchored for a period of one (1) hour or more between one-half hour after sunset and one-half hour before sunrise for more than thirty (30) days in any six (6) month period; and

WHEREAS, this Ordinance, pursuant to City Code § 8-34, was presented to the City's Marine Advisory Board on July 8, 2024, and the Marine Advisory Board recommended adoption of this Ordinance by the City Commission; and

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

WHEREAS adoption of these ordinance amendments serves a valid municipal interest.

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

SECTION 1. That Section 8-145 of the Code of Ordinances for the City of Fort Lauderdale is hereby amended to read as follows:

Sec. 8-145. Regulation of vessels anchored in public waterways.

(a) ~~Except as authorized in section 8-146, and except as to anchoring a vessel within an anchoring limitation area authorized by ordinance and Sectio 327.4108, Florida Statutes (2025) and a public mooring field as authorized under Rule 62-330.420, Florida Administrative Code, in accordance with Laws of Florida Chapter 2025-39, it is unlawful and a violation of this Code punishable in accordance with City Code Sec. 1-6 to anchor a vessel within the public waterways within the corporate limits of the City of Fort Lauderdale for a period of one (1) hour or more between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise for more than thirty (30) days in any six (6) month period, excluding any time the vessel is anchored overnight for the purpose of completing permitted marine construction, installation or maintenance work it is unlawful to anchor or moor in the public waterways of the city in excess of twenty four (24) consecutive hours, except in an emergency situation.~~

~~(b) — In the event of an emergency situation, the owner or occupant of the vessel shall immediately contact the appropriate authorities and inform them of the nature of the emergency and the amount of time required to remedy the emergency situation. Upon abatement of the emergency, the vessel may anchor or moor under permit in a designated area.~~

~~(c) — Anchoring or mooring in the public waterways for more than twenty four (24) consecutive hours is permitted only at a site designated by resolution of the city commission as appropriate for liveaboard vessels or for special events. Such resolution shall establish policy for mooring location, maximum length of stay, motor vehicle parking rules, permit fee and other rules and regulations that shall apply to each designated site.~~

CODING: Words, symbols, and letters stricken are deletions; words, symbols, and letters underlined are additions.

~~(d) — The supervisor of marine facilities shall issue a permit to anchor or moor in a designated area if space is available and upon remittance of the required permit fee unless the supervisor finds:~~

~~(1) — The vessel does not have adequate facilities for living aboard without creating a health hazard; or~~

~~(2) — The vessel is not seaworthy and may reasonably constitute a hazard to life or navigation.~~

~~The decision of the supervisor to accept or reject a vessel for anchorage or moorage is final. The owner or occupant of a vessel receiving a permit shall be required to keep a copy thereof prominently displayed on such vessel during the entire duration of the anchorage or moorage so that it is clearly visible from the exterior of the vessel and to produce it upon demand of any police officer, auxiliary police officer or supervisor of marine facilities or his assistant.~~

~~(e) — This section shall not apply to the anchorage or moorage of nonliveaboard vessels engaged in the exercise of rights of navigation.~~

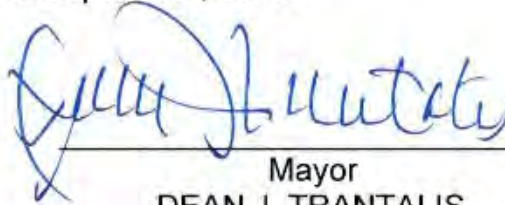
SECTION 2. CODIFICATION AND SCRIVENER'S ERRORS. The City intends that this Ordinance will be made part of the Code of Ordinance; that sections of this Ordinance can be re-numbered or re-lettered to accomplish codification and, regardless of whether this Ordinance is ever codified, the Ordinance can be re-numbered or re-lettered, and typographical errors that do not affect the intent can be corrected with the authorization of the City Manager, or his or her designee, without the need for a public hearing.

SECTION 3. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.


SECTION 5. That this Ordinance shall be in full force and effect upon final passage.

PASSED FIRST READING this 3rd day of September, 2025.
PASSED SECOND READING this 16th day of September, 2025.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
DAVID R. SOLOMAN

CHAPTER 2025-39

Committee Substitute for Committee Substitute for House Bill No. 481

An act relating to anchoring limitation areas; amending s. 327.60, F.S.; restricting local regulation of vessels outside the marked boundaries of mooring fields in certain counties; amending s. 327.4108, F.S.; designating specified sections of Biscayne Bay in Miami-Dade County as grandfathered-in anchoring limitation areas; amending s. 327.4109, F.S.; increasing the prohibited anchoring and mooring distance of vessels and floating structures near public mooring fields; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (f) of subsection (2) of section 327.60, Florida Statutes, is amended to read:

327.60 Local regulations; limitations.—

(2) This chapter and chapter 328 do not prevent the adoption of any ordinance or local regulation relating to operation of vessels, except that a county or municipality may not enact, continue in effect, or enforce any ordinance or local regulation:

(f) Regulating the anchoring of vessels outside the marked boundaries of mooring fields permitted as provided in s. 327.40, except for:

1. Live-aboard vessels; and
2. Commercial vessels, excluding commercial fishing vessels; and
3. Vessels anchored for a period of 1 hour or more between one-half hour after sunset and one-half hour before sunrise for more than 30 days in any 6-month period within the jurisdiction of a county with a population of 1.5 million or more, excluding any time the vessel is anchored overnight within the boundaries of a marked mooring field or any time the vessel is anchored overnight for the purpose of completing permitted marine construction, installation, or maintenance work;

Section 2. Paragraph (c) of subsection (1) of section 327.4108, Florida Statutes, is amended to read:

327.4108 Anchoring of vessels in anchoring limitation areas.—

(1) The following densely populated urban areas, which have narrow state waterways, residential docking facilities, and significant recreational boating traffic, are designated as and shall be considered to be grandfathered-in anchoring limitation areas, within which a person may not

anchor a vessel at any time during the period between one-half hour after sunset and one-half hour before sunrise, except as provided in subsections (4) and (5):

(c) The sections of Biscayne Bay in Miami-Dade County lying between:

- 1. Palm Island and State Road A1A.
- 2. Palm Island and Star Island.
- 3. Palm Island and Hibiscus Island.
- 4. Palm Island and Watson Island.
- ~~5.2.~~ Rivo Alto Island and Di Lido Island.
- ~~6.3.~~ San Marino Island and Di Lido Island.
- ~~7.4.~~ San Marino Island and San Marco Island.
- ~~8.5.~~ San Marco Island and Biscayne Island.
- 9. The Sunset Islands.
- 10. Sunset Island I and State Road 112.

Section 3. Paragraph (a) of subsection (1) of section 327.4109, Florida Statutes, is amended to read:

327.4109 Anchoring or mooring prohibited; exceptions; penalties.—

(1)(a) The owner or operator of a vessel or floating structure may not anchor or moor such that the nearest approach of the anchored or moored vessel or floating structure is:

- 1. Within 150 feet of any public or private marina, boat ramp, boatyard, or other public vessel launching or loading facility;
- 2. Within 500 feet of a superyacht repair facility. For purposes of this subparagraph, the term “superyacht repair facility” means a facility that services or repairs a yacht with a water line of 120 feet or more in length; or
- 3. Within 300 ~~100~~ feet outward from the marked boundary of a public mooring field or a lesser distance if approved by the commission upon request of a local government within which the mooring field is located. The commission may adopt rules to implement this subparagraph.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor May 19, 2025.

Filed in Office Secretary of State May 19, 2025.

From: [Timothy Stocksdale](#)
To: [Robert Dunckel](#)
Cc: [Steve Witten](#); [D"Wayne Spence](#); [Eric Abend](#); [Ari Romano](#); [Kurt Holstein](#); [Mitch Milesi](#)
Subject: Re: Coordinate of proposed amendment to Florida Statutes Chapter 327
Date: Thursday, October 9, 2025 7:08:57 AM
Attachments: [image004.png](#)
[image004.png](#)
[Chapter_2025-39.pdf](#)
[Adoptd ORDINANCE NO. C-25-35.pdf](#)

Your attachments have been security checked by Mimecast Attachment Protection. Files where no threat or malware was detected are attached.

Hi Bob,

Here's a summary of two minor amendments I've been discussing with my lobbyist. Our approach is to make the smallest possible revisions to existing law with the greatest practical impact.

1. 150-Foot Anchoring Setback

Rather than creating new language, we would simply add a short clause to the existing setback provision in Section 327.4108(3)(a):

“A vessel may not anchor or moor within 150 feet of any public or private marina, boat ramp, boatyard, or other public vessel launching or loading facility, **or any private waterfront residence or permitted dock.**”

This narrow edit preserves the statute's structure while extending the same protection to homeowners in residential waterways such as Lake Sylvia where, as you know, some inconsiderate boaters currently anchor just a few feet from private docks and properties.

2. Definition of “Live-Aboard Vessel”

We propose striking the word “*solely*” from the definition in Section 327.02(22), Florida Statutes:

“Live-aboard vessel” means a vessel used ~~solely~~ as a residence and not for navigation.

This small change would strengthen enforceability and close a potential loophole that might allow vessels used as residences to avoid “live-aboard” classification simply because they move occasionally or only short distances.

My lobbyist feels positive about the prospects for both of these small revisions.

Best regards,

Tim

On Oct 8, 2025, at 1:35 PM, Robert Dunckel <RDunckel@fortlauderdale.gov> wrote:

Tim,

Send me a quick reminder of the two proposed amendments to Chapter 327.

I think one was removing the work “solely” from the definition of “live-aboards.

I think the other was creating a 150 distance separation between anchored vessels and private waterfront properties.

Any others?

Please provide me with the text of these two proposed amendments upon which your lobbyist was working.

Hopefully, we will get a quick answer from Daphnee as to the City’s lobbyist(s).

Thank you.

Robert B. ("Bob") Dunckel

Assistant City Attorney

One East Broward Blvd., Suite 1320

Fort Lauderdale, FL 33301

(954) 828-5040 | rdunckel@fortlauderdale.gov



Under Florida law, most e-mail messages to or from City of Fort Lauderdale employees or officials are public records, available to any person upon request, absent an exemption. Therefore, any e-

mail message to or from the City, inclusive of e-mail addresses contained therein, may be subject to public disclosure.

RBD works for the City Attorney's Office on a part-time basis only. Because of medical issues he is telecommuting from home. If you have difficulty reaching him contact his Paralegal Assistant, Sonia Sierra at SSierra@fortlauderdale.gov or (954) 828-5598. In Sonia's absence please contact Erica Keiper, Sr. Legal Assistant, at EKeiper@fortlauderdale.gov or by phone at (954) 828-6088.

Begin forwarded message:

From: Bob Dunckel <RDunckel@fortlauderdale.gov>
Subject: **Coordinate of proposed amendment to Florida Statutes Chapter 327**
Date: October 8, 2025 at 1:31:45 PM EDT
To: Daphnee Sainvil <dsainvil@fortlauderdale.gov>
Cc: Bob Dunckel <RDunckel@fortlauderdale.gov>, Timothy Stocksdale <tstocksdale@me.com>, Chip LaMarca <Chip.LaMarca@flhouse.gov>, Steve Witten <sbwitten@gmail.com>, D'Wayne Spence <dspence@fortlauderdale.gov>

Daphnee,

We have not previously crossed paths to my regret.

I am involved in quite a bit of activity with the Marine Advisory Board.

Of late, I have been working with a focus-group in Lake Sylvan (including Representative Chip LaMarca) with the following results:

- Chapter 2025-39
- Ordinance No. 25-35 amending Code Sec. 8-145 to establish prohibit the anchoring of vessels "overnight" for more than 30 days in any six-month period. The term "overnight" is any time between 1/2 hour after sunset to 1/2 before sunrise.

Within the focus group I have been working predominately with Timothy Stocksdale. He has a lobbyist in Tallahassee and would like to join voices with the City's Tallahassee Lobbyist(s) in a combined effort to amend portions of Chapter 327, Florida Statutes.

Could you please provide me with contact information on the City's Lobbyist(s) so the two teams could work together.

Thank you.

Robert B. ("Bob") Dunckel
Assistant City Attorney
One East Broward Blvd., Suite 1320
Fort Lauderdale, FL 33301
(954) 828-5040 | rdunckel@fortlauderdale.gov



CITY OF FORT LAUDERDALE
CITY ATTORNEY'S OFFICE



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6088.

ITEM VIII

MEMORANDUM MF NO. 25-16

DATE: September 11, 2025

TO: Marine Advisory Board

FROM: Andrew Cuba, Marine Facilities & Parks Manager

RE: November 6, 2025 MAB - Dock Waiver of Distance Limitations
-James G. Mueller / 100 Hendricks Isle

Attached for your review is an application from James G. Mueller / 100 Hendricks Isle.

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for the after the fact installation of one (1) boat lift. The distance this proposed structure extends from the property line into the Rio Grande Canal is shown in the survey and summarized in **Table 1** below:

TABLE 1

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
One (1) Boat Lift	31' +/-	25'	6' +/-

ULDR Section 47-19.3 C limits the maximum distance of mooring structures, including boat lifts, to 25' or 25% of the width of the waterway, whichever is less, as measured from the property line. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has specified that the limited shoreline length of 25' restricts parallel mooring, necessitating perpendicular dockage for safely tying off the 38' vessel.

PROPERTY LOCATION AND ZONING

The property is located within the RMM-25 Residential Mid Rise Multifamily / Medium High Density Zoning District. It is situated on the Rio Grande Canal where the right of way width is identified as 170'+/- within the Summary Description.

DOCK PLAN AND BOATING SAFETY

Marine Facilities records reflect that there have been at least ten (10) waivers of distance limitations approved by the City Commission in the immediate area. A comparison of these as shown in **Table 2**:

TABLE 2

July 1985	440 Hendricks Isle	Pilings – 39'
June 1989	13 Hendricks Isle	Pilings – 80'
July 2007	101 Hendricks Isle	Pilings – 30'
April 2013	91 Isle of Venice	Pilings – 35'
April 2019	1 Hendricks Isle	Boatlift – 43'
July 2019	95 Hendricks Isle	Pilings/Finger Pier – 35'
July 2021	9 Hendricks Isle	Boatlift – 43.4'
Oct 2022	141 Isle of Venice	Pilings – 35'
Oct 2022	10 Isle of Venice	Pilings – 35'
May 2025	155 Isle of Venice	Boatlift – 33.5'

RECOMMENDATIONS

Should the Marine Advisory Board consider approval of 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 City Staff with copies of “As Built” drawings from a certified and licensed contractor.
3. The applicant is required to provide guide poles on any portion of the mooring device that is capable of being submerged in accord with Code Section 8-91(d).

AC
Attachment

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



APPLICATION FOR WATERWAY WAIVER OF LIMITATIONS

**Applicant:
James G. Mueller
100 Hendricks Isle
Fort Lauderdale, FL 33301**

**Site Address:
100 Hendricks Isle
Fort Lauderdale, FL 33301**

**Type of Agreement:
Waiver of Limitations**



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8. Plan Set.....	12
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Summary Description

The property located at 100 Hendricks Isle consists of an existing 25-linear-foot shoreline with a seawall and a 5-foot-wide wood marginal dock. In addition, the property shares a 5-foot-wide finger pier with the adjacent property at 102 Hendricks Isle, extending approximately 2.5 feet on either side of the shared property line.

A 30,000-pound capacity boatlift supported by four (4) 12-inch wood piles has been installed waterward of the property. The boatlift extends approximately 31 feet from the property line (see Table 1). Pursuant to Section 47-19.3(c), mooring structures, not including mooring or dolphin piles, may extend into the waterway no more than twenty-five (25) percent of the waterway's width or twenty-five (25) feet, whichever is less, as measured from the property line. Because the boatlift extends beyond the 25-foot maximum, this application is being submitted to request a Waiver of Limitations for an additional 6 feet of extension.

Although this application was initially submitted as a proposed installation, the contractor proceeded with construction after obtaining County approval (GL-FTL2408-010) under the understanding that City approval would follow shortly. The City building permit review was delayed due to electrical review comments, and subsequently, it was noted that mooring structures are limited to 25 feet from the property line. The property owners were not aware that City approvals were still pending and are now submitting this request to bring the boatlift into full compliance. We sincerely regret any confusion this may have caused and wish to clarify that there was no intent to misrepresent the status of the work. The applicant is committed to working cooperatively with the City and the Board to ensure the installation meets all applicable requirements. The boatlift was positioned as close to the seawall and property line as feasible while ensuring the vessel's engines would not extend over the marginal dock. This application is being submitted to request a Waiver of Limitations to formally authorize the installed boatlift.

The subject site is located on the Rio Grande Canal, which has a right-of-way width of approximately 170 feet. Given the canal's width and the prevalence of perpendicular vessel mooring observed along Hendricks Isle and the Isle of Venice, the installed boatlift is consistent with the pattern of development in the area. Approval of this waiver will allow the applicant to safely moor a vessel without creating navigational impediments and is consistent with other waivers previously granted in this area.

Extraordinary Circumstances

Extraordinary circumstances exist due to the limited shoreline length of only 25 feet. While the Code does not impose side setbacks for vessels, the short frontage would restrict a vessel to parallel mooring, effectively limiting it to 25 feet in length and preventing safe ingress and egress. In addition, the property's 5-foot-wide marginal dock reduces the usable length of the existing 15.6-foot finger pier to only about 10 feet, which is insufficient for safely tying off a 35-foot vessel. These limitations make parallel or perpendicular mooring impractical. The perpendicular boatlift installation provides a safe and functional mooring arrangement that aligns with the wide canal dimensions and established



practices in the area. These conditions together constitute the extraordinary circumstances that justify approval of this waiver.

Table 1.

Installed Structure	Structure Distance from Property Line	Permitted Distance without Waiver	Amount of Distance Requiring Waiver
Boatlift	31.0'	25'	6'

Prepared by and return to:

Donna Hearne-Gousse, Esq.
President
Law Office of Donna Hearne-Gousse, P.A.
9200 Belvedere Road Suite 113
Royal Palm Beach, FL 33411
561-582-5670
File Number: **24-0139**
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this **2nd** day of **July, 2024** between **100 Lasolas Isles Limited Liability Company, a Delaware limited liability company as Trustee of the Hendricks Isle FL Land Trust Dated March 26, 2019, who acquired title as 100 Las Olas Isles LLC, a Delaware limited liability company as Trustee of the Hendricks Isle FL Land Trust Dated March 26, 2019 in the Certificate of Title recorded as Instrument #115945951** whose post office address is **2840 Hammondville Road, #A, Coral Springs, FL 33069**, grantor, and **James G. Mueller, a single man** whose post office address is **101 Briny Avenue, Apt 1805, Pompano Beach, FL 33062**, grantee:

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

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

The South 1/2 of the North 50 feet of Lot 4, Block 4, VICTORIA ISLES, according to the map or plat thereof as recorded in Plat Book 15, Page 67, Public Records of Broward County, Florida.

Parcel Identification Number: 504202190600

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2023**.

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:

Edward Cerrito
Witness Name: Edward Cerrito
Witness Address: 244 Cord 19th DR NBS FLA 33062

By: [Signature]
Philip Gori, Member of the 100 Lasolas Isles Limited Liability Company, a Delaware limited liability company as Trustee of the Hendricks Isle FL Land Trust Dated March 26, 2019

[Signature]
Witness Name:
Witness Address: 1808 W KRAMER DR LBS FL 33062

State of Florida
County of Broward

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 2nd day of July, 2024 by Philip Gori, Member of the 100 Lasolas Isles Limited Liability Company, a Delaware limited liability company as Trustee of the Hendricks Isle FL Land Trust Dated March 26, 2019. He is personally known or has produced a driver's license as identification.

[Notary Seal]



[Signature]
Notary Public
Printed Name: ADRIANE ANGEL
My Commission Expires: _____



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

100 Hendricks Isle

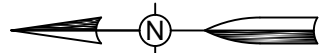


0 90 180 Feet

GIS
Fort Lauderdale



- NOTES:**
1. SCALE: 1" = 25'
 2. SURVEY INFORMATION PROVIDED BY PHILLIPS SURVEYING & MAPPING.
 3. ALL ELEVATIONS ARE IN FEET AND REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
 4. APPROXIMATE RIPARIAN RIGHTS LINE SHOWN AS EXTENSION OF PROPERTY LINES.



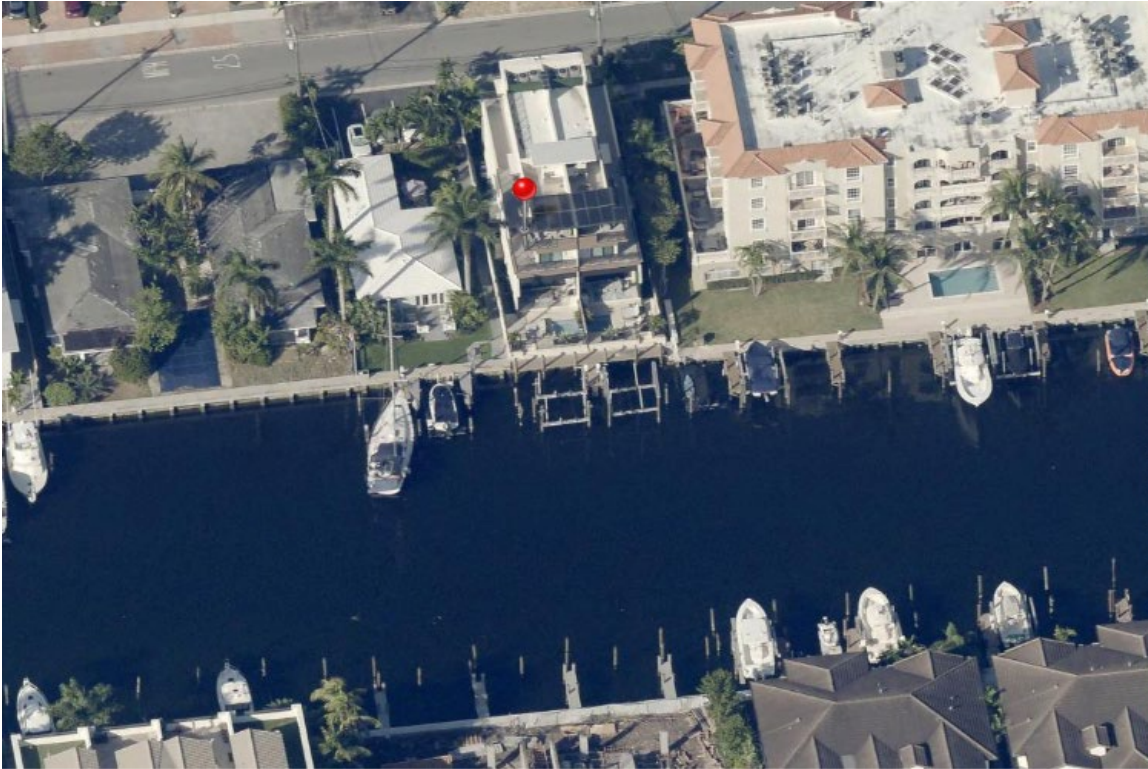
PROJECT:
100 HENDRICKS ISLE

CLIENT:
MODERN MARINE, LLC.

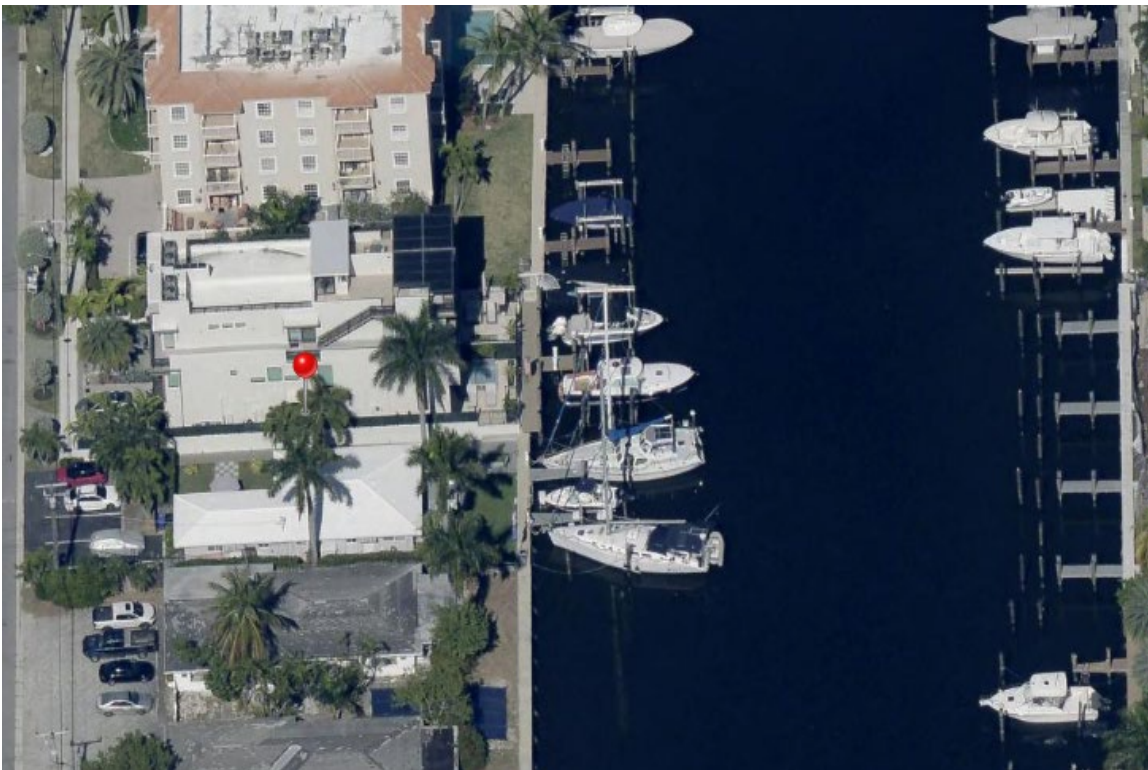
DATE/REVISIONS:
DISTANCE EXHIBIT 8/18/2025

SHEET TITLE/NUMBER:
DISTANCE EXHIBIT
SHEET 1 OF 1

Photos



1. Eastern portion of property, facing west.



2. Southern portion of property, facing north.

100 HENDRICKS ISLE

FORT LAUDERDALE, FL 33301



SHEET INDEX	
SHEET NUMBER	SHEET TITLE
1 OF 4	COVER
2 OF 4	AERIAL VIEW
3 OF 4	CROSS SECTION
4 OF 4	DETAILS



PROJECT:

100 HENDRICKS ISLE

CLIENT:

MODERN MARINE, LLC.

DATE/REVISIONS:
PLAN SET 8/18/2025

SHEET TITLE/NUMBER:

COVER
SHEET 1 OF 4

125.00'

SOUTH 1/2 OF THE NORTH 50' OF LOT 4, BLOCK 4 VICTORIA ISLES (P.B. 15, PG 67)

125.00'

REMAINDER OF LOT 4 BLOCK 4

RIO GRANDE CANAL RIGHT OF WAY

PROPERTY LINE

SEAWALL

WOOD DOCK

SERVICE PEDASTAL (TYP)

EXISTING WOOD DOCK & FINGER PIER TO REMAIN

INSTALLED 30,000LB BOATLIFT

INSTALLED 12" WOOD LIFT PILES (4)

BOAT LIFT 15'X13'

FND. MAG 0.8'

25.0'

15.6'

15.3'

13.3'

±31.0'

5.1'

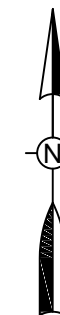
25' FROM PL

30% WIDTH OF WATERWAY

EXISTING PILES TO REMAIN

NOTES:

1. SCALE: 1" = 10'
2. SURVEY INFORMATION PROVIDED BY PHILLIPS SURVEYING & MAPPING.
3. ALL ELEVATIONS ARE IN FEET AND REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
4. APPROXIMATE RIPARIAN RIGHTS LINE SHOWN AS EXTENSION OF PROPERTY LINES.



PROJECT:

100 HENDRICKS ISLE

CLIENT:

MODERN MARINE, LLC.

DATE/REVISIONS:
PLAN SET 8/11/2025

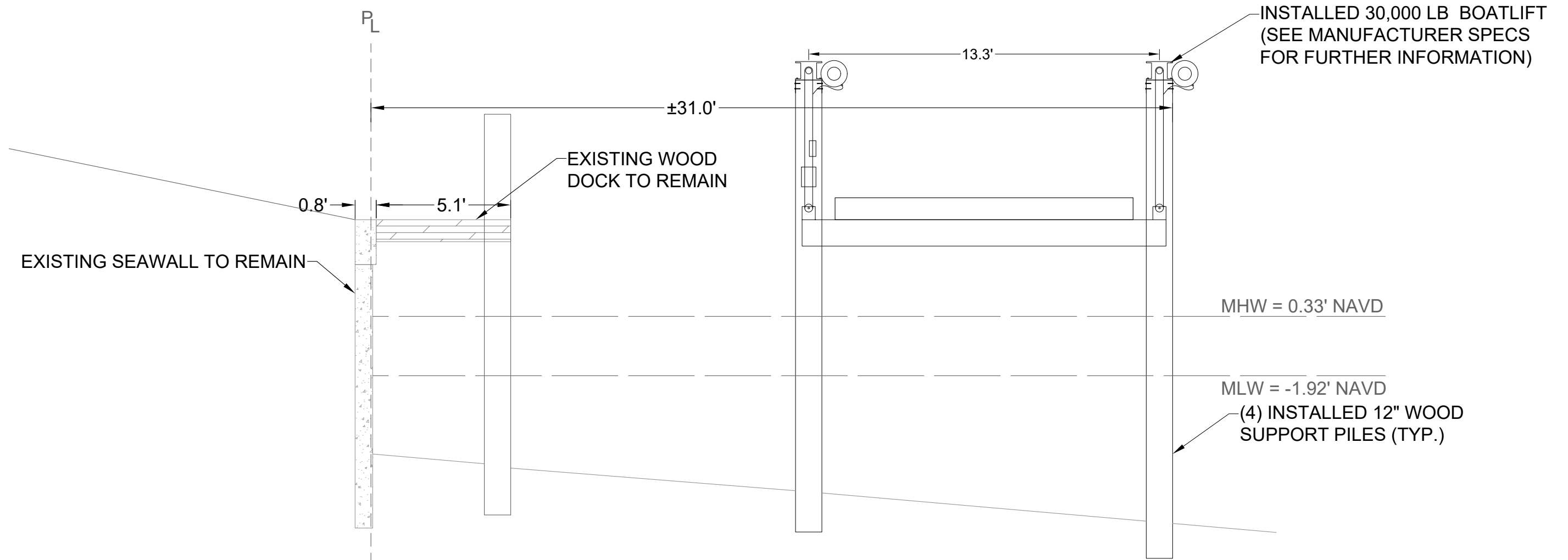
SHEET TITLE/NUMBER:

AERIAL VIEW

SHEET 2 OF 4

CROSS SECTION A-A

(NOT TO SCALE)



PROJECT:

100 HENDRICKS ISLE

CLIENT:

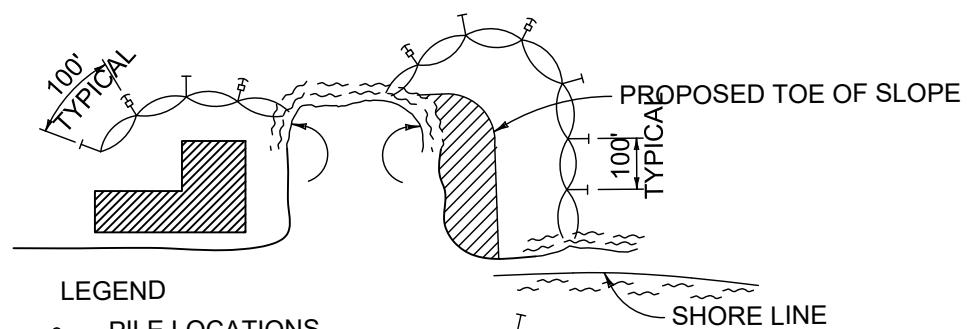
MODERN MARINE, LLC.

DATE/REVISIONS:
PLAN SET 8/11/2025

SHEET TITLE/NUMBER:

CROSS SECTION

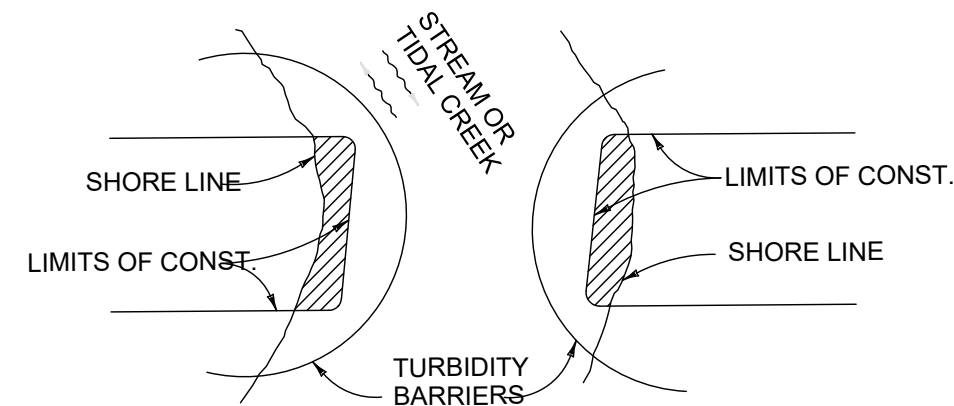
SHEET 3 OF 4



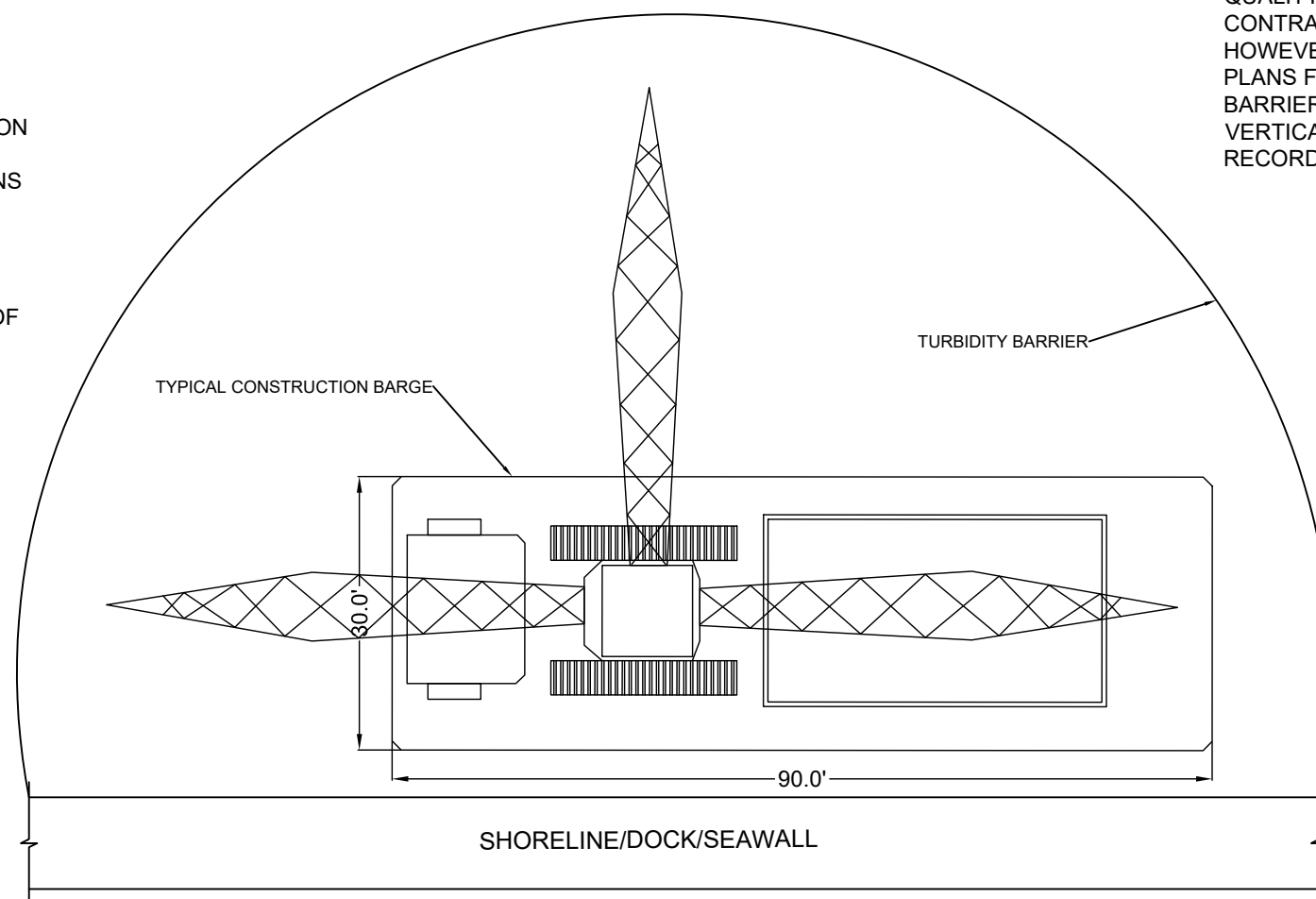
LEGEND

- PILE LOCATIONS
- ▨ DREDGE OR FILL AREA
- ⊕ MOORING BUOY W/ANCHOR
- ANCHOR
- BARRIER MOVEMENT DUE TO CURRENT ACTION
- CURRENT
- STRUCTURE ALIGNMENT

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.



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 OF RECORD.



TURBIDITY BARRIER APPLICATIONS



PROJECT:

100 HENDRICKS ISLE

CLIENT:

MODERN MARINE, LLC.

DATE/REVISIONS:
PLAN SET 8/11/2025

SHEET TITLE/NUMBER:

DETAILS
SHEET 4 OF 4

James G. Mueller
100 Hendricks Isle
Fort Lauderdale, FL 33301

RE: Letter of Support
City of Fort Lauderdale Waiver Request
100 Hendricks Isle

I have reviewed the attached plans for the proposed project located at 100 Hendricks Isle to install a boat lift extending beyond 25 feet from the property line into the Rio Grande.

I understand that the proposed project will require a Waiver of Limitations through the City of Fort Lauderdale, as well as permitting through applicable regulatory agencies.

I reside at: 102 HENDRICKS ISLE, FORT LAUDERDALE FL 33301

Based on my review, I support the project as proposed.

Sincerely,

Signature:  _____

Printed Name: DANIela KAPINOSKA

Date: 8/19/25

ITEM IX

MEMORANDUM MF NO. 25-16

DATE: September 11, 2025
TO: Marine Advisory Board
FROM: Andrew Cuba, Marine Facilities & Parks Manager
RE: November 6, 2025 MAB - Dock Waiver of Distance Limitations
-Daniel Kraninger / 102 Hendricks Isle

Attached for your review is an application from Daniel Kraninger / 102 Hendricks Isle.

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for the after the fact installation of one (1) boat lift. The distance this proposed structure extends from the property line into the Rio Grande Canal is shown in the survey and summarized in **Table 1** below:

TABLE 1

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
One (1) Boat Lift	31' +/-	25'	6' +/-

ULDR Section 47-19.3 C limits the maximum distance of mooring structures, including boat lifts, to 25' or 25% of the width of the waterway, whichever is less, as measured from the property line. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has specified that the limited shoreline length of 25' restricts parallel mooring, necessitating perpendicular dockage for safely tying off the 28' vessel..

PROPERTY LOCATION AND ZONING

The property is located within the RMM-25 Residential Mid Rise Multifamily / Medium High Density Zoning District. It is situated on the Rio Grande Canal where the right of way width is identified as 170'+/- within the Summary Description.

DOCK PLAN AND BOATING SAFETY

Marine Facilities records reflect that there have been at least ten (10) waivers of distance limitations approved by the City Commission in the immediate area. A comparison of these as shown in **Table 2**:

TABLE 2

July 1985	440 Hendricks Isle	Pilings – 39'
June 1989	13 Hendricks Isle	Pilings – 80'
July 2007	101 Hendricks Isle	Pilings – 30'
April 2013	91 Isle of Venice	Pilings – 35'
April 2019	1 Hendricks Isle	Boatlift – 43'
July 2019	95 Hendricks Isle	Pilings/Finger Pier – 35'
July 2021	9 Hendricks Isle	Boatlift – 43.4'
Oct 2022	141 Isle of Venice	Pilings – 35'
Oct 2022	10 Isle of Venice	Pilings – 35'
May 2025	155 Isle of Venice	Boat Lift – 33.5'

RECOMMENDATIONS

Should the Marine Advisory Board consider approval of 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 City Staff with copies of “As Built” drawings from a certified and licensed contractor.
3. The applicant is required to provide guide poles on any portion of the mooring device that is capable of being submerged in accord with Code Section 8-91(d).

AC
Attachment

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



APPLICATION FOR WATERWAY WAIVER OF LIMITATIONS

**Applicant:
Daniel Kraninger
102 Hendricks Isle
Fort Lauderdale, FL 33301**

**Site Address:
102 Hendricks Isle
Fort Lauderdale, FL 33301**

**Type of Agreement:
Waiver of Limitations**



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3. Ownership Documents.....	6
4. Property Survey.....	8
5. Zoning Aerial.....	9
6. Distance Exhibit.....	10
7. Photos.....	11
8. Plan Set.....	12
9. Letters of Support.....	16



Summary Description

The property located at 102 Hendricks Isle consists of an existing 25-linear-foot shoreline with a seawall and a 5-foot-wide wood marginal dock. The property also shares a 5-foot-wide finger pier with the adjacent property at 100 Hendricks Isle, extending approximately 2.5 feet on either side of the shared property line.

A 30,000-pound capacity boatlift supported by four (4) 12-inch wood piles has been installed waterward of the property. The boatlift extends approximately 31 feet from the property line (see Table 1). Pursuant to Section 47-19.3(c), mooring structures, not including mooring or dolphin piles, may extend into the waterway no more than twenty-five (25) percent of the waterway's width or twenty-five (25) feet, whichever is less, as measured from the property line. Because the boatlift extends beyond the 25-foot maximum, this application is being submitted to request a Waiver of Limitations for an additional 6 feet of extension.

Although this application was initially submitted as a proposed installation, the contractor proceeded with construction after obtaining County approval (GL-FTL2408-015) under the understanding that City approval would follow shortly. The City building permit review was delayed due to electrical review comments, and subsequently, it was noted that mooring structures are limited to 25 feet from the property line. The property owners were not aware that City approvals were still pending and are now submitting this request to bring the boatlift into full compliance. We sincerely regret any confusion this may have caused and wish to clarify that there was no intent to misrepresent the status of the work. The applicant is committed to working cooperatively with the City and the Board to ensure the installation meets all applicable requirements. The boatlift was positioned as close to the seawall and property line as feasible while ensuring the vessel's engines would not extend over the marginal dock. This application is being submitted to request a Waiver of Limitations to formally authorize the installed boatlift.

The subject site is located on the Rio Grande Canal, which has a right-of-way width of approximately 170 feet. Due to the wide canal and the common practice of perpendicular vessel mooring along Hendricks Isle and the Isle of Venice, the installed boatlift is compatible with existing waterfront uses. Approval of this waiver will facilitate safe vessel mooring without impacting navigation and is consistent with other waivers approved in the vicinity.

Extraordinary Circumstances

This property has only 25 feet of shoreline, which restricts a vessel to parallel mooring and would effectively limit use to a 25-foot boat. This arrangement does not allow for safe ingress and egress. Furthermore, the 5-foot-wide marginal dock reduces the usable length of the existing 15.6-foot finger pier to only about 10 feet, which is not sufficient to properly secure a 28-foot vessel. These conditions severely restrict functional use of the property's waterfront. The proposed perpendicular boatlift installation resolves these limitations, providing a safe and practical mooring solution consistent with the wide 170-foot canal and surrounding waterfront uses. These circumstances warrant approval of the requested waiver.



Table 1.

Installed Structure	Structure Distance from Property Line	Permitted Distance without Waiver	Amount of Distance Requiring Waiver
Boatlift	31.0'	25'	6'

Prepared by:

Donna Gousse, Esq.
Law Office of Donna Hearne-Gousse, P.A.
9200 Belvedere Road, Suite 113
Royal Palm Beach, FL 33411
File Number: 24-0058

Return to:

Brinkley Morgan
100 SE 3rd Avenue 23rd Floor
Fort Lauderdale, FL 33394

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 8th day of May, 2024 between 100 Lasolas Isles Limited Liability Company, a Delaware limited liability company, as Trustee of the Hendricks Isle FL Land Trust Dated March 26, 2019 who acquired title as 100 Las Olas Isles LLC, a Delaware limited liability as Trustee of the Hendricks Isle FL Land Trust Dated March 26, 2019, whose post office address is 2840 Hammondville Rd, #A, Pompano Beach, FL 33069, grantor, and Daniel Kraninger, a married man whose post office address is 125 Stonehedge Drive North, Greenwich, CT 06831, grantee:

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

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

The North one-half of the North 50 feet of Lot 4, Block 4, Victoria Isles, according to the Plat thereof, as recorded in Plat Book 15, Page 67, of the Public Records of Broward County, Florida.

Parcel Identification Number: 5042 02 19 0600

Grantor warrants that at the time of this conveyance, the subject property is not the homestead of any beneficiary of the trust within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property. Grantor's residence and homestead address is: **2840 Hammondville Road, #A, Pompano Beach, FL 33069.**

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2023.**

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:

100 Lasolas Isles Limited Liability Company, a Delaware limited liability company as Trustee(s) of the Hendricks Isle FL Land Trust Dated March 26, 2019

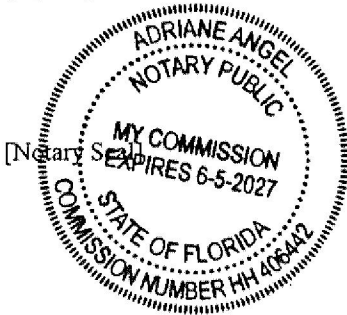
By: [Signature]
Philip Gori, Member

[Signature]
Witness Name: JAMES LAWE
Witness Address: 1806 W TOWER DR
LBS FL 33002

[Signature]
Witness Name: PATEVELETT
Witness Address: 1040 N E 44 ST
OAP FL 33319

State of Florida
County of Broward

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 3rd day of May, 2024 by Philip Gori, Member of 100 Lasolas Isles Limited Liability Company, a Delaware limited liability company as Trustee(s) of the Hendricks Isle FL Land Trust Dated March 26, 2019. He/she is personally known or has produced a driver's license as identification.

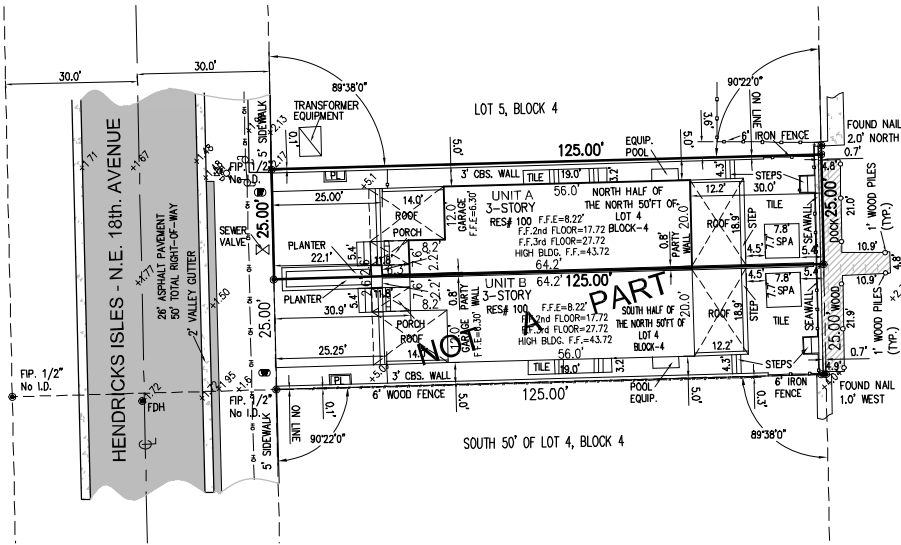
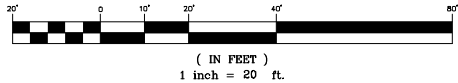


[Signature]
Notary Public

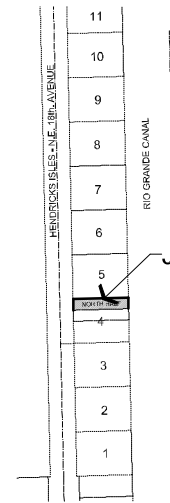
Printed Name: ADRIANE Angel

My Commission Expires: 6-5-27

GRAPHIC SCALE



RIO GRANDE CANAL



JOB SITE

VICINITY MAP
NOT TO SCALE



SURVEYOR'S NOTES:

- The Legal Description on this survey was prepared by the Client from most recent County Records available.
- This is not a Certification of Title, Zoning, Easements, or Freedom of Encumbrances. ABSTRACT NOT REVIEWED.
- There may be additional Restrictions not shown on this survey that may be found in the Public Records of this County. Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- No attempt was made by the firm to locate underground utilities, foundations and/or footings or buildings, walls or fences, except as shown hereon, if any.
- Underground utilities are not indicated hereon, contact the appropriate authority prior to any design work or construction on the property herein depicted. Surveyor shall be notified as to any deviation from what is shown hereon.
- Contact the appropriate authority prior to any design work on the herein described parcel for Building and Zoning information.
- The surveyor does not determine fence and/or wall ownership.
- Accuracy:
The Horizontal positional accuracy of well-defined improvement on this survey is $\pm 0.2'$.
The Vertical accuracy of elevations of well defined improvement on this survey is $\pm 0.1'$.
- All measurements shown hereon are made in accordance with the United States Standard Feet.
- Type of survey BOUNDARY SURVEY.
- North arrow direction as shown on the aforementioned Plat.
- Elevations shown hereon are relative to North American Vertical Datum of 1988.
- Benchmark Used: Broward County Benchmarks.
- Flood Zone Data: Community Flood # 1251050576M Dated: 6/15/2014
Flood Zone: "AE" Base Flood Elevation = +4.5'
- This SURVEY has been prepared for the exclusive use of the written names herein. The Certificate does not extend to any unnamed party.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY:
That this Survey meets the intent of the required Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 53-17, Florida Administrative Code, pursuant to Section 477.027, Florida Statutes.

Not valid without the signature and the original, raised seal of a Florida Licensed Surveyor and Mapper. Additions or alterations to this survey by other than the signing party are prohibited without written consent of the signing party.

For the Firm: Royal Point Land Surveyors, Inc. LB# 7282
 JACOB GOVINS, PROFESSIONAL SURVEYOR AND MAPPER, LS# 6251 STATE OF FLORIDA
 PABLO J. A. FONSECA, PROFESSIONAL SURVEYOR AND MAPPER, LS# 5880 STATE OF FLORIDA

LEGEND

- | | | | | | |
|--|------------------|--|-------------------|--|---------------------------|
| | Double-line Road | | Catch Basin | | Air Control or Cap |
| | Wood Fence | | Water Meter | | Concrete Block & Pavers |
| | Chain-link Fence | | Electric Box | | Dead |
| | Iron Fence | | Storage Enclosure | | Survey Meter and Sighting |
| | Vinyl Siding | | Bird-Trap Hole | | Hand-Over-Hand |
| | Concrete | | Foundation | | Foundation |
| | Property Line | | Foundation | | Foundation |

PROPERTY ADDRESS:

100 HENDRICKS ISLES, FORT LAUDERDALE, FLORIDA 33301
UNIT "A"

Parcel: 5042-02-19-0000
(NORTH HALF)

LEGAL DESCRIPTION

The North Half of the North 50' of Lot 4, in Block 4, of "VICTORIA ISLES", according to the Plat thereon, as recorded in Plat Book 15, Page 67, of the Public Records of Broward County, Florida.

ROYAL POINT
LAND SURVEYORS, INC. L.B.# 7282
info@RoyalPointS.com

6175 NW 153rd STREET, SUITE 321, MIAMI LAKES, FL 33014 *** TEL: 305-822-8062 *** FAX: 305-827-9669

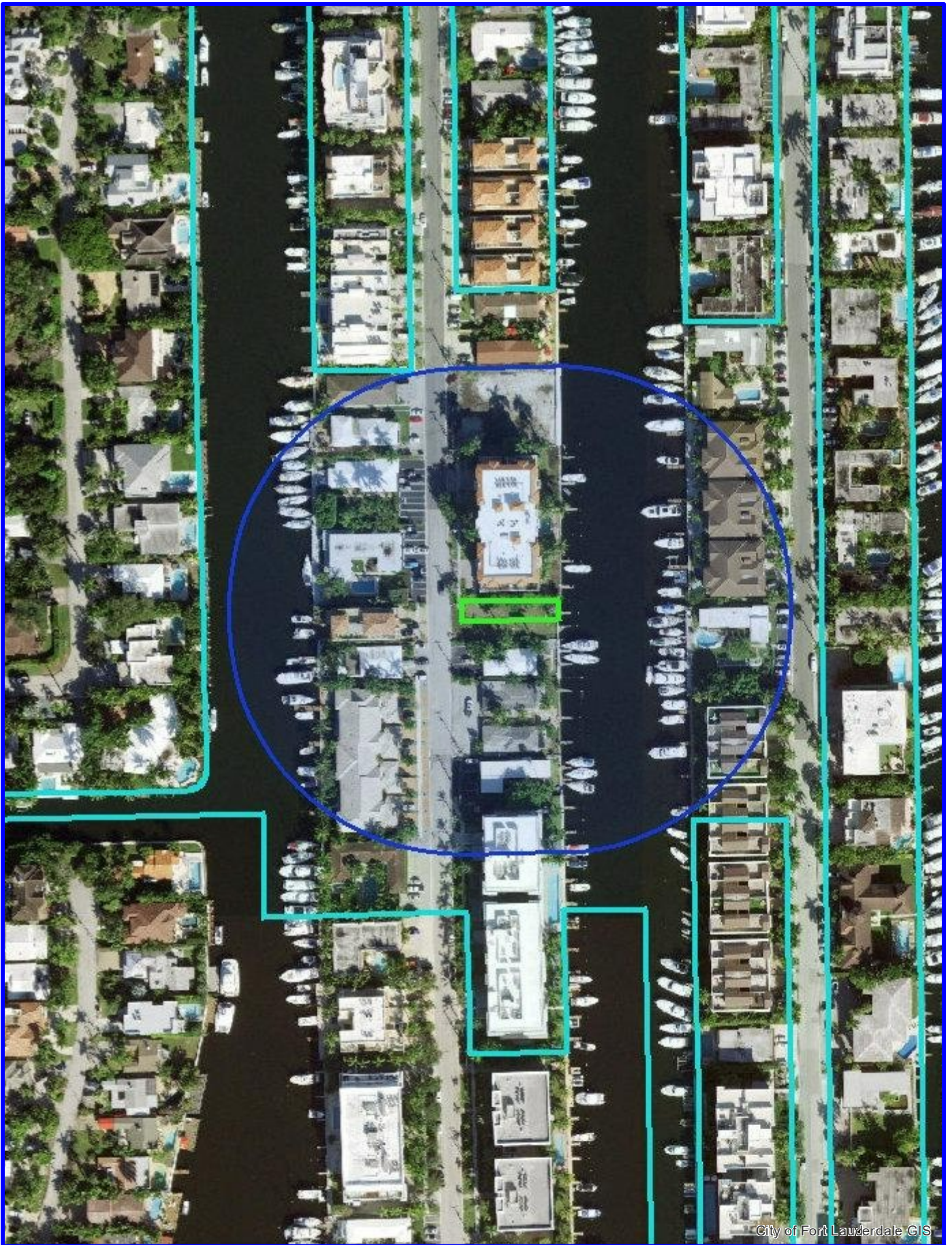
AVANT-GARDE PROPERTIES
OF SOUTH FLORIDA LLC
100 HENDRICKS ISLES, FORT LAUDERDALE, FLORIDA

BOUNDARY SURVEY

NO.	DATE	DESCRIPTION	BY	APP. NO.	DATE	DESCRIPTION	BY	APP. NO.

NO.	DATE	DESCRIPTION	BY	APP. NO.	DATE	DESCRIPTION	BY	APP. NO.

DRAWN: J.G.
CHECKED: P.J.A.
SCALE: 1" = 20'
FIELD DATE: 01/11/2023
JOB No.: RP23-0037
SHEET:
1
OF 1 SHEET



City of Fort Lauderdale GIS



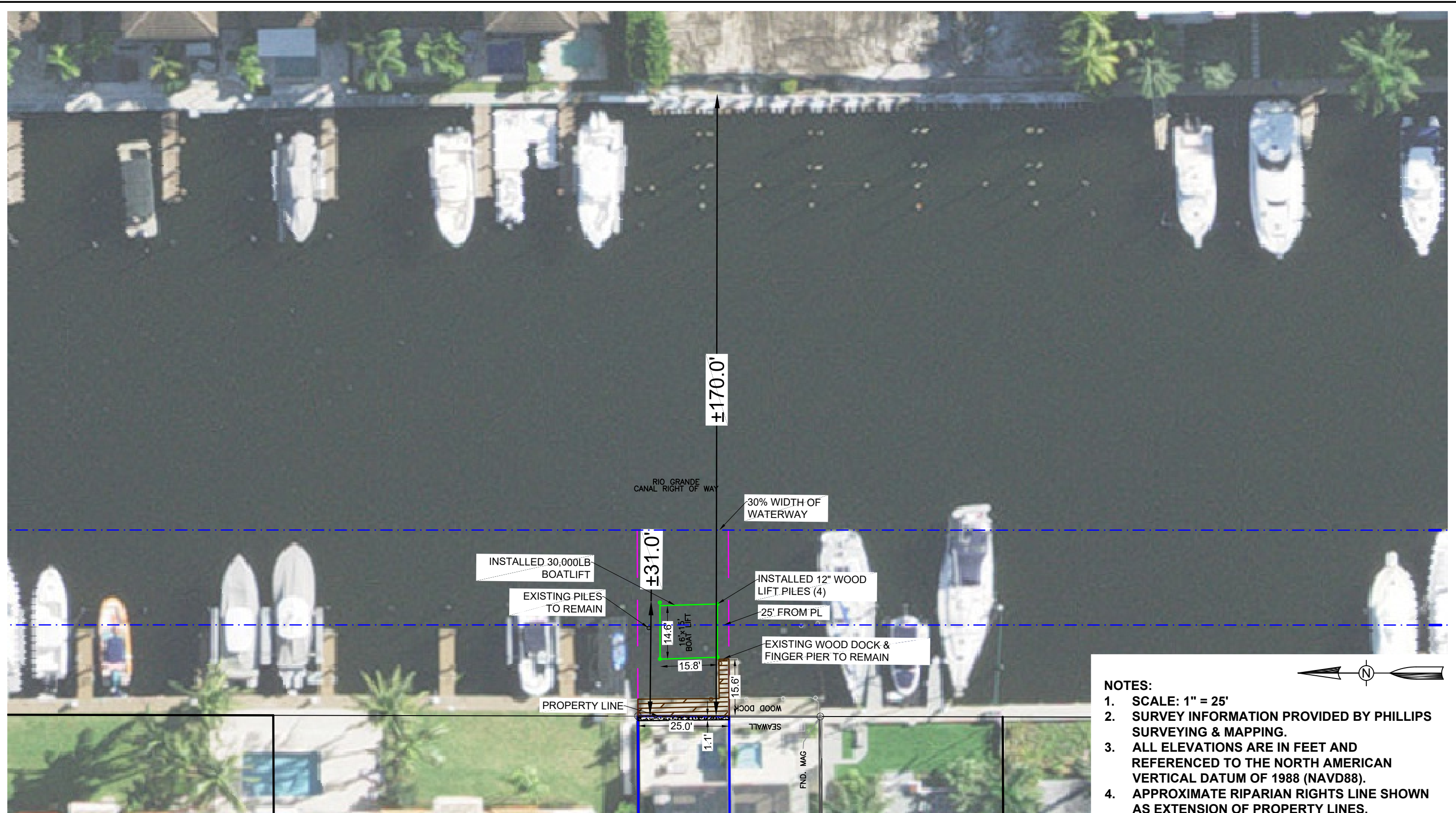
CITY OF FORT LAUDERDALE

102 Hendricks Isle



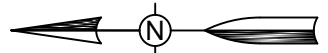
0 90 180 Feet

GIS
Fort Lauderdale



NOTES:

1. SCALE: 1" = 25'
2. SURVEY INFORMATION PROVIDED BY PHILLIPS SURVEYING & MAPPING.
3. ALL ELEVATIONS ARE IN FEET AND REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
4. APPROXIMATE RIPARIAN RIGHTS LINE SHOWN AS EXTENSION OF PROPERTY LINES.



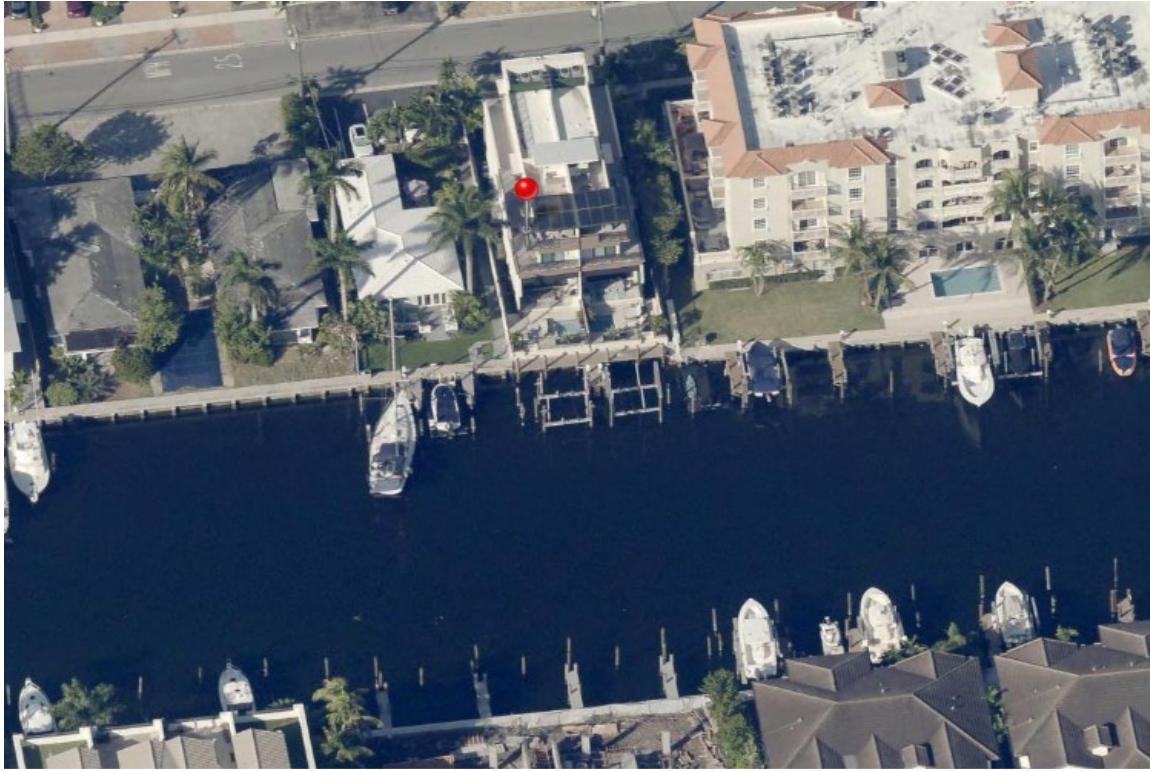
PROJECT:
102 HENDRICKS ISLE

CLIENT:
MODERN MARINE, LLC.

DATE/REVISIONS:
DISTANCE EXHIBIT 8/20/2025

SHEET TITLE/NUMBER:
DISTANCE EXHIBIT
SHEET 1 OF 1

Photos



1. Eastern portion of property, facing west.



2. Northern portion of property, facing south.

102 HENDRICKS ISLE

FORT LAUDERDALE, FL 33301



SHEET INDEX	
SHEET NUMBER	SHEET TITLE
1 OF 4	COVER
2 OF 4	AERIAL VIEW
3 OF 4	CROSS SECTION
4 OF 4	DETAILS



PROJECT:

102 HENDRICKS ISLE

CLIENT:

MODERN MARINE, LLC.

DATE/REVISIONS:
PLAN SET 8/20/2025

SHEET TITLE/NUMBER:

COVER
SHEET 1 OF 4

LOT 5

125.00'

PROPERTY LINE

EXISTING PILES TO REMAIN

INSTALLED 30,000LB BOATLIFT

RIO GRANDE CANAL RIGHT OF WAY

±31.0'

16'x15' BOAT LIFT

INSTALLED 12" WOOD LIFT PILES (4)

4.7'

15.8'

1.1'

30% WIDTH OF WATERWAY

25' FROM PL

EXISTING WOOD DOCK & FINGER PIER TO REMAIN

SOUTH 1/2 OF THE NORTH 50' OF LOT 4, BLOCK 4 VICTORIA ISLES (P.B. 15, PG 67)

SEAWALL

WOOD DOCK

15.6'

FND. MAG

125.00'

NOTES:

- 1. SCALE: 1" = 10'
- 2. SURVEY INFORMATION PROVIDED BY PHILLIPS SURVEYING & MAPPING.
- 3. ALL ELEVATIONS ARE IN FEET AND REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
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PROJECT:

102 HENDRICKS ISLE

CLIENT:

MODERN MARINE, LLC.

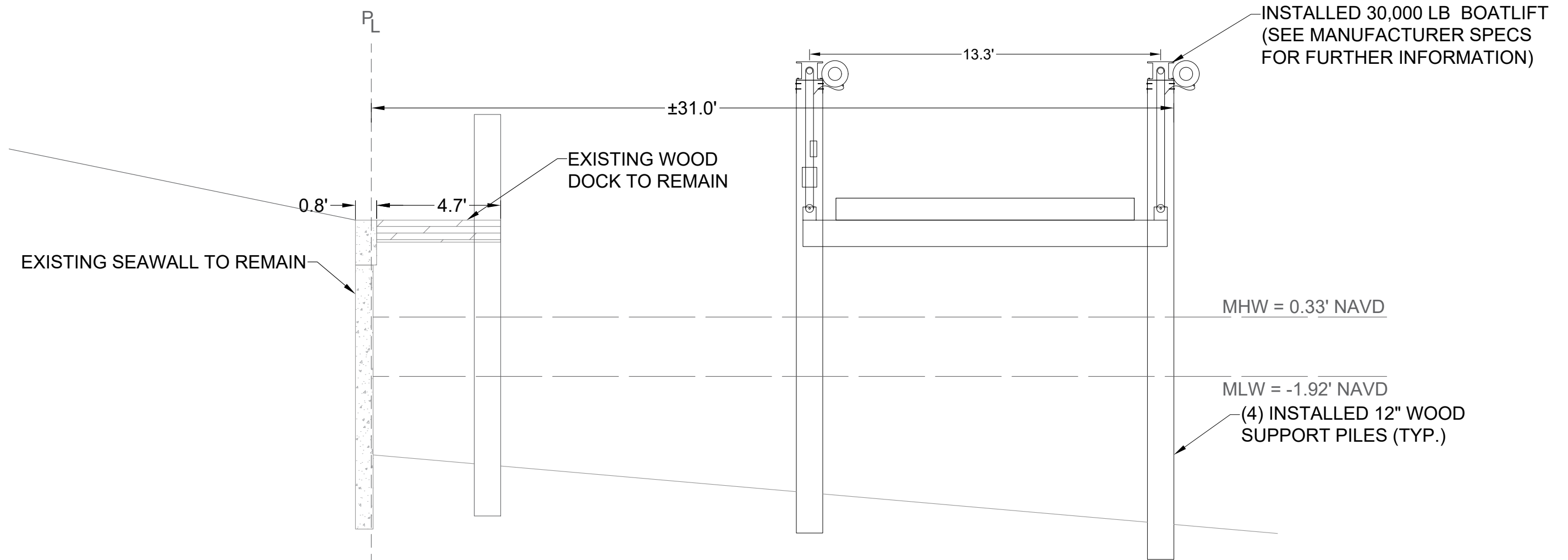
DATE/REVISIONS:
PLAN SET 8/20/2025

SHEET TITLE/NUMBER:

AERIAL VIEW
SHEET 2 OF 4

CROSS SECTION A-A

(NOT TO SCALE)



PROJECT:

102 HENDRICKS ISLE

CLIENT:

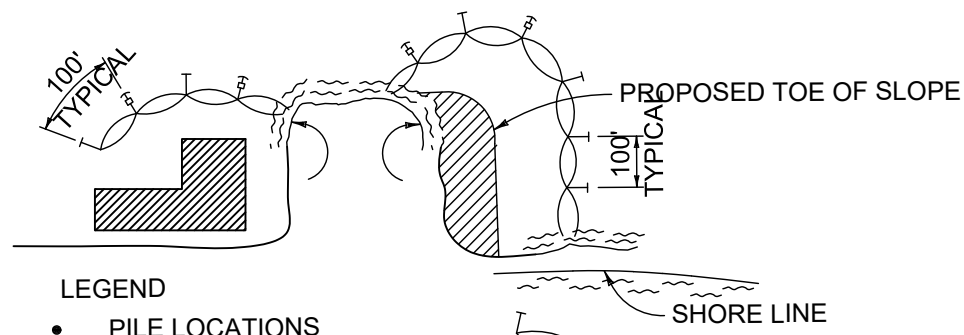
MODERN MARINE, LLC.

DATE/REVISIONS:
PLAN SET 8/20/2025

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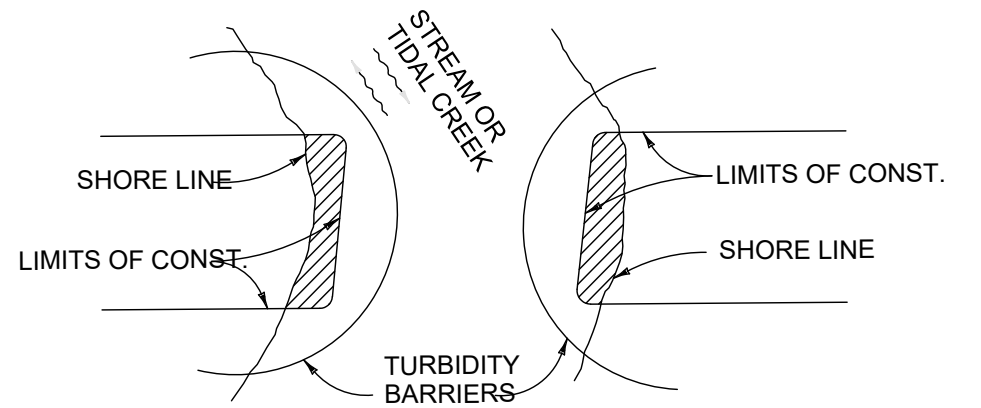
CROSS SECTION

SHEET 3 OF 4



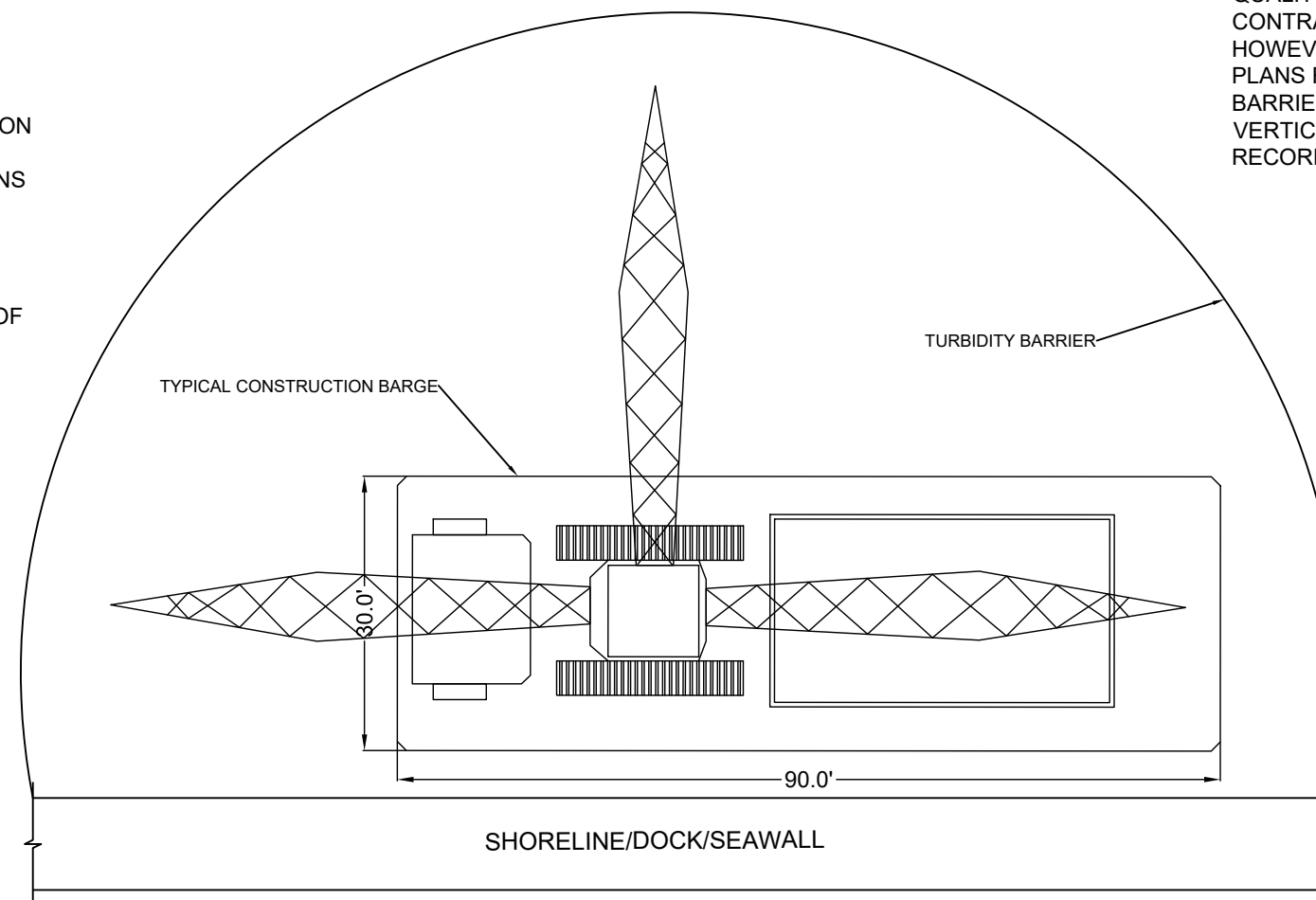
LEGEND

- PILE LOCATIONS
- ▨ DREDGE OR FILL AREA
- ⊕ MOORING BUOY W/ANCHOR
- ANCHOR
- BARRIER MOVEMENT DUE TO CURRENT ACTION
- CURRENT
- STRUCTURE ALIGNMENT



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 OF RECORD.

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.
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4. NAVIGATION MAY REQUIRE SEGMENTING BARRIER DURING CONSTRUCTION OPERATIONS.
5. FOR ADDITIONAL INFORMATION SEE SECTION 104 OF THE STANDARD SPECIFICATIONS.



TURBIDITY BARRIER APPLICATIONS



PROJECT:

102 HENDRICKS ISLE

CLIENT:

MODERN MARINE, LLC.

DATE/REVISIONS:
PLAN SET 8/20/2025

SHEET TITLE/NUMBER:

DETAILS
SHEET 4 OF 4

Daniel Kraninger
102 Hendricks Isle
Fort Lauderdale, FL 33301

RE: Letter of Support
City of Fort Lauderdale Waiver Request
102 Hendricks Isle


I have reviewed the attached plans for the proposed project located at 102 Hendricks Isle to install a boat lift extending beyond 25 feet from the property line into the Rio Grande.

I understand that the proposed project will require a Waiver of Limitations through the City of Fort Lauderdale, as well as permitting through applicable regulatory agencies.

I reside at: 100 Hendrick Isle Fort Lauderdale, FL 33301

Based on my review, I support the project as proposed.

Sincerely,

Signature: 

Printed Name: James G Mueller

Date: 08/12/25

ITEM X

MEMORANDUM MF NO. 25-10

DATE: April 16, 2025

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities and Parks Manager

RE: November 6, 2025 MAB Meeting - Dock Waiver of Distance Limitations
– Douglas C. Marty 1500 SE 12th Street Unit 2A Slip #19

Attached for your review is an application from Douglas C. Marty / 1500 SE 12th 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

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

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 12th St-Unit 2A
Fort Lauderdale, FL 33316
Slip # 19

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

Table of Contents

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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 12th 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 12th 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).


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 Clearlake 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. 28th 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 46899, Page 16, as amended from time to time, of the Public Records of Broward County, Florida.
#604214-8F-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
Westall

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 Bajala
Authorized Signatory

State of Massachusetts)
) SS:

County of Berkshire)
The foregoing instrument was acknowledged before me this 10 day of July, 2013, Thomas Bajala, 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 12TH 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. 12th

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' +/-

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

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 7th day of November, 2024.



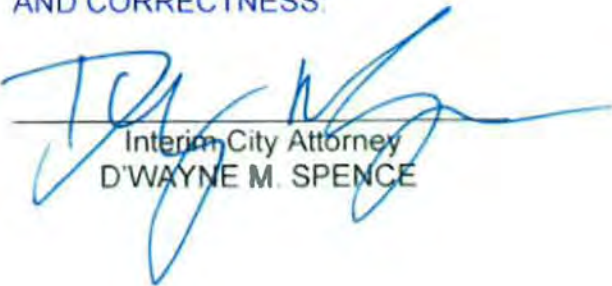
Mayor
DEAN J. TRANTALIS

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



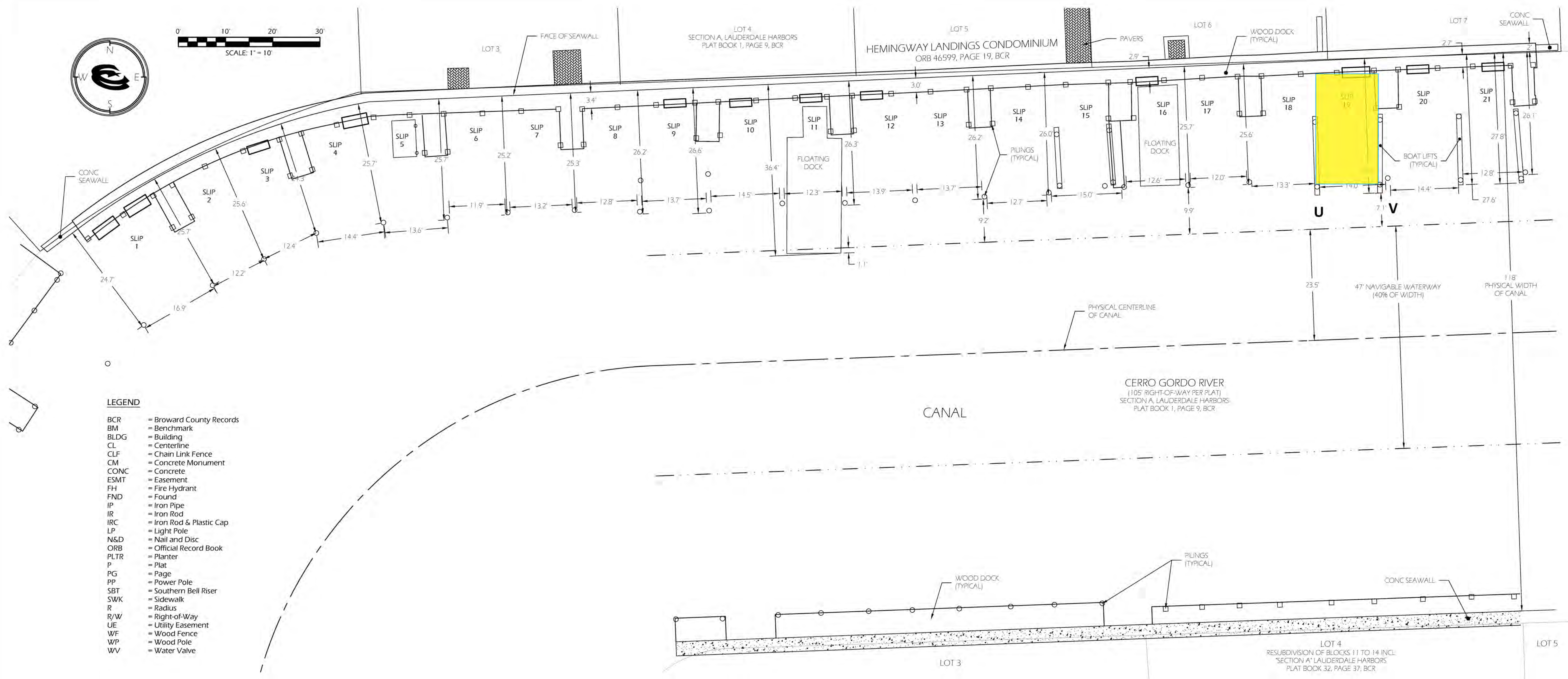
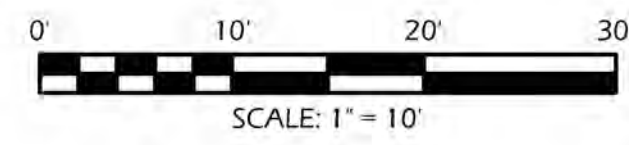
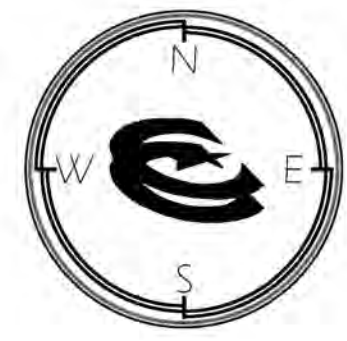
CITY OF FORT LAUDERDALE
Map Created by GIS Mapper

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.

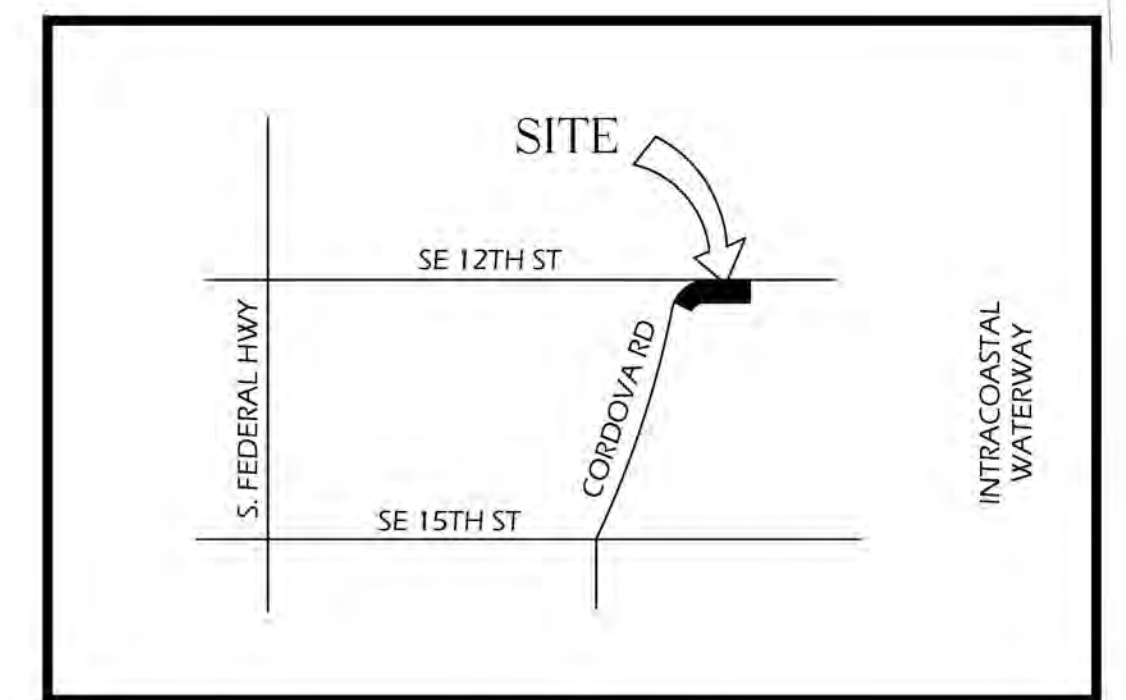
INSTRUMENTS OF RECORD SHOWN HEREON REFER TO THOSE FOUND IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA UNLESS NOTED OTHERWISE.

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.

COPYRIGHT 2024 Compass Point Surveyors, LLC. "Reproduction or copying of this document may be a violation of copyright law unless permission of the author and/or copyright holder is obtained."

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\Hemingway Landings Condo (Broward)\dwg\24012.dwg 01

TITLE: <h2 style="text-align: center; margin: 0;">TOPOGRAPHIC SURVEY</h2> <h3 style="text-align: center; margin: 0;">HEMINGWAY LANDINGS CONDO</h3> <p style="text-align: center; font-size: small; margin: 0;">SECTION 14, TOWNSHIP 50 SOUTH, RANGE 42 EAST, CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;"> 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 </td> <td style="width: 50%; padding: 2px;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="font-size: x-small;">NO.</th> <th style="font-size: x-small;">SHEET INDEX</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">SURVEYORS REPORT, MAP OF SURVEY</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table> </td> </tr> </table>	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	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="font-size: x-small;">NO.</th> <th style="font-size: x-small;">SHEET INDEX</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">SURVEYORS REPORT, MAP OF SURVEY</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	SHEET INDEX	1	SURVEYORS REPORT, MAP OF SURVEY				
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NO.	SHEET INDEX										
1	SURVEYORS REPORT, MAP OF SURVEY										

<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="font-size: x-small;">NO.</th> <th style="font-size: x-small;">REVISION</th> <th style="font-size: x-small;">FIELD DATE</th> <th style="font-size: x-small;">BY</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">EXPAND TOPO OF MARINA TO WEST BOUNDARY OF CONDO</td> <td style="text-align: center;">5/01/24</td> <td style="text-align: center;">SAR</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	REVISION	FIELD DATE	BY	1	EXPAND TOPO OF MARINA TO WEST BOUNDARY OF CONDO	5/01/24	SAR									ADDITIONS OR DELETIONS TO SURVEY REPORTS OR MAPS BY ANYONE OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED.
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	<p style="text-align: center; font-size: x-small;">3350 NW 22 TERRACE, STE 1200, POMPANO BEACH, FL 33069 - PH. 954.332.8181 - LB No.: 7535</p>	CPS PN: 24012-A-1 DRAWN BY: SAR SCALE: AS NOTED FILE: 24012.dwg
-------------------------------------	--	--

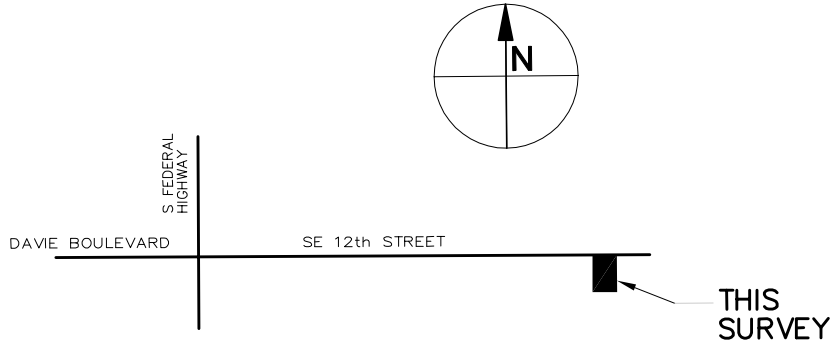
SHEET 01 OF 01

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.

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

SPECIFIC PURPOSE SURVEY

HEMINGWAY LANDINGS



712 NE 8TH AVENUE BOYNTON BEACH, FLORIDA 33435

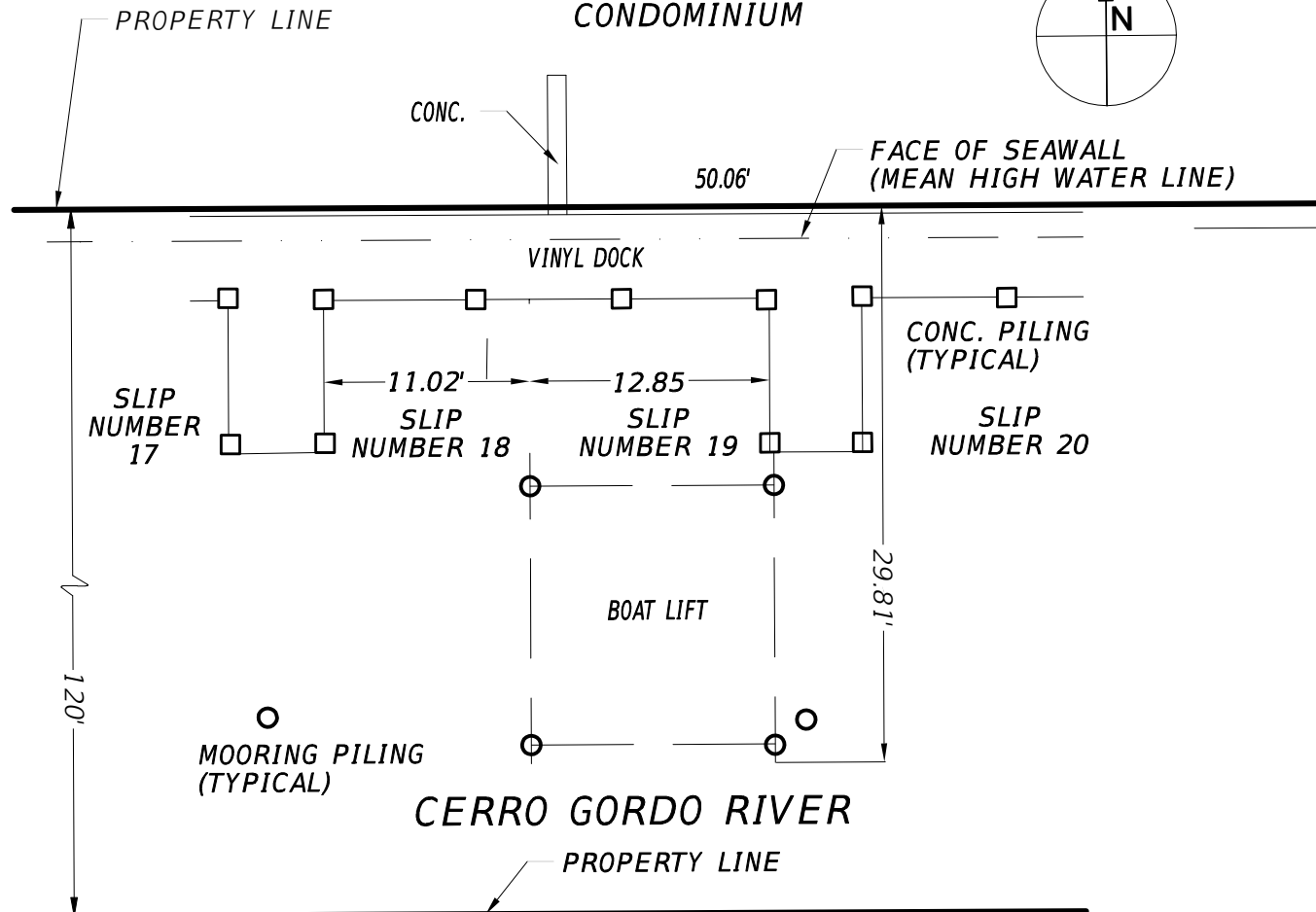
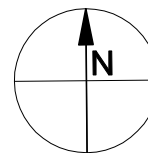
P: (561) 452-2348 • F: (561) 327-2654 • W: WWW.BDHCG.COM

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

DRAWN:	CB	SCALE:	NONE
CHECKED:	DB	DATE:	4-29-2025
PROJ. NO.:	25-04221	SHEET	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.

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.

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



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

SPECIFIC PURPOSE SURVEY

HEMINGWAY LANDINGS

DRAWN:	CB	SCALE:	1"=10'
CHECKED:	DB	DATE:	4-29-2025
PROJ. NO.:	25-04221	SHEET	2 OF 2

Site Photographs





ITEM XI

MEMORANDUM MF NO. 25-14

DATE: September 11, 2025

TO: Marine Advisory Board

FROM: Andrew Cuba, Marine Facilities & Parks Manager

RE: November 6, 2025 MAB - Dock Waiver of Distance Limitations
-Rhiannon Holcombe & Vincent Congine / 1409 SW 17 Street

Attached for your review is an application from Rhiannon Holcombe & Vincent Congine / 1409 SW 17 Street.

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for the installation of two (2) finger piers. The distances these mooring structures extend from the seawall wet face / upland plat line into the adjacent waterway is shown in the survey and summarized in **Table 1** below:

TABLE 1

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM UPLAND PLAT LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
West Finger Pier	56'6" +/-	25'	31'6" +/-
East Finger Pier	36'6" +/-	25'	11'6" +/-

ULDR Section 47-19.3 C limits the maximum distance of mooring structures, including finger piers, to 25' or 25% of the width of the waterway, whichever is less. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has ownership of the submerged land, extending approximately 71.8'+/- into the adjacent waterway. Although this ownership does extend to ownership of the watercolumn above the submerged lands, the applicant represents that there is no violation of the 30% rule, as the waterway's width should be measured from the outside edge of the submerged lands. City Legal counters that waterway width is measured from the upland platted property line – not the submerged property line when determining the waterways' width. The City has never measured the adjacent waterway from the outward boundary of the privately owned submerged lands. The applicant has specified that the extra distance for the finger piers to provide protection for the owner's vessels, especially during extreme weather events. In addition, the piers will provide safe access to the vessels for getting on and off the boats.

PROPERTY LOCATION AND ZONING

The property is located within the RS-8 Residential Single-Family Low/Medium Density Zoning District. It is situated on the adjacent waterway where the distance from wet face to wet face ranges between 134'+/- to 139'+/-, according to the Summary.

DOCK PLAN AND BOATING SAFETY

Marine Facilities records reflect that there have been at least five (5) waivers of distance limitations approved by the City Commission within relative proximity. A comparison of these as shown in **Table 2**:

TABLE 2

YEAR	ADDRESS	MAXIMUM DISTANCE
1991	777 SW 6 th Street	38'
2012	2341 SW 26 th Avenue	31'
2015	2401 SW 26 th Avenue	27.5'
2015	811 SW 6 th Street	47.1'
2017	716 Bryan Place	62'

RECOMMENDATIONS

Should the Marine Advisory Board consider approval of 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 City Staff with copies of "As Built" drawings from a certified and licensed contractor.

AC
Attachment

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



UNLIMITED PERMIT SERVICES, INC.

City of Fort Lauderdale
Marine Facilities

Application for Waiver of Dock Distance Limitations

Subject Address:

1409 SW 17 Street Fort Lauderdale FL 33315

Prepared by:

Lisa McConnell

954-532-0129 ext 1

lisam@unlimitedps.net



Table of Contents

<u>Document</u>	<u>Page</u>
Application for Waiver	3
Summary	4-6
Property Ownership Related Documents	7-10
Property Survey	11
Aerial View of Parcel and Adjacent Canal	12
Project Construction Plans	13-20
Environmental Agency Approvals	21-59

**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: Rhiannon Holcombe & Vincent Congine

TELEPHONE NO: 312-493-0678 EMAIL: vcongine@yahoo.com
(home/cellular) (business)

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

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:

Waiver of distance limitations for dock/piers exceeding 25' from the seawall wet face/upland portion of parcel/water's edge by 36'-6"; within boat slip basin.

4. SITE ADDRESS: 1409 SW 17 ST ZONING: RS-8 Single Family Residential

LEGAL DESCRIPTION AND FOLIO NUMBER:

REV PLAT YELLOWSTONE PARK 23-33 B LOT 3 W 40 & TH PT BOAT SLIPLYING N OF LOT,4 E 20 & TH PT BOAT SLIP LYING N OF LOT BLK 5 - Folio: 504216140140

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

Table of Contents, Summary, Aerial view of applicant basin and city canal, permit drawings, and other agency approvals.

Applicant's Signature

3/20/2025
Date

Applicant's Signature

3/20/2025
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 _____



Summary of Dock Distance Waiver Request

The applicant is the owner of 1409 SW 17th Street, Fort Lauderdale. The Folio Number: 504216140140; Legal Description: The West 40 feet of Lot 3, and the East 20 feet of Lot 4, Block 5, REVISED PLAT OF YELLOWSTONE PARK, recorded in Plat Book 23, Page 33, Public Records of Broward County, Florida; together with that strip of land North of the West 40 feet of Lot 3 and North of the East 20 feet of Lot 4, Block 5, REVISED PLAT OF YELLOWSTONE PARK, recorded in Plat Book 23, Page 33, Public Records of Broward County, Florida, bounded as follows:

One the South by the North lines of said Lots 3 and 4, on the East by a line 40 feet East of and parallel to the West line of Lot 3 extended North, on the West by a line 20 feet West of and parallel to the East line of Lot 4 extended North, on the North by the East and West Quarter Section line of Section 16, including all submerged lands within said boundaries.

The property boundary line inclusive of the submerged lands extends approximately 71.8' into the water. To the north is the Crevalle Canal, which varies from 62' to 67' in width running along this parcel's submerged lands property line. While the ownership of the submerged lands conveys certain property interests in the soil beneath the waterbody, it seemingly does not extend to riparian ownership of the overlying water column.

The following supportive documents are hereby requesting authorization from the City of Fort Lauderdale's Commission to grant the necessary approval of a Resolution to this dock waiver application as it pertains to ULDR Section 47-19.3.

The proposed improvements include raising the seawall cap elevation to current shoreline standards of 5.0' NAVD, a new 5' wide concrete marginal dock, and two finger piers for the berthing of vessels dimensioned at 4x50' and 4x30'. The Boat Slip on a Plat Map with records dating back to 1925 are measured at 71.8' x 60' wide waterfront of the uplands. The remaining navigable waterway beyond the piers includes 15' of remaining boat slip basin plus the 62' to 67' of the manmade navigable Crevalle Canal. Any proposed vessels to be berthed for recreational use by the property owner applicant are also to be moored well within the boat slip area.

The primary extraordinary circumstance for the required waiver is the measurement reference line from which the City has interpreted the ULDR Section 47-19.3 code in determining the width of waterway from a point other than the property line. To include this privately owned platted boat slip having riparian rights, and combining it together with the manmade Crevalle Canal dredged for navigation, makes the area for code compliant improvements most unreasonable.

Please consider the intended and longstanding use of this Boat Slip area. The upland plat line as a point of beginning and combined with the adjacent navigable canal creates waterway widths that vary from 134' to 139'. The code section 47-19.3 subsection (e) states in no event shall the extension exceed 30% of the width of the waterway. Calculation of thirty percent (30%) of these combined water bodies at 134' is just 40.2'. This would be disallowing the berthing of vessels and mooring structures to more than 30' of an intended boat slip area, or 44% of the boat slip deemed unusable.

Safety considerations are applicable as additional extreme circumstances. The proposed piers are needed to provide necessary protection of the owners' vessels to be berthed within the boat slip, especially during extreme weather events. The piers will also provide safe access to the vessels for getting on and off the boats.

This proposed layout does not impede any navigation within the Crevalle Canal waterway. The design is an improvement that is entirely within the boat slip area, to include the berthing of vessels within the slips.

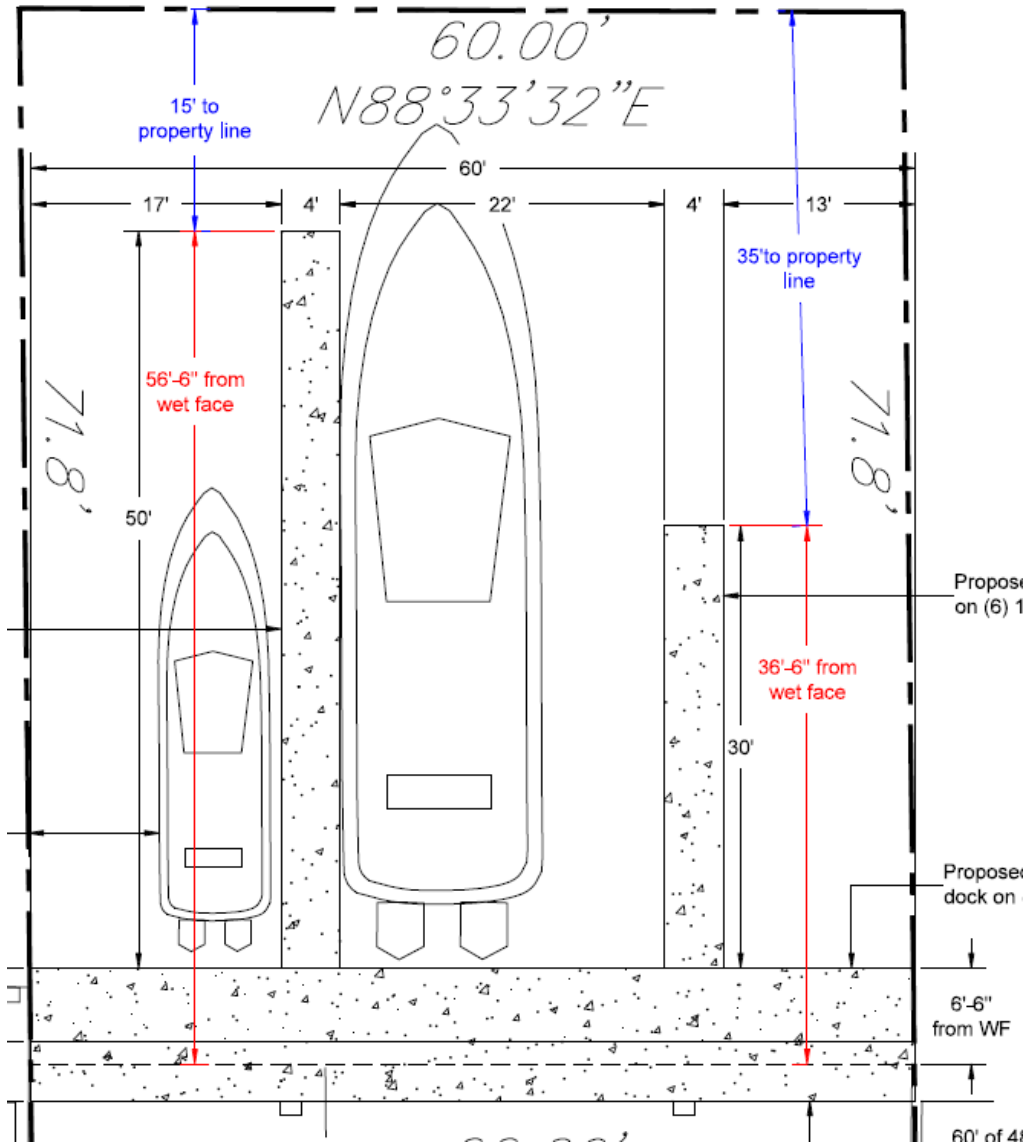
The same proposed site plan improvements were fully approved with Issued permit BLD-BDSP-21440058 from the City of Fort Lauderdale's Building Department. Subsequently, the City decided to require a Resolution from the Commission with a dock waiver application to the Marine Advisory Board for approval.

Approval has already been granted by the Broward County Resilient Environmental Department as per Environmental Resource License DF24-1232, the Florida Department of Environmental Protection FDEP Permit No.: 06-0454351-001, and the Army Corps of Engineers approval pursuant to the State Programmatic General Permit VI-R1 (SPGP).

Waiver Distances

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM SEAWALL WET FACE = UPLAND PLAT LINE	PERMITTED DISTANCE WITHOUT A WAIVER	DISTANCE REQUIRING A WAIVER
West Finger Pier	+/- 56'-6"	25'	+/- 31'-6"
East Finger Pier	+/- 36'-6"	25'	+/- 11'-6"

Below is the property boundary boatslip basin captured from the engineered construction plan set Sheet 2 of 7 which corresponds to the distances in the chart above.



Thank you for your consideration of this project for the necessary approvals to obtain permit issuance from the Building Department.

PROPERTY SUMMARY

Tax Year: 2024	Property Use: 01-01 Single Family	Deputy Appraiser: Residential Department
Property ID: 504216140140	Millage Code: 0312	Appraisers Number: 954-357-6831
Property Owner(s): HOLCOMBE,RHIANNON M CONGINE,VINCENT J	Adj. Bldg. S.F: 1738	Email: realprop@bcpa.net
Mailing Address: 1409 SW 17 ST FORT LAUDERDALE, FL 33315-1945	Bldg Under Air S.F: 1620	Zoning : RS-8 - RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY
Physical Address: 1409 SW 17 STREET FORT LAUDERDALE, 33315-1945	Effective Year: 1959	Abbr. Legal Des.: REV PLAT YELLOWSTONE PARK 23-33 B LOT 3 W 40 & TH PT BOAT SLIPLYING N OF LOT,4 E 20 & TH PT BOAT SLIP LYING N OF LOT BLK 5
	Year Built: 1958	
	Units/Beds/Baths: 1 / 4 / 2	

PROPERTY ASSESSMENT

Year	Land	Building / Improvement	Agricultural Saving	Just / Market Value	Assessed / SOH Value	Tax
2024	\$208,870	\$1,261,180	0	\$1,470,050	\$940,340	
2023	\$208,870	\$1,189,780	0	\$1,398,650	\$854,860	\$20,305.67
2022	\$208,870	\$862,310	0	\$1,071,180	\$777,150	\$16,780.73

EXEMPTIONS AND TAXING AUTHORITY INFORMATION

	County	School Board	Municipal	Independent
Just Value	\$1,470,050	\$1,470,050	\$1,470,050	\$1,470,050
Portability	0	0	0	0
Assessed / SOH	\$940,340	\$940,340	\$940,340	\$940,340
Granny Flat				
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exemption Type	0	0	0	0
Affordable Housing	0	0	0	0
Taxable	\$940,340	\$1,470,050	\$940,340	\$940,340

SALES HISTORY FOR THIS PARCEL					LAND CALCULATIONS		
Date	Type	Price	Book/Page or Cin	Unit Price	Units	Type	
08/05/2020	Warranty Deed Qualified Sale	\$785,000	116672245	\$20.00	10,292 SqFt	Square Foot	
05/14/2018	Warranty Deed Qualified Sale	\$480,000	115074776	\$1.01	3,000 SqFt	Square Foot	
10/13/2017	Deed Non-Sale Title Change	\$100	114661450				
06/01/1987	Warranty Deed	\$157,000	14603 / 595				
04/01/1982	Warranty Deed	\$85,000					

RECENT SALES IN THIS SUBDIVISION

Property ID	Date	Type	Qualified/ Disqualified	Price	CIN	Property Address
504216140580	07/03/2024	Warranty Deed	Qualified Sale	\$643,300	119686603	1401 SW 19 ST FORT LAUDERDALE, FL 33315
504216140610	06/26/2024	Warranty Deed	Qualified Sale	\$595,000	119655991	1412 SW 19 ST FORT LAUDERDALE, FL 33315
504216140660	03/29/2024	Warranty Deed	Qualified Sale	\$561,500	119501389	1421 SW 20 ST FORT LAUDERDALE, FL 33315
504216140040	02/27/2024	Warranty Deed	Qualified Sale	\$974,000	119432217	1217 SW 17 ST FORT LAUDERDALE, FL 33315
504216140330	12/07/2023	Warranty Deed	Qualified Sale	\$530,000	119281266	1311 SW 18 ST FORT LAUDERDALE, FL 33315

SPECIAL ASSESSMENTS										SCHOOL
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc		
Ft Lauderdale Fire-rescue (03) Residential (R) 1						(F1)				Croissant Park Elementary: B New River Middle: C Stranahan High: C
						1.00				

ELECTED OFFICIALS

Property Appraiser Marty Kiar	County Comm. District 8	County Comm. Name Robert McKinzie	US House Rep. District 23	US House Rep. Name Jared Moskowitz
Florida House Rep. District 99	Florida House Rep. Name Daryl Campbell	Florida Senator District 37	Florida Senator Name Jason W. B. Pizzo	School Board Member Sarah Leonardi

Prepared by and return to:
Thomas T. Coon, Jr., Esq.
Capstone Title Partners, LLC
888 S. Andrews Avenue, Suite 204
Fort Lauderdale, FL 33316
954-467-9899

File Number: 20-239
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 5th day of August, 2020 between Klaus Thalinger, a married man, joined by his wife, Elena Mamonova, joined by Elena Mamonova whose post office address is 1316 SW 31st Street, Fort Lauderdale, FL 33315, grantor, and Rhiannon M. Holcombe, a single woman and Vincent J. Congine, a single man, as Joint Tenants with Rights of Survivorship, whose post office address is 1409 SW 17th Street, Fort Lauderdale, FL 33315, grantee:

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

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

The West 40 feet of Lot 3, and the East 20 feet of Lot 4, Block 5, REVISED PLAT OF YELLOWSTONE PARK, recorded in Plat Book 23, Page 33, Public Records of Broward County, Florida; together with that strip of land North of the West 40 feet of Lot 3 and North of the East 20 feet of Lot 4, Block 5, REVISED PLAT OF YELLOWSTONE PARK, recorded in Plat Book 23, Page 33, Public Records of Broward County, Florida, bounded as follows:

On the South by the North lines of said Lots 3 and 4, on the East by a line 40 feet East of and parallel to the West line of Lot 3 extended North, on the West by a line 20 feet West of and parallel to the East line of Lot 4 extended North, on the North by the East and West Quarter Section line of Section 16, including all submerged lands within said boundaries.

Parcel Identification Number: 504216-14-0140

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2019**.

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: GERHARD NOTHEGGER

[Signature] (Seal)
Klaus Thalinger

[Signature]
Witness Name: Christian Huber

[Signature]
Witness Name: GERHARD NOTHEGGER

[Signature] (Seal)
Elena Mamonova

[Signature]
Witness Name: Christian Huber

Country of Austria
State of UPPER AUSTRIA

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 5th day of August, 2020 by Klaus Thalinger and Elena Mamonova, who are personally known or has produced their drivers license as identification.



[Signature]
Notary Public
Printed Name: GERHARD NOTHEGGER
My Commission Expires: n/a



ACREAGE
1/4 Sec. 16e2

DESCRIPTION
ALL OF BLOCKS THREE(3), FOUR(4), FIVE(5), SIX(6), SEVEN(7), EIGHT(8), NINE(9), TEN(10), ELEVEN(11), TWELVE(12), THIRTEEN(13), FOURTEEN(14), FIFTEEN(15), SIXTEEN(16), SEVENTEEN(17), EIGHTEEN(18), NINETEEN(19), TWENTY(20), TWENTY-ONE(21), TWENTY-TWO(22), TWENTY-THREE(23), TWENTY-FOUR(24), TWENTY-FIVE(25), TWENTY-SIX(26) AND TWENTY-SEVEN(27) OF YELLOWSTONE PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 39 AND THE AMENDED PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGE 3, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

STATE OF FLORIDA }
COUNTY OF BROWARD }
KNOW ALL MEN BY THESE PRESENTS That WE HUGHES and EULA M. HUGHES, his wife, and FRANK J. WOOD and ANNA L. WOOD, his wife, wives of FRANK J. WOOD and ANNA L. WOOD, do hereby certify that the purpose of subdividing the lands in the manner shown herein, all streets and avenues are dedicated to the permanent use of the public in the public interest.

IN WITNESS WHEREOF They have executed these presents and affixed their hands thereto in the City of Fort Lauderdale, Broward County, Florida, this 22nd day of March, 1947.

W. R. Hughes (S)
Eula M. Hughes (S)
Frank J. Wood (S)
Anna L. Wood (S)

STATE OF FLORIDA }
COUNTY OF BROWARD }
I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments in W. R. HUGHES and EULA M. HUGHES his wife and FRANK J. WOOD and ANNA L. WOOD, his wife, to me well known to be the individuals described in and who executed the foregoing declaration and they openly acknowledged before me that they executed the same freely and voluntarily for the uses and purposes therein expressed.

W. R. Hughes (S)
Eula M. Hughes (S)
Frank J. Wood (S)
Anna L. Wood (S)

This is to certify that the CITY PLANNING BOARD of Fort Lauderdale, Florida, approved and accepted this plat by resolution adopted this 12th day of MARCH, 1947.

J. H. Nelson (S)
Secretary

STATE OF FLORIDA }
COUNTY OF BROWARD }
This is to certify that this REVISED PLAT OF YELLOWSTONE PARK has been approved and accepted for record by the City Commission of the City of Fort Lauderdale, Florida, in and by Ordinance No. 1232, adopted by said City Commission on the 28th day of APRIL, 1947.

IN WITNESS WHEREOF the said City Commission has caused these presents to be attested by its Auditor and Clerk and the corporate seal of said city to be hereunto affixed this 28th day of APRIL, 1947.

A. Marshall (S)
CITY AUDITOR AND CLERK

STATE OF FLORIDA }
COUNTY OF BROWARD }
I here by certify that this plat complies with the provisions of an Act to Regulate the Making of Surveys and Plats for Record of Maps and Plats in the State of Florida approved by the Governor, June 11, 1925.

Barclay Adams (S)
CITY ENGINEER

STATE OF FLORIDA }
COUNTY OF BROWARD }
I hereby certify that this REVISED PLAT OF YELLOWSTONE PARK is a true and correct representation of a survey made by me and that permanent reference monuments have been set as indicated.

dated at Fort Lauderdale, Florida, this 18th day of March, 1947.

W. R. Hughes (S)
and subscribed by: W. R. HUGHES
STATE OF FLORIDA

Approved for record
Barclay Adams
COUNTY ENGINEER

Approved for record
J. H. Nelson
CITY ENGINEER

REVISED PLAT OF
YELLOWSTONE PARK
SEC. 16 — TWP 50S. — RGE. 42 E.
FORT LAUDERDALE
BROWARD COUNTY — FLA
J.W. M^r LAUGHLIN — ENGINEER
SCALE: 1" = 100' MARCH 1947.

ERNEST W. DUNCAN P.S.M. 5182

521 SE 5TH COURT
POMPANO BEACH, FL. 33060

BOUNDARY SURVEY

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

JOB NO.
JOB NO.

PROPERTY ADDRESS: 1409 SW 17TH STREET
FORT LAUDERDALE, FLORIDA 33315

Scale: 1" = 20'

LEGAL DESCRIPTION:

THE WEST 40 FEET OF LOT 3, AND THE EAST 20 FEET OF LOT 4, BLOCK 5, REVISED PLAT OF YELLOWSTONE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. TOGETHER WITH THAT STRIP OF LAND NORTH OF THE WEST 40 FEET OF LOT 3 AND NORTH OF THE EAST 20 FEET OF LOT 4, BLOCK 5, REVISED PLAT OF YELLOWSTONE PARK, RECORDED IN PLAT BOOK 23, PAGE 33, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BOUNDED AS FOLLOWS:
ON THE SOUTH BY THE NORTH LINES OF SAID LOTS 3 AND 4, ON THE EAST BY A LINE 40 FEET EAST OF AND PARALLEL TO THE WEST LINE OF LOT 3 EXTENDED NORTH, ON THE WEST BY A LINE 20 FEET WEST OF AND PARALLEL TO THE EAST LINE OF LOT 4 EXTENDED NORTH, ON THE NORTH BY THE EAST AND WEST QUARTER SECTION LINE OF SECTION 16, INCLUDING ALL SUBMERGED LANDS WITHIN SAID BOUNDARIES.

SYMBOL

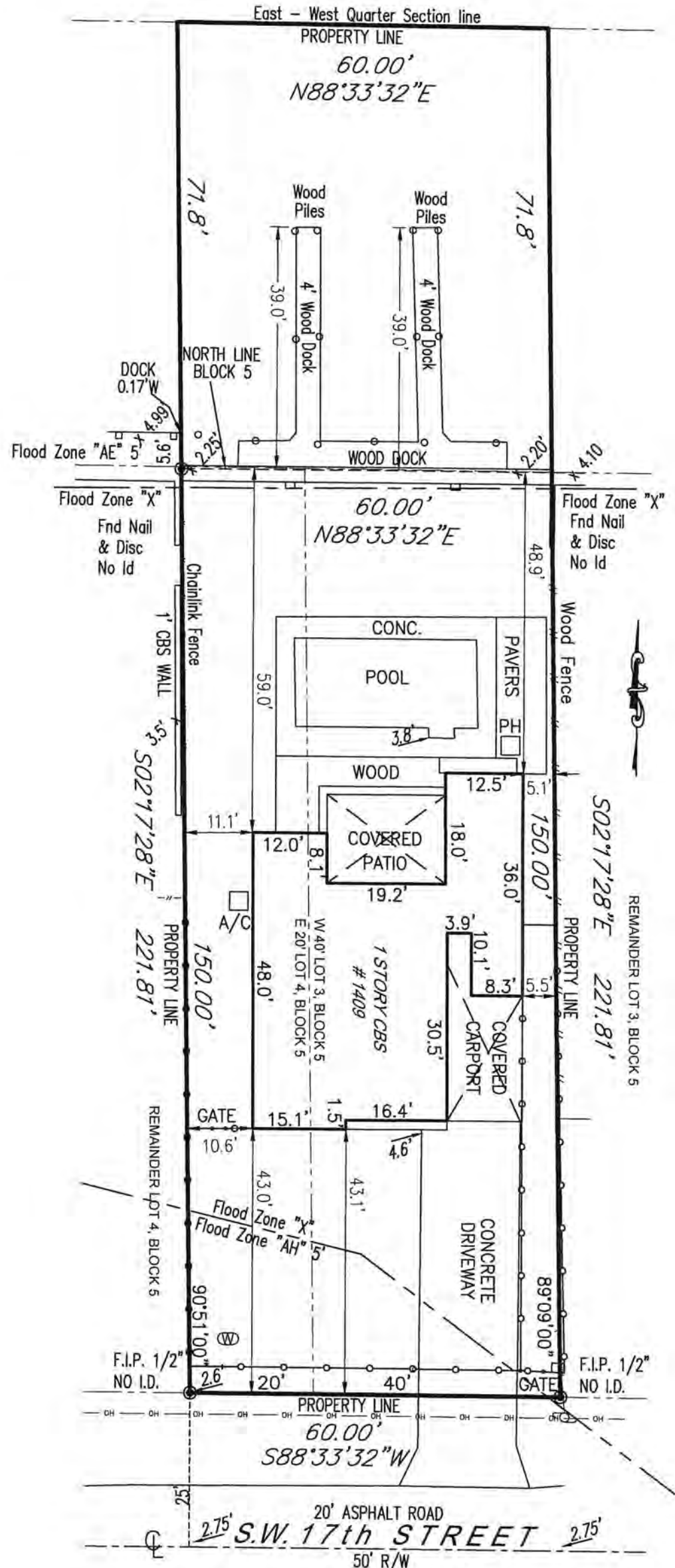
- OH — OH — OVERHEAD LINE (OH)
- x — x — CHAIN LINK FENCE (C.L.F)
- // — // — WOOD FENCE (W.F)
- o — o — PLASTIC FENCE (P.F)
- □ — □ — METAL FENCE (M.F)
- — — WIRE FENCE (W.F)
- x 0.00' EXISTING ELEVATION
- ☆ LIGHT POLE
- ⊕ FIRE HYDRANT
- ⊗ WATER METER
- ⊞ CABLE BOX
- ⊞ CATCH BASIN
- ⊞ ELECTRIC BOX
- ⊞ TELEPHONE BOX
- ⊞ WATER VALVE
- ⊞ UTILITY POLE

- P.E. DENOTES POOL EQUIPMENT
- F.I.R. DENOTES FOUND IRON ROD
- NO ID. DENOTES NO IDENTIFICATION
- CONC. DENOTES CONCRETE
- U.E. DENOTES UTILITY EASEMENT
- R/W DENOTES RIGHT OF WAY
- C.B.S. DENOTES CONCRETE BLOCK STRUCTURE
- LS DENOTES LICENSED LAND SURVEYOR
- P.S.M. DENOTES PROFESSIONAL LAND SURVEYOR
- N/A DENOTES NOT APPLICABLE
- A/C DENOTES AIR CONDITIONER
- NAVD88 DENOTES NORTH AMERICAN VERTICAL DATUM OF 1988
- NGVD29 DENOTES NATIONAL GEODETIC VERTICAL DATUM OF 1929
- O.E. DENOTES OVERHANG EASEMENT

SURVEYORS NOTES:

1. BEARINGS SHOWN HEREON ARE REFERENCED ASSUMED BEARING AND THE NORTH RIGHT OF WAY LINE. (S88°33'32"W)
2. BENCHMARK REFERENCE: BROWARD COUNTY BENCHMARK NO. 2081 ELEVATION=7.029 NGVD29. ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD88.
3. MINIMUM LINEAR ACCURACY OBTAINED:
1 FOOT IN 7,500 FEET AS REQUIRED FOR A SUBURBAN SURVEY
4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE
5. NO ATTEMPT WAS MADE TO LOCATE ANY UNDERGROUND IMPROVEMENTS, OVERHEAD UTILITIES, (POWERLINES, ETC) FOUNDATIONS OR WETLANDS.
6. EASEMENTS SHOWN HEREON ARE PER THE PLAT.
7. SURVEYOR HAS MADE NO ADDITIONAL RESEARCH OF THE PUBLIC RECORDS. THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN HEREON THAT MAY BE FOUND IN THE PUBLIC RECORDS

FLOOD ZONE: AH / X
BASE FLOOD ELEV.= 5.0'
FEMA MAP # 12011C 0556 H
DATE OF FIRM: 08/18/2014



Ernest W
Duncan

Digitally signed by Ernest W
Duncan
Date: 2025.10.20 12:06:18
-04'00'

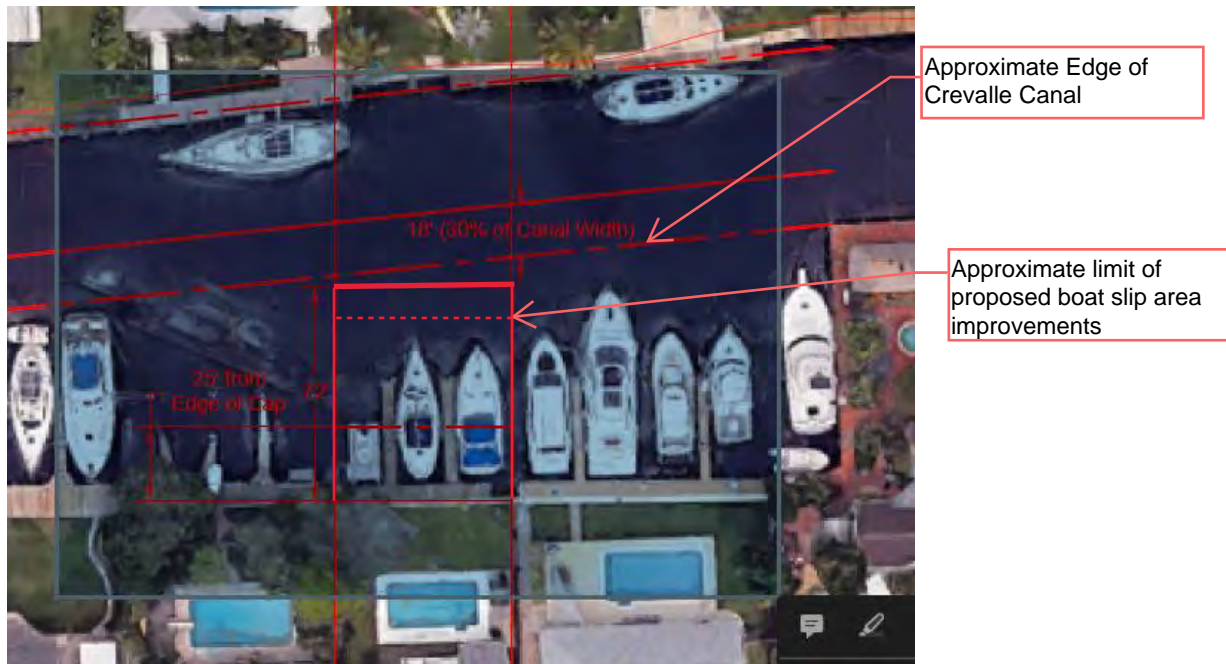
DATE OF SURVEY 7/16/24

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.



Aerial Image of Adjacent Canal – No navigational Concerns

The image below is to address navigation pertaining to the 30% rule applied to the width of the canal. As depicted, the approximate 30% lines are beyond the property line. As shown to scale in the construction drawings, the vessels to be moored do not extend beyond the owner's boat slip basin and vessels will not encroach the 5-ft adjacent property setbacks.





CANAL (R/W VARIES)

No tree will be removed or replanted as part of this permit

See attached survey supplied by owner for exact property information.

Site Address	1409 SW 17 STREET, FORT LAUDERDALE FL 33315-1945	ID #	5042 16 14 0140
Property Owner	HOLCOMBE, RHIANNON M CONGINE, VINCENT J	Millage	0312
Mailing Address	1409 SW 17 ST FORT LAUDERDALE FL 33315-1945	Use	01-01
Abbreviated Legal Description	REV PLAT YELLOWSTONE PARK 23-33 B LOT 3 W 40 & TH PT BOAT SLIP LYING N OF LOT,4 E 20 & TH PT BOAT SLIP LYING N OF LOT BLK 5		

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 WWW.MwEngineering.net

Contractor
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 3000 SW 26 Terrace
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 (954) 583-8500

Project Information
Seawall Repair / New Dock
 Vincent Congine
 1409 SW 17 Street
 Fort Lauderdale, FL 33315

DATE
7-30-24
8-18-25

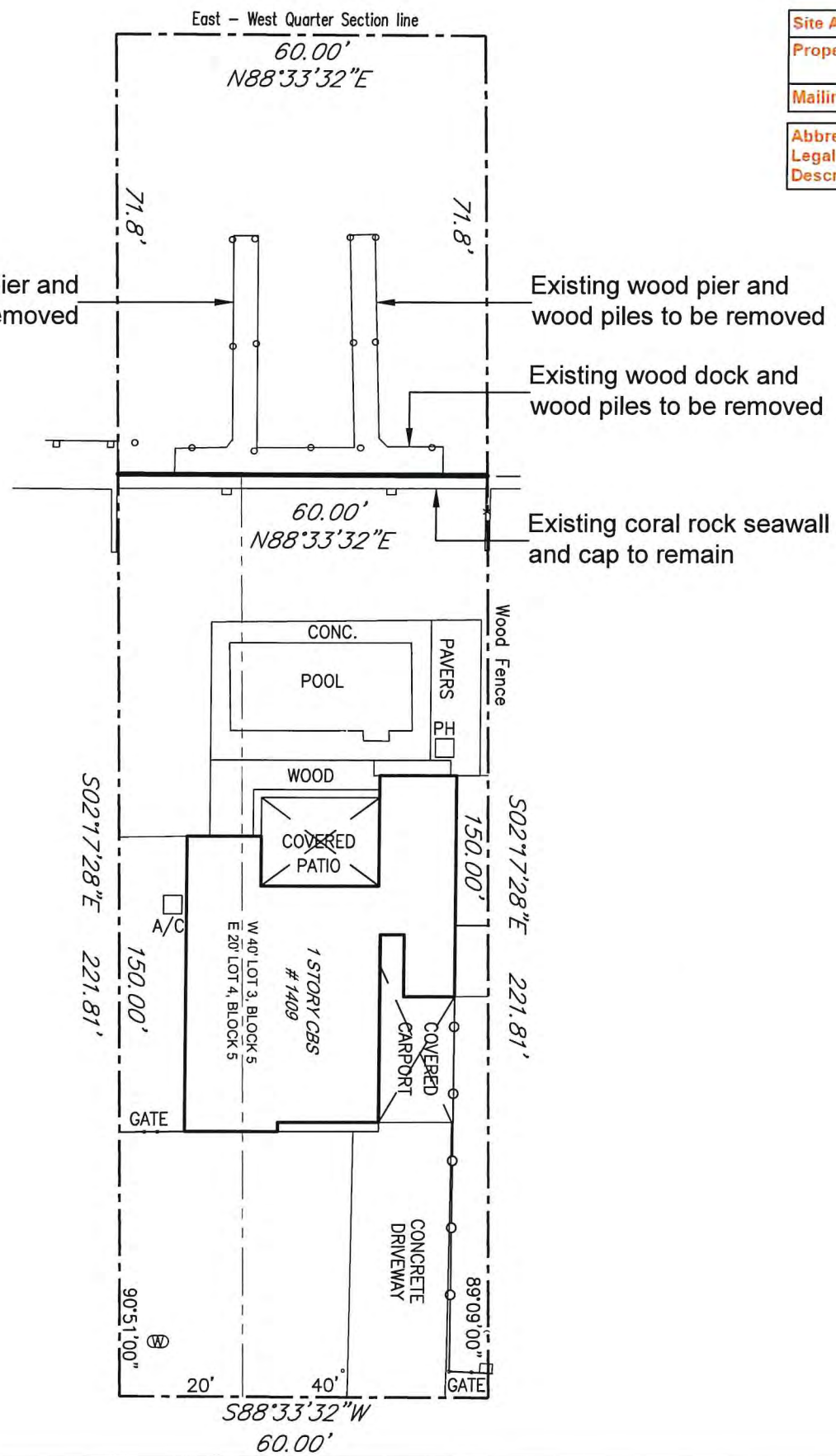
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 Date: 2025.09.08 14:26:14 -04'00'

MARK E. WEBER, P.E.
 LICENSE #53895 | CA 30702
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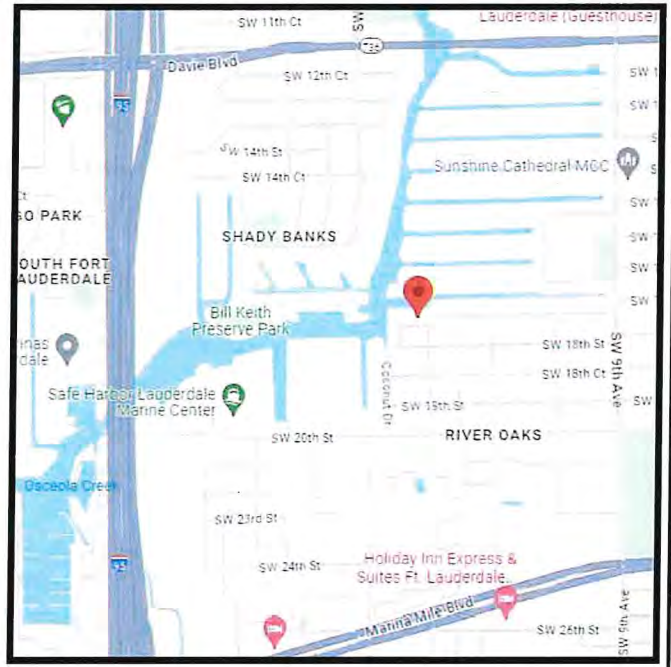
Sheet 1 of 7

ZONING DESCRIPTION:

RS-8
 Vessel when moored on dock will maintain a minimum 5' side yard set back



Location Map



Existing Site Plan

Scale: 1" = 25'

CANAL
(R/W VARIES)

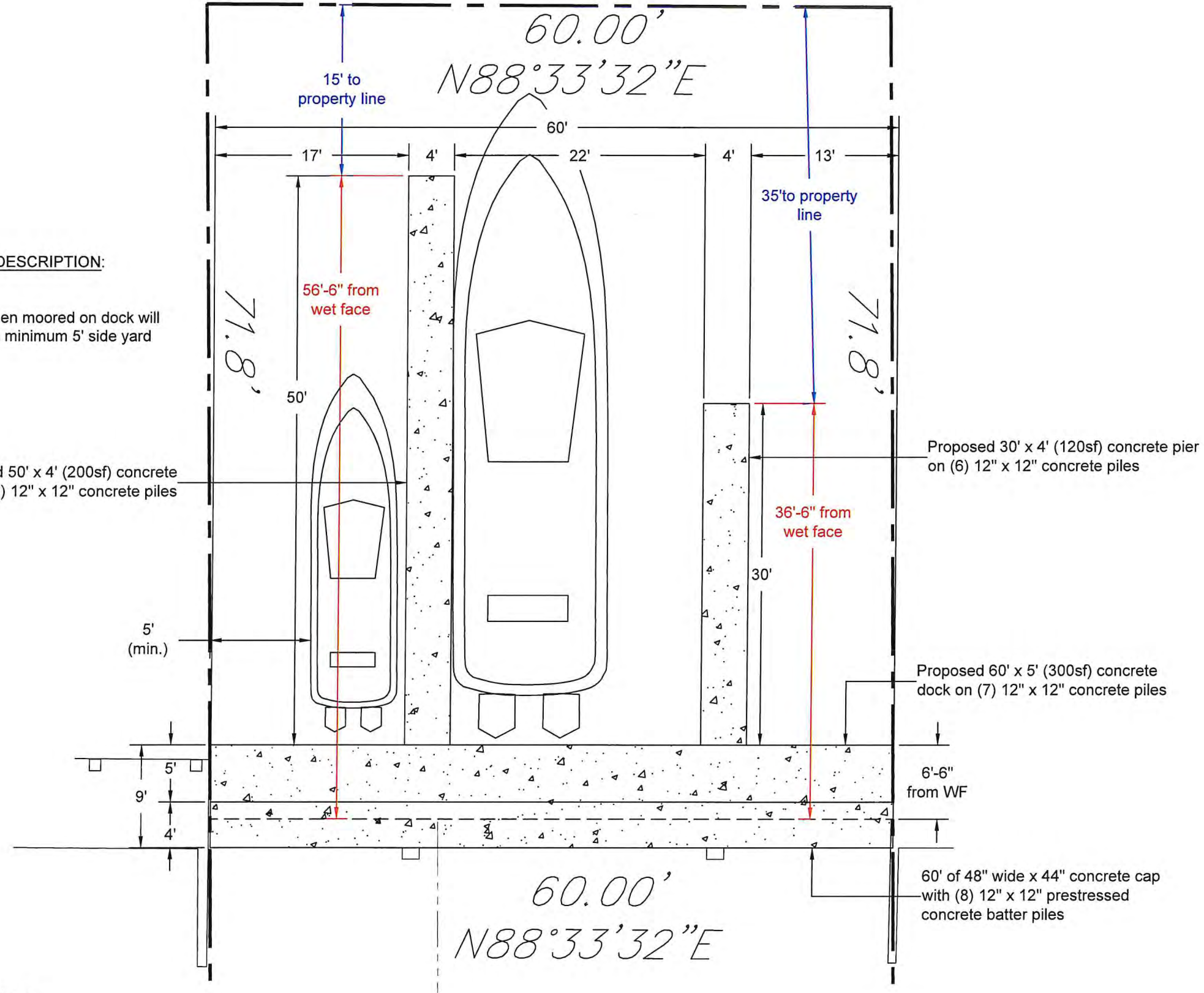


East - West Quarter Section line

ZONING DESCRIPTION:

RS-8
Vessel when moored on dock will maintain a minimum 5' side yard set back

Proposed 50' x 4' (200sf) concrete pier on (10) 12" x 12" concrete piles



Proposed Site Plan

Scale: 1" = 10'

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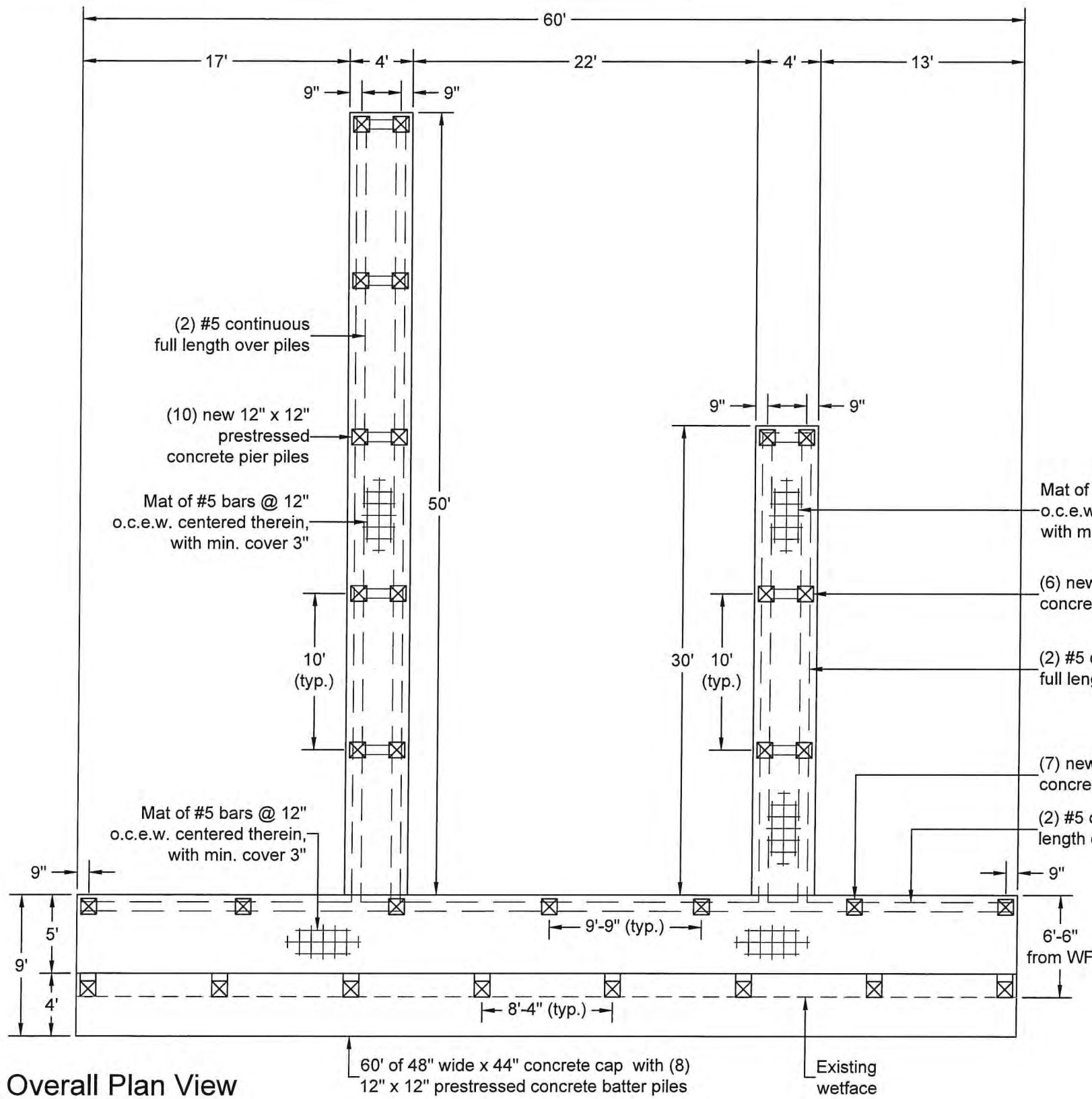


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MARK E. WEBER, P.E.
LICENSE #53895 | CA 30702

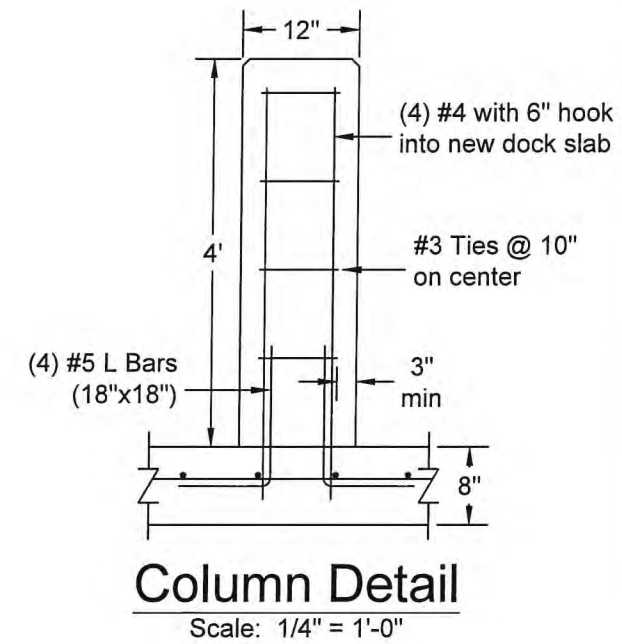
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Sheet 2 of 7



Overall Plan View
Scale: 1/8" = 1'-0"

- Mat of #5 bars @ 12" o.c.e.w. centered therein, with min. cover 3"
- (6) new 12" x 12" prestressed concrete pier piles
- (2) #5 continuous full length over piles
- (7) new 12" x 12" prestressed concrete dock piles
- (2) #5 continuous full length over piles



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

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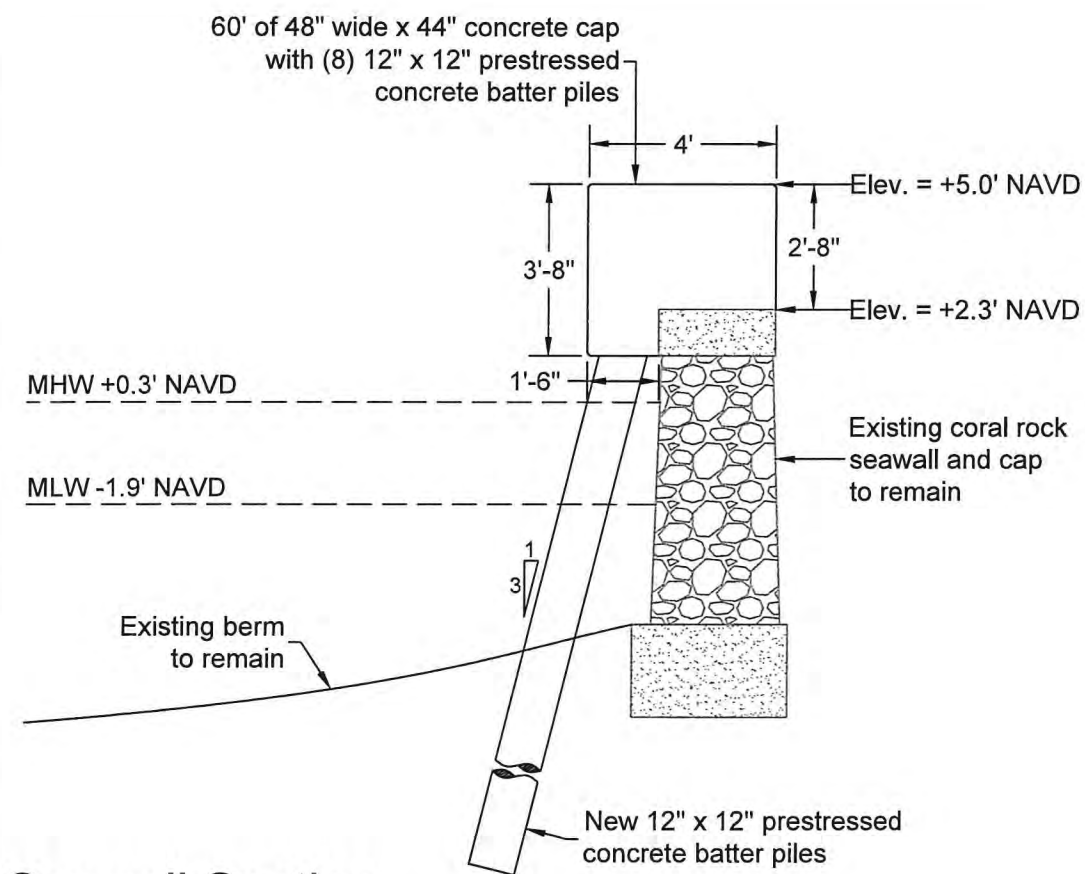
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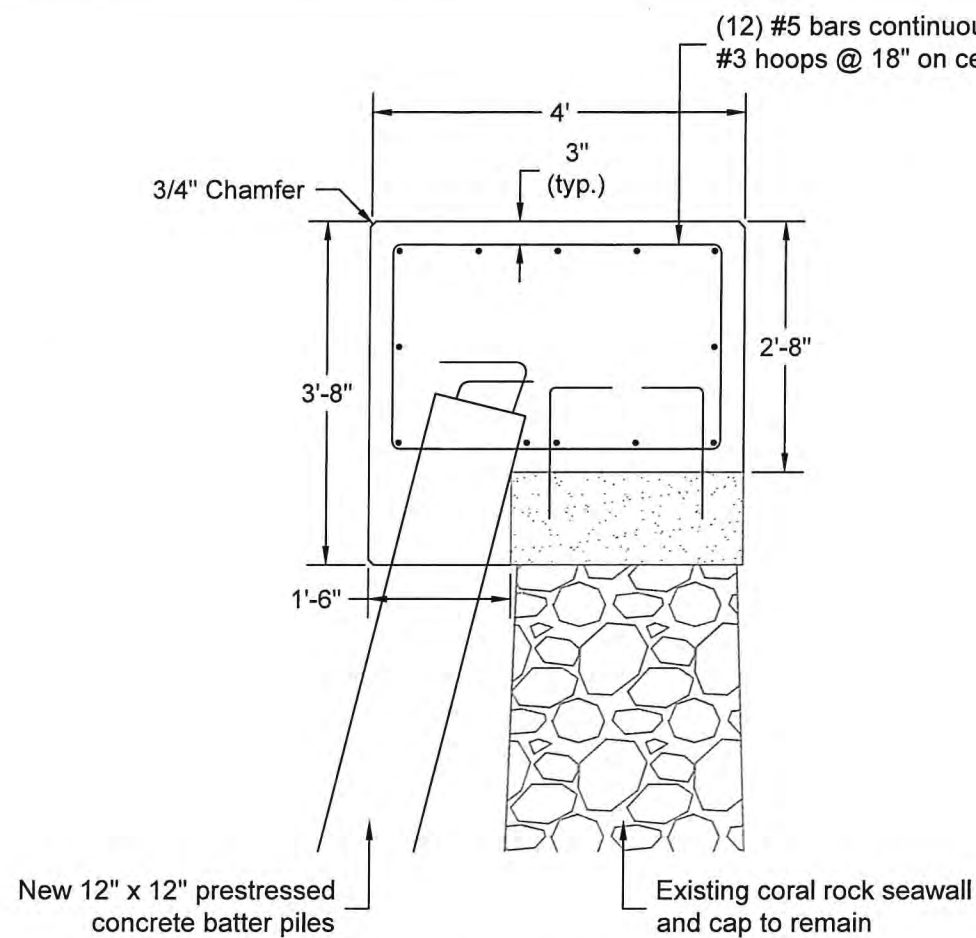
DATE
7-30-24
8-18-25

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 Date: 2025.09.08 14:40:53 -0400

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Seawall Section
Scale 1/4" = 1'-0"



Cap Steel Detail
Scale: 1/2" = 1'-0"

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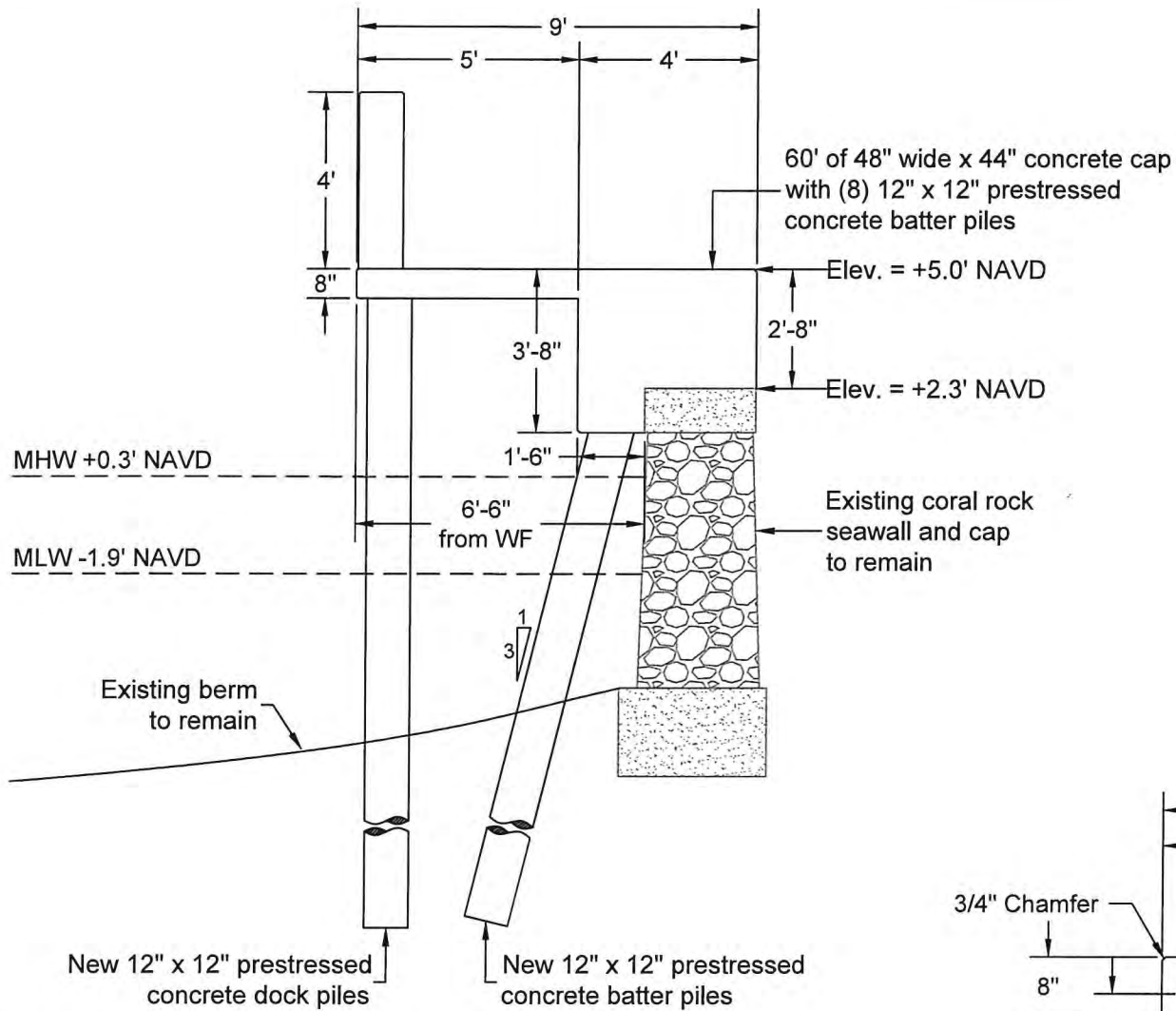
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8-18-25

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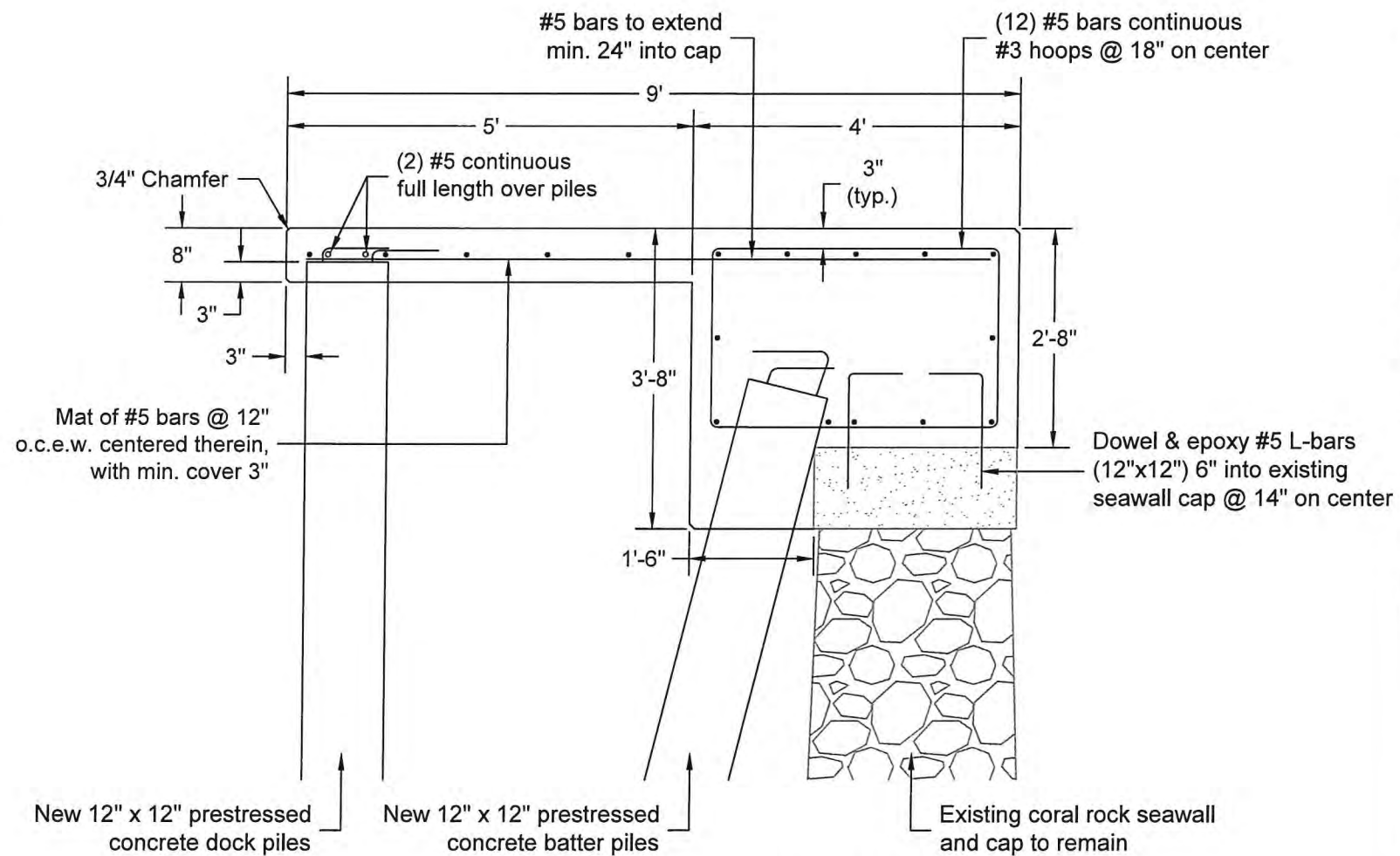
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Sheet 4 of 7



Dock Section

Scale 1/4" = 1'-0"



Dock Steel Detail

Scale: 1/2" = 1'-0"

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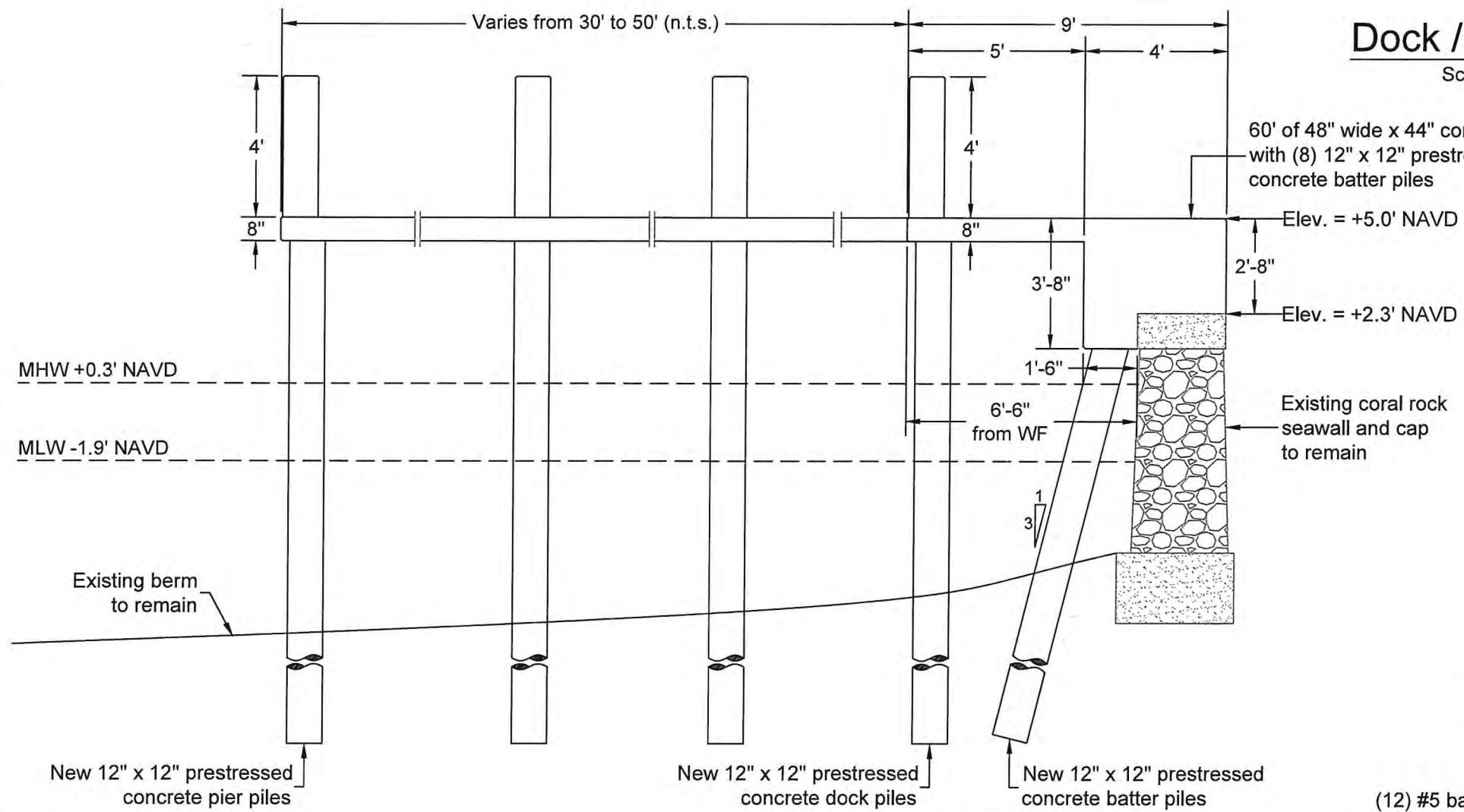
8-18-25

Digitally signed by Mark E Weber
 Date: 2025.09.08 14:41:32 -04'00'

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Dock / Pier Section

Scale 1/4" = 1'-0"



60' of 48" wide x 44" concrete cap with (8) 12" x 12" prestressed concrete batter piles

Elev. = +5.0' NAVD

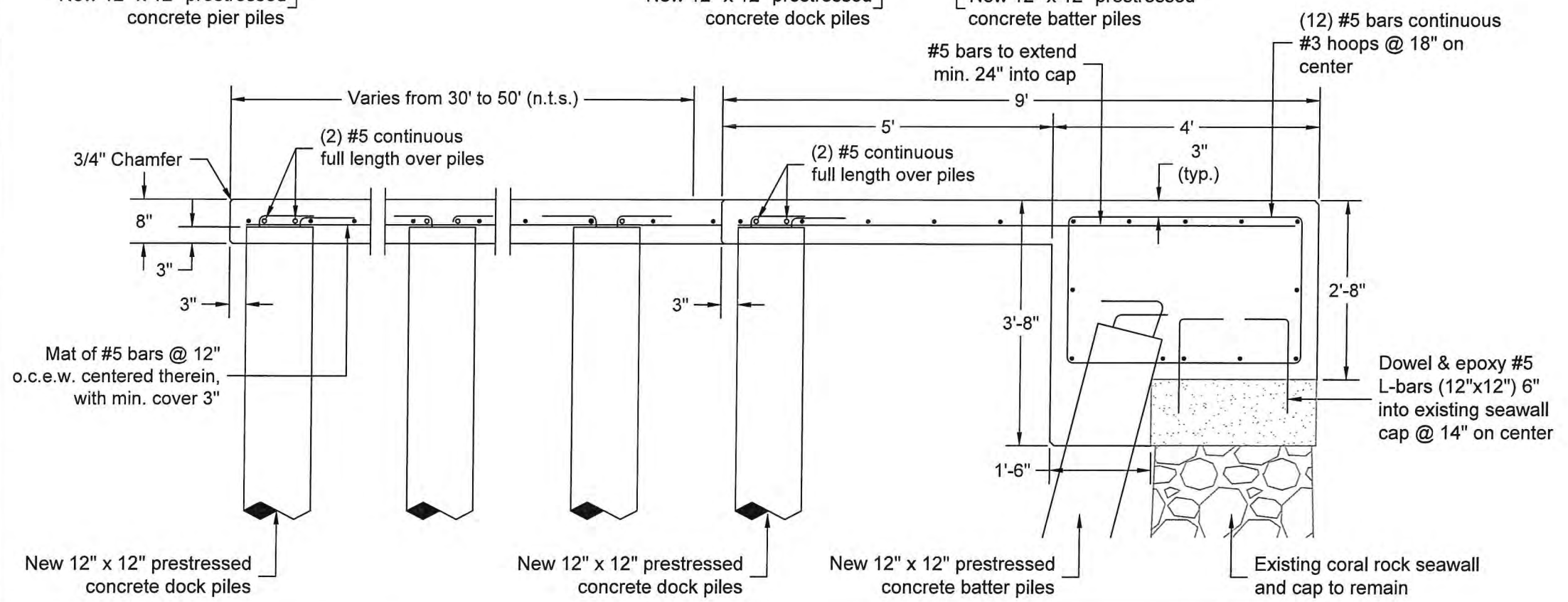
Elev. = +2.3' NAVD

Existing coral rock seawall and cap to remain

Note: All piles not shown for clarity

Dock / Pier Steel Detail

Scale: 1/2" = 1'-0"



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Digitally signed by Mark E Weber
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GENERAL NOTES:

1. Construction to follow the Florida Building Code 8th Edition (2023) and amendments as applicable and all Local, State and Federal Laws.
2. Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
3. Do not scale drawings for dimensions.
4. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
5. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
6. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
9. Licensed Contractor to verify location of existing utilities prior to commencing work.
10. The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

PILE DRIVING:

1. Piles shall be driven using an approved cushion block consisting of material so arranged so as to provide the transmission of hammer energy.
2. Piles shall be driven to a minimum allowable bearing capacity of 10 tons for wood, 25 tons for concrete, and 5 tons for pin piles, a minimum of 8' into berm or refusal.
3. Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weight no less than 3,000 pounds, and the fall of the hammer shall not exceed 6'.
4. Piles shall be driven with a variation of not more than 1/4 inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
5. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

CONCRETE NOTES:

1. Concrete shall conform to ACI 318-14 and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
4. Concrete cover shall be 3" unless otherwise noted on the approved drawings.
5. Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
6. Fiber Reinforced Polymer (FRP) Reinforcing Bars may be used in lieu of reinforcing steel. FRP shall meet FDOT specification 932-3.1 - Use only solid, round, thermoset basalt fiber reinforced polymer (BFRP), glass fiber reinforced polymer (GFRP) or carbon fiber reinforced polymer (CFRP) reinforcing bars from producers currently on the FDOT's Production Facility Listing.
7. Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
8. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of expoxy-concrete mix or gunnite concrete with sulfate-resistant cement.

PILE NOTES:

1. Concrete piles shall attain 6000 psi compressive strength in 28 days.
2. Concrete piles shall be reinforced with four - 7/16"Ø lo-lax strands, 270 kips, and 5 ga. spiral ties.
3. Concrete piles shall be 12"x12" square, minimum length of 20'.
4. Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel or drill and epoxy (2) #5 12"x18" hook bars 6" into pile.

Consultant

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 Marine Design & Consulting
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Project Engineer

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DATE

7-30-24

8-18-25



Digitally signed by
 Mark E Weber
 Date: 2025.09.08
 14:42:12 -04'00'

MARK E. WEBER, P.E.
 LICENSE #53895 | CA 30702
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Resilient Environment Department

ENVIRONMENTAL PERMITTING DIVISION

1 North University Drive, Mailbox 201, Plantation, Florida 33324 • 954-519-1483 • FAX 954-519-1412

October 28, 2024

Vincent Congine
1409 SW 17th Street
Fort Lauderdale, Florida 33315
E-mail: vcongine@yahoo.com

Dear Mr. Congine:

This is to notify you of the Resilient Environment Department’s (RED) action concerning your applications received August 14, 2024. The applications have been reviewed for a ACOE State Programmatic General Permit VI-R1, a FDEP Exemption Verification and Broward County Environmental Resource License.

U.S. Army Corps of Engineers (ACOE) State Programmatic General Permit VI-R1 (SPGP) – Granted

RED has the authority to review the application for compliance with the requirements to receive an ACOE SPGP VI-R1 pursuant to an agreement entitled “Coordination Agreement between the U.S. Army Corps of Engineers (Jacksonville District) and Broward County Environmental Protection and Growth Management Department – State Programmatic Permit” Based on the information submitted, a SPGP VI-R1 is hereby issued for this project.

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

RED 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 RED, 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, Exemption Verification No. **06-0454351-001** is hereby issued.

Broward County Environmental Resource License Review – Granted

RED 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 License No. **DF24-1232** 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, EPD, 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.

Sincerely,

Linda Sunderland

October 25, 2024

Linda Sunderland, PWS
Environmental Program Supervisor
Environmental Permitting Division

Date

Enclosures:

County Environmental Resource License/State EE
Attachment A - Specific Exemption Rule
One copy of stamped drawings (8 pages)
Broward County RED Variance and Administrative Review Procedures
SPGP Special Conditions
SPGP General Conditions
Standard Manatee Conditions for In-Water Work, 2011, 2 pages
SPGP Commencement, Statement of Compliance and Transfer forms



Resilient Environment Department

ENVIRONMENTAL PERMITTING DIVISION

1 North University Drive, Mailbox 201, Plantation, Florida 33324 • 954-519-1483 • FAX 954-519-1412

**ARMY CORPS OF ENGINEERS – SPGP VI-R1
FLORIDA STATE ENVIRONMENTAL RESOURCE PROGRAM
EXEMPTION VERIFICATION and
BROWARD COUNTY ENVIRONMENTAL RESOURCE LICENSE**

PERMITTEE/LICENSEE:

Vincent Congine
1409 SW 17th Street
Fort Lauderdale, Florida 33315

FDEP Permit No.: 06-0454351-001
RED License No.: DF24-1232
Date of Issue: 10/28/24
Expiration Date of ERP: 10/28/29
Expiration Date of ERL: 10/28/26
Project: Dock Installation

This exemption verification and license is issued under the authority of Part IV of Chapter 373, F.S., and Title 62, Florida Administrative Code (F.A.C.). The activity is not exempt to operating agreements executed among the Department of Environmental Protection, Broward County, and the South Florida Water Management District, as outlined in a document entitled “Delegation Agreement Among the Florida Department of Environmental Protection, the South Florida Water Management District, and Broward County,” the Resilient Environment Department is responsible for reviewing and taking final agency action on this activity.

This project has also been reviewed in accordance with the provisions of Chapter 27, Article XI Sec. 27-331 through 27-341 of the Broward County Code. This license is issued under the provision of Chapter 27 of the Broward County Code of Ordinances also cited as Broward County Natural Resource Protection Code hereinafter called the Code. The above-named application hereinafter called the licensee, is hereby authorized to perform the work or operate the facility shown on the approved drawing(s), plans, documents, and specifications as submitted by applicant, and made a part hereof and specifically described as follows.

DESCRIPTION OF WORK

This project involves: (1) installation of a new 4’ wide seawall cap; (2) removal of a 4’ by 44’ marginal wooden dock and two 4’ by 34’ wooden finger piers; (3) associated construction of a new 60’ long by 5’ wide marginal concrete dock; and (4) installation of a 4’ by 50’ and 4’ by 30’ concrete finger piers. Total width of the proposed dock over water will be 6.5’ as measured from the waterward face of the seawall panel to the waterward edge of the proposed 12-inch dock pilings, and the total area of all over water structures shall not exceed 620 square feet. This license does not authorize dredging, nor does it authorize impacts to seagrasses or any other natural resources.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

LOCATION OF WORK

This project is located at 1409 SW 17th Street, Fort Lauderdale. Folio Number: 504216140140.

Construction shall be in accordance with the ERL application received on 08/14/24, the ERP application received on 08/14/24, all additional information submitted, plans stamped by the Department (attached) and with all General and Specific Conditions of this license.

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project qualifies for all three. However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. State water quality certification is waived for activities that are exempt under rule 62-330.051, F.A.C.

1. Regulatory Review – Verified

Based on the information submitted, the Department has verified that the activity as proposed is exempt under Chapter 62-330.051(5)(b) and (12)(b), Florida Administrative Code, from the need to obtain a regulatory permit under part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. Proprietary Review – Not required

The activity does not appear to be located on sovereign submerged lands, and does not require further authorization under chapter 253 of the Florida Statutes, or chapters 18-20 or 18-21 of the Florida Administrative Code.

3. Federal Review – Approved

Your proposed activity as outlined in your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit VI-R1, and a SEPARATE permit or authorization will not be required from the Corps. Please note that the Federal authorization expires on July 27, 2026. However, your authorization may remain in effect for up to one additional year, if provisions of Special Condition 19 of the SPGP VI-R1 permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP VI-R1 with all terms and conditions and the General Conditions may be found at <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book>.

Authority for review - an agreement with the USACOE entitled “Coordination Agreement Between the U.S. Army Corps of Engineers (Jacksonville District) and Broward County Environmental Protection and Growth Management Department, State Programmatic General Permit”, Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

RED GENERAL CONDITIONS:

- (1) The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the licensee and enforceable by RED pursuant to this chapter. RED will review this license periodically and may revoke the license, initiate administrative and/or judicial action for any violation of the conditions by the licensee, its agents, employees, servants or representatives or principals.
- (2) This license is valid only for the specific uses set forth in the license application, and any deviation from the approved uses may constitute grounds for revocation and enforcement action by RED.
- (3) In the event the licensee is temporarily unable to comply with any of the conditions of the license, the licensee shall notify RED within twelve (12) hours. Within five (5) working days of the event, the licensee shall submit a written report to RED that describes the incident, its cause, the measures being taken to correct the problem and prevent its reoccurrence, the owner's intention toward repair, replacement, and reconstruction of destroyed facilities, and a schedule of action leading toward operation within the license conditions.
- (4) The issuance of this license does not convey any vested rights or exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, or any violations of federal, state or local laws or regulations.
- (5) This license must be available for inspection on the licensee's premises during the entire life of the license.
- (6) By accepting this license, the licensee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, that are submitted to RED, may be used by RED as evidence in any enforcement proceeding arising under Chapter 27, except where such use is prohibited by § 403.111, F.S.
- (7) The licensee agrees to comply with Chapter 27, as amended.
- (8) Any new owner of a licensed facility shall apply by letter for a transfer of license within thirty days after sale or legal transfer. The transferor shall remain liable for performance in accordance with the license until the transferee applies for, and is granted the transfer of license. The transferee shall also be liable for performance in accordance with the license.
- (9) The licensee, by acceptance of this license, specifically agrees to allow access to the licensed source at reasonable times by RED personnel for the purposes of inspection and testing to determine compliance with this license and this Chapter 27.
- (10) This license does not constitute a waiver or approval of any other license that may be required for other aspects of the total project.
- (11) If the licensee wishes to renew a license or extend its term, the licensee shall make application sixty (60) days prior to its expiration. Expired licenses are not renewable.
- (12) In addition to the general conditions set forth above, each license issued by RED shall contain specific conditions determined by site conditions and requirements pursuant to the regulations as determined by the director of RED. The licensee agrees that specific conditions are enforceable by RED for any violation thereof.

(13) Enforcement of the terms and provisions of this license shall be at the reasonable discretion of RED, and any forbearance on behalf of RED to exercise its rights hereunder in the event of any breach by the licensee, shall not be deemed or construed to be a waiver of RED's rights hereunder.

RED SPECIFIC CONDITIONS:

A. STANDARD CONDITIONS

(1) **Notify the Department in writing a minimum of 48 hours prior to project commencement and a maximum of 48 hours after project completion.** Commencement notification should include such information as the intended start date, estimated duration of construction, and the name and contact information of the firm contracted to do the work. **Failure to comply with this condition will result in enforcement action.**

(2) Any project caused environmental problem(s) shall be reported immediately to the Department's Environmental Response Line at 954-519-1499.

(3) All project generated solid waste and/or spoil material must be disposed of in a suitable approved manner at an upland location.

(4) All watercraft associated with the construction and use of the permitted structure shall only operate within waters of sufficient depth so as to preclude bottom scouring or prop dredging. **Specifically, there shall be a minimum 12-inch clearance between the deepest draft of the vessel (with the motor in the down position) and the top of any submerged resources or canal bottom at mean low water.**

(5) Turbidity screens, silt fences, or equivalent shall be properly employed and maintained as necessary to effectively contain suspended sediments and/or runoff during construction activities. **Dredging, filling, excavation, seawall removal, seawall construction, and other projects which result in similar degrees of disturbance to wet sediments shall in all cases employ turbidity control measures designed to effectively enclose the entire work area.**

(6) Turbidity levels shall be monitored and recorded if a visible turbidity plume is observed leaving the site during construction activities. If monitoring reveals that turbidity levels exceed 29 NTU's above natural background 50 feet downstream of the point of discharge, project activities shall immediately cease, and work shall not resume until turbidity levels drop to within these limits [62-302.530(69) FAC].

B. CONSTRUCTION CONDITIONS

(1) The replacement dock and finger piers shall have a maximum over-water width of 56.5 feet for a total over-water area of 620 square feet, as measured from the wet face of the existing seawall panel to the waterward edge of the proposed decking, and shall otherwise be constructed as shown on the attached drawings.

(2) No dredging is authorized by this license.

(3) As-built drawings by a Professional Engineer registered in the State of Florida and/or the final inspection from the City of Fort Lauderdale demonstrating that the project is in substantial compliance with the licensed plans shall be submitted to the Department within thirty (30) days from completion of the project. **Failure to construct the project as authorized may result in enforcement action.**

(4) If the approved license drawings and/or license attachments/plans conflict with the specific conditions, then the specific conditions shall prevail.

(5) Demolition and construction related debris must be disposed of at an approved upland location and may not be left in the waterway.

OR

Demolition and construction related debris must be disposed of at an approved upland location and may not be left in the wetlands or any surface waters.

(6) This license does not eliminate the necessity to obtain any required federal, state, local or special district authorizations prior to the start of any activity approved by this license.

C. TURBIDITY CONDITIONS

(1) All watercraft associated with the proposed work and/or use of the permitted structure shall only operate within waters of sufficient depth so as to preclude bottom scouring or prop dredging.

(2) The contractor shall be responsible to have functional turbidity monitoring equipment on site during all construction activities and shall be responsible for training construction personnel in its calibration, operation, and related license requirements.

(3) If a visible turbidity plume is observed leaving the site at any time, the licensee shall:

- (a) Immediately cease all work contributing to the water quality violation. Operations may not resume until the Department gives authorization to do so.
- (b) Notify the Department's Development and Environmental Regulation Division immediately at (954) 519-1499, referencing the license number and project name.
- (c) Stabilize all exposed material contributing to the water quality violation. Modify the work procedures that were responsible for the violation, and install more turbidity containment devices and/or repair any non-functioning turbidity containment devices.

(4) Single/Twin turbidity screens, booms, curtains, or equivalent shall be affixed, anchored, or weighted to the existing seawall as depicted on the approved plans and shall span from water's surface to the substrate and shall be maintained as necessary during construction activities to minimize migration of turbidity into the adjacent waterway.

(5) Connected turbidity curtain segments shall be overlapped and tied at the top and bottom so as to prevent turbidity from escaping through gaps between segments.

(6) Turbidity curtains shall be deployed to effectively encapsulate the work area without impeding navigation in public waterways.

D. STANDARD SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

(1) The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.

(2) The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.

(3) Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.

(4) All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.

(5) If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.

(6) Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824- 5312) and the local authorized sea turtle stranding/rescue organization.

(7) Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

E. PROTECTED MARINE SPECIES CONDITIONS

(1) All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The licensee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.

(2) All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

(3) Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.

(4) All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shut down if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.

(5) Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com

(6) Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the licensee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads Caution: Boaters must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut-down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at <https://myfwc.com/wildlifehabitats/wildlife/manatee/education-for-marinas/>. Questions concerning these signs can be sent to the email address listed above.

(7) Please be advised if five (5) or more vessels are observed at this project location, a Marine Facility Operating License (MFOL) shall be required. A MFOL may only be issued through the issuance of an Environmental Resource License (ERL) and only if slips are available for allocation from the MPP pool of slips. Application fees include \$450.00 for the ERL and \$666.00 for each proposed slip. If slips are not available in the pool, a complete application may be placed on a time clock waiver until such time as slips become available. Until the license is issued, the vessel count must be maintained below five slips.

A MFOL when issued is valid for one (1) year and must be renewed annually prior to expiration. Renewal of a MFOL requires payment of an annual manatee conservation fee as established in Subsection 27-334 (c) 2 of the Broward County Code. The fee is currently \$32.00 per slip per year.

F. A COPY OF THIS LICENSE SHALL BE KEPT ON SITE DURING ALL PHASES OF LICENSED CONSTRUCTION.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and

- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the order is filed with the Clerk of the Department.

Judicial Review

Any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

If you revise your project after submitting the initial joint application, please contact us as soon as possible. Also, if you have any questions, please contact Francisco Alvaro at (954) 519-1467 or via e-mail at FAlvaro@Broward.org. When referring to this project, please use the County file number listed above.

Executed in Plantation, Florida.

BROWARD COUNTY RESILIENT ENVIRONMENT DEPARTMENT as delegated by the STATE OF
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Linda Sunderland

Linda Sunderland, PWS
Environmental Program Supervisor
Environmental Permitting Division

October 25, 2024

Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this determination, including all copies were sent on the filing date below to the listed persons:

Kathy Cartier, Unlimited Permit Services Inc. (via e-mail)

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to 120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Francisco Alvaro October 28, 2024
Clerk Date

Attachment A

Chapter 62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(b) Installation of private docks, piers, and recreational docking facilities, and installation of local governmental piers and recreational docking facilities, in accordance with section 403.813(1)(b), F.S. This includes associated structures such as boat shelters, boat lifts, and roofs, provided:

1. The cumulative square footage of the dock or pier and all associated structures located over wetlands and other surface waters does not exceed the limitations in section 403.813(1)(b), F.S.;

2. No structure is enclosed on more than three sides with walls and doors;

3. Structures are not used for residential habitation or commercial purposes, or storage of materials other than those associated with water dependent recreational use; and

4. Any dock and associated structure shall be the sole dock as measured along the shoreline for a minimum distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot.

(12) Construction, Replacement, Restoration, Enhancement, and Repair of Seawall, Riprap, and Other Shoreline Stabilization –

(b) The restoration of a seawall or riprap under section 403.813(1)(e), F.S., where:

1. The seawall or riprap has been damaged or destroyed within the last year by a discrete event, such as a storm, flood, accident, or fire or where the seawall or riprap restoration or repair involves only minimal backfilling to level the land directly associated with the restoration or repair and does not involve land reclamation as the primary project purpose. See section 3.2.4 of Volume I for factors used to determine qualification under this provision;

2. Restoration shall be no more than 18 inches waterward of its previous location, as measured from the waterward face of the existing seawall to the face of the restored seawall, or from the waterward slope of the existing riprap to the waterward slope of the restored riprap; and

3. Applicable permits under chapter 161, F.S., are obtained.

CANAL (R/W VARIES)

No tree will be removed or replanted as part of this permit

See attached survey supplied by owner for exact property information.

Consultant

UNLIMITED PERMIT SERVICES, INC
Marine Design & Consulting
902 NE 1st Street #2
Pompano Beach, FL 33060
(954) 532-0129
Office@unlimiteddps.net

Project Engineer

MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, FL 33060
Ofc: 954-532-0129
WWW.MwEngineering.net

Contractor

MORRISON CONTRACTORS, INC
3000 SW 26 Terrace
Dania Beach, FL 33312
(954) 583-8500

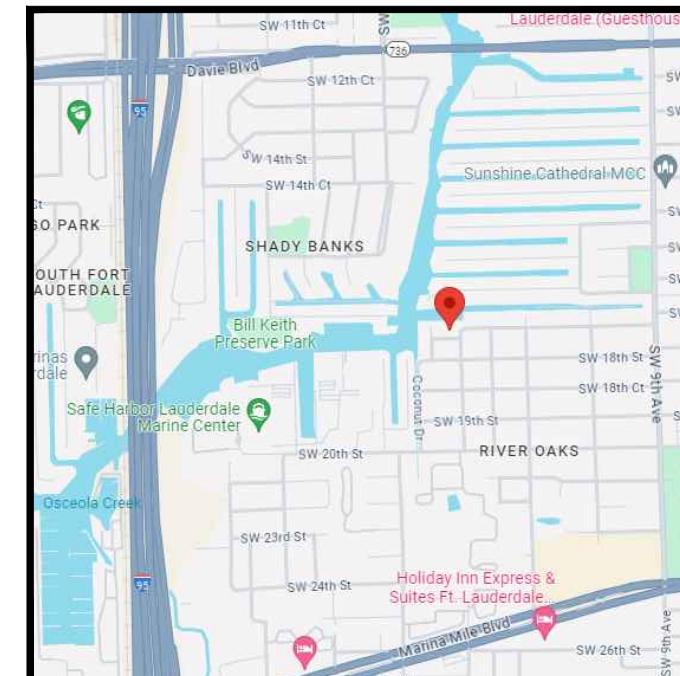
Project Information

Seawall Repair / New Dock
Vincent Congine
1409 SW 17 Street
Fort Lauderdale, FL 33315

DATE

7-30-24

Location Map



MARK E. WEBER, P.E.
LICENSE #53895 | CA 30702

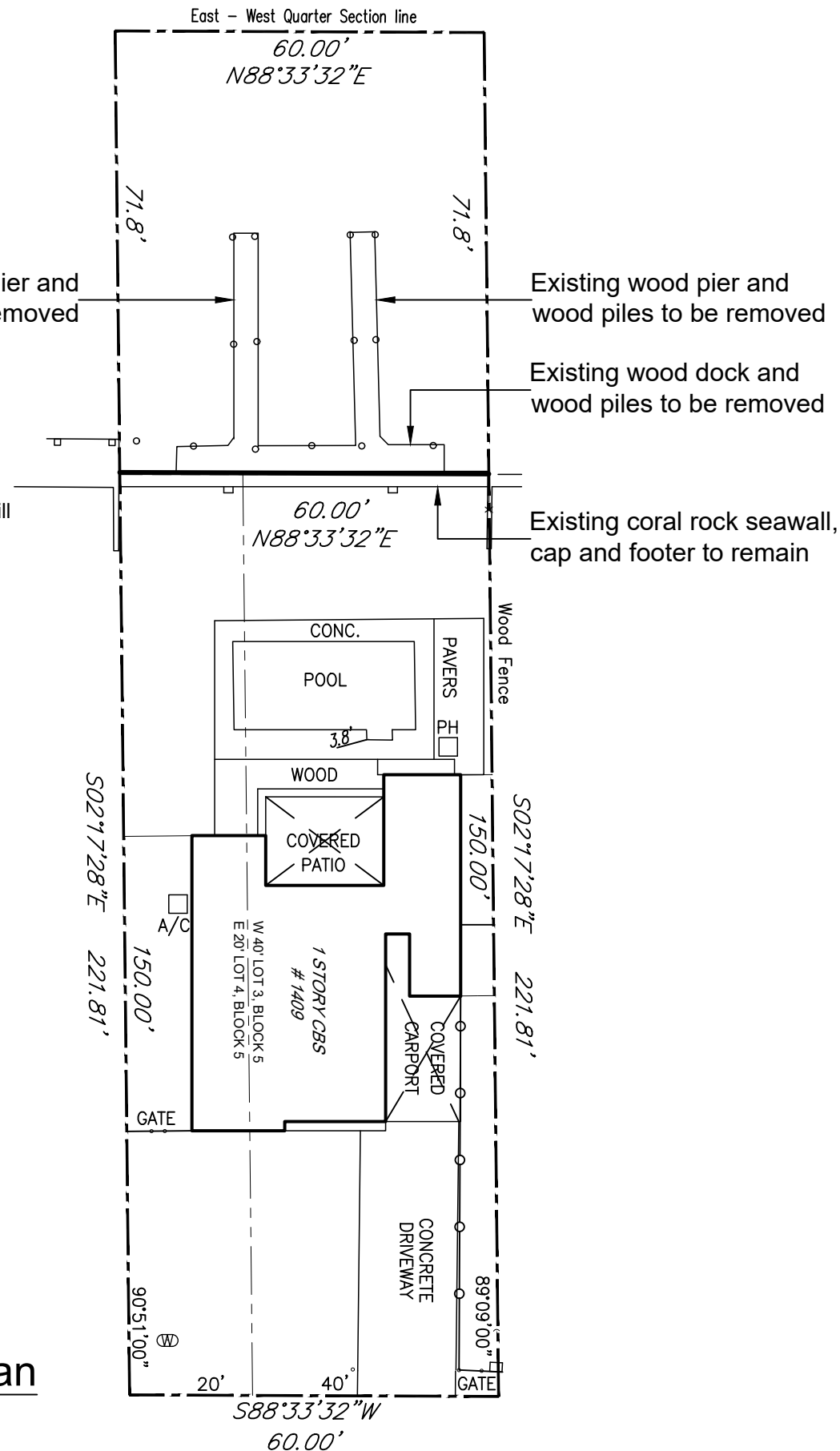
MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 954-532-0129
WWW.MwEngineering.net

Sheet 1 of 8

Site Address	1409 SW 17 STREET, FORT LAUDERDALE FL 33315-1945	ID #	5042 16 14 0140
Property Owner	HOLCOMBE, RHIANNON M CONGINE, VINCENT J	Millage	0312
Mailing Address	1409 SW 17 ST FORT LAUDERDALE FL 33315-1945	Use	01-01
Abbreviated Legal Description	REV PLAT YELLOWSTONE PARK 23-33 B LOT 3 W 40 & TH PT BOAT SLIP LYING N OF LOT,4 E 20 & TH PT BOAT SLIP LYING N OF LOT BLK 5		

ZONING DESCRIPTION:

RS-8
Vessel when moored on dock will maintain a minimum 5' side yard set back

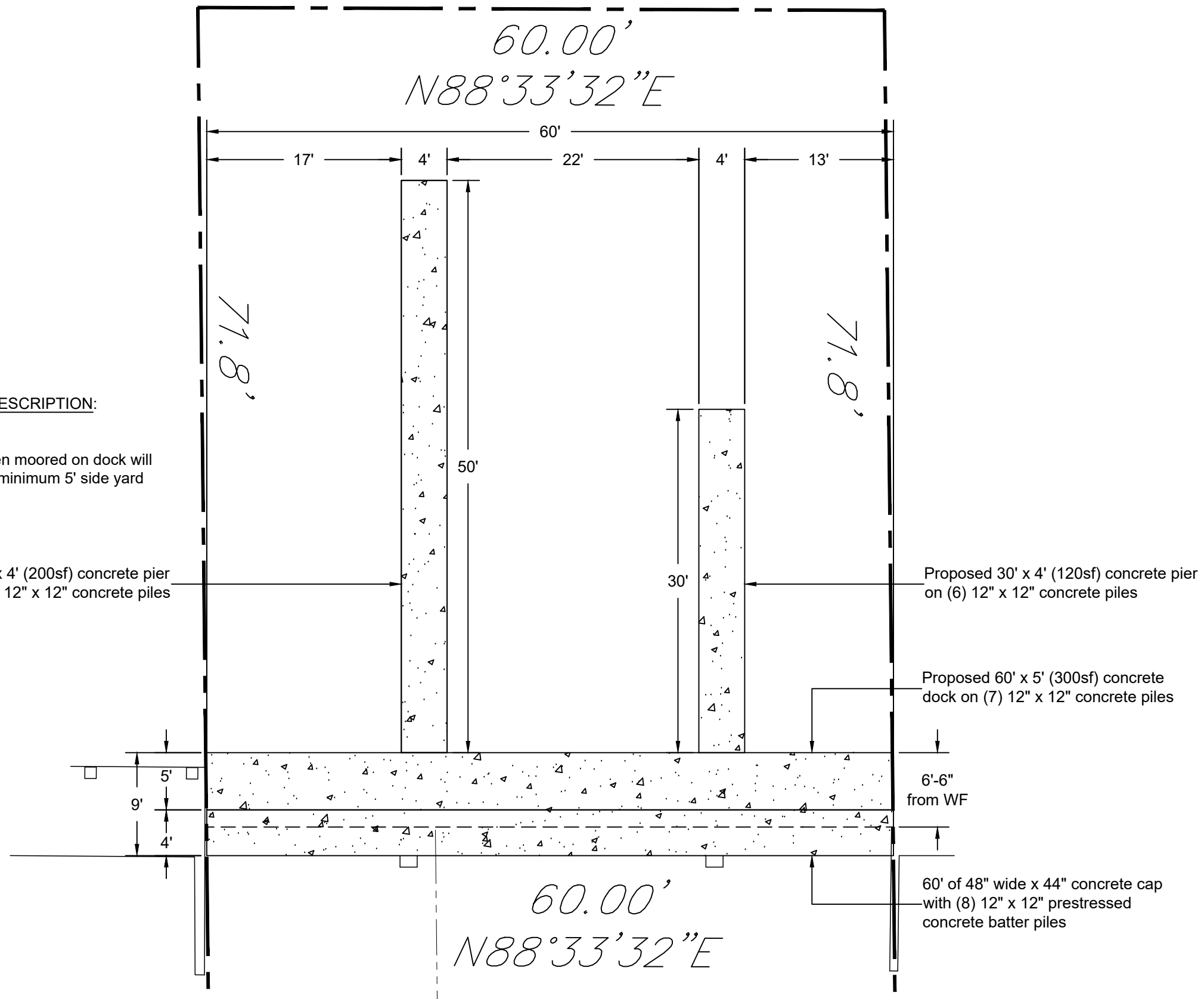


Existing Site Plan

Scale: 1" = 25'

CANAL
(R/W VARIES)

East - West Quarter Section line



ZONING DESCRIPTION:

RS-8
Vessel when moored on dock will maintain a minimum 5' side yard set back

Proposed Site Plan

Scale: 1" = 10'

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UNLIMITED PERMIT SERVICES, INC
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902 NE 1st Street #2
Pompano Beach, FL 33060
(954) 532-0129
Office@unlimitedps.net

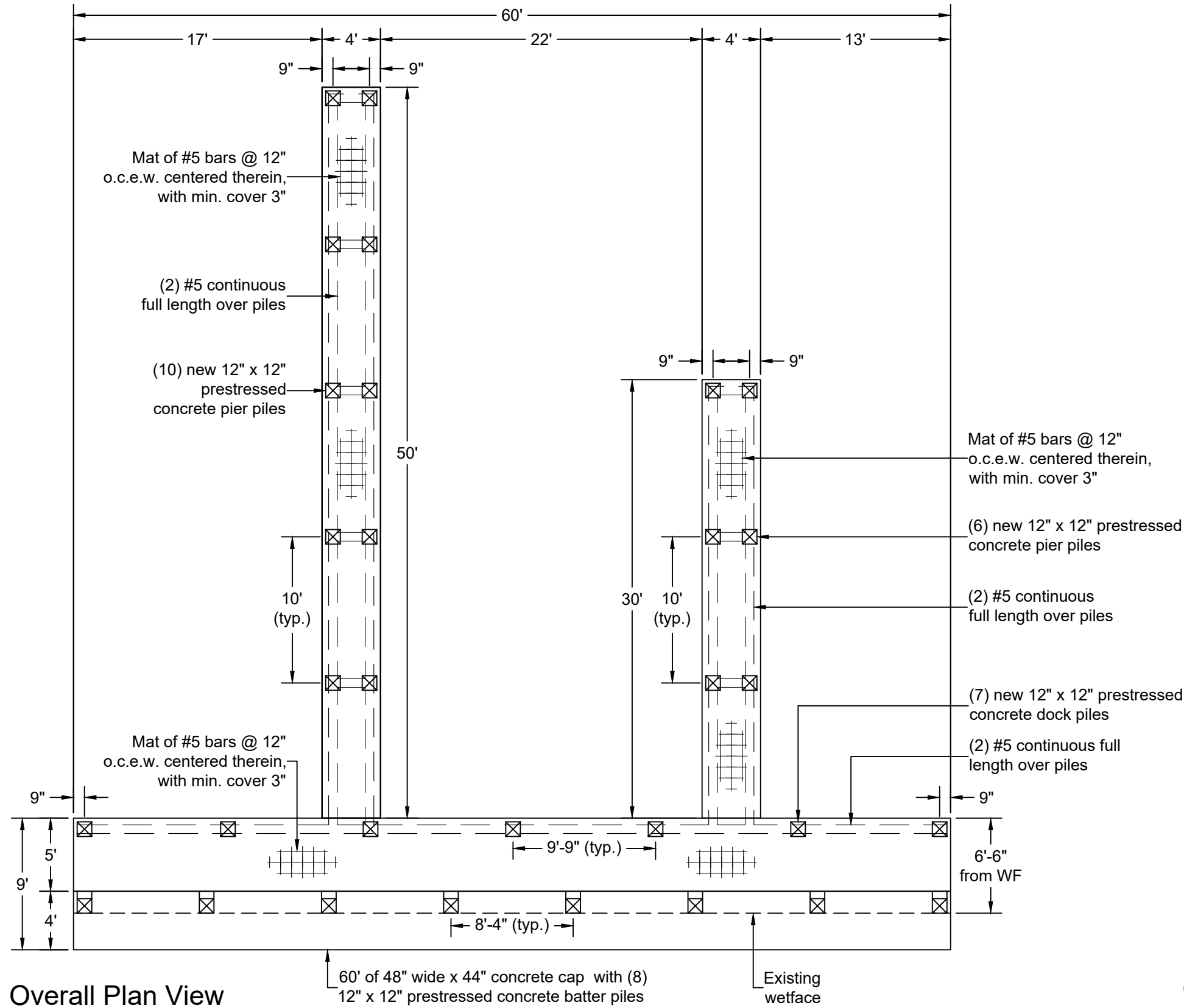
Project Engineer
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Pompano Beach, FL 33060
Ofc: 954-532-0129
WWW.MwEngineering.net

Contractor
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3000 SW 26 Terrace
Dania Beach, FL 33312
(954) 583-8500

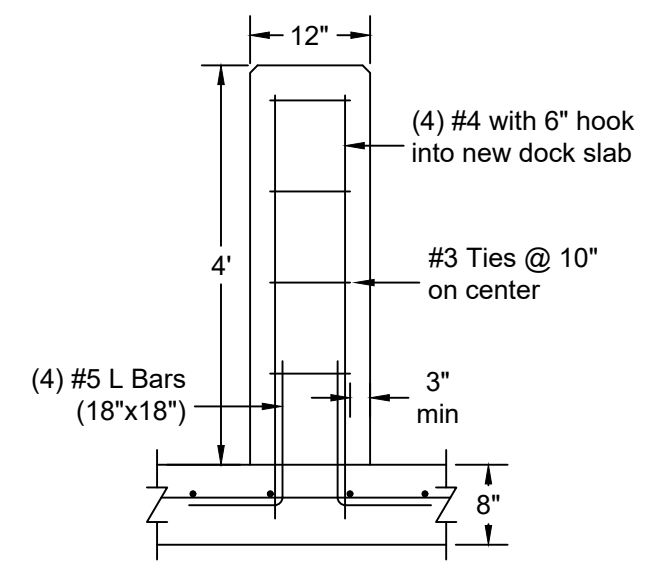
Project Information
Seawall Repair / New Dock
Vincent Congine
1409 SW 17 Street
Fort Lauderdale, FL 33315

DATE
7-30-24

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Overall Plan View
Scale: 1/8" = 1'-0"



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

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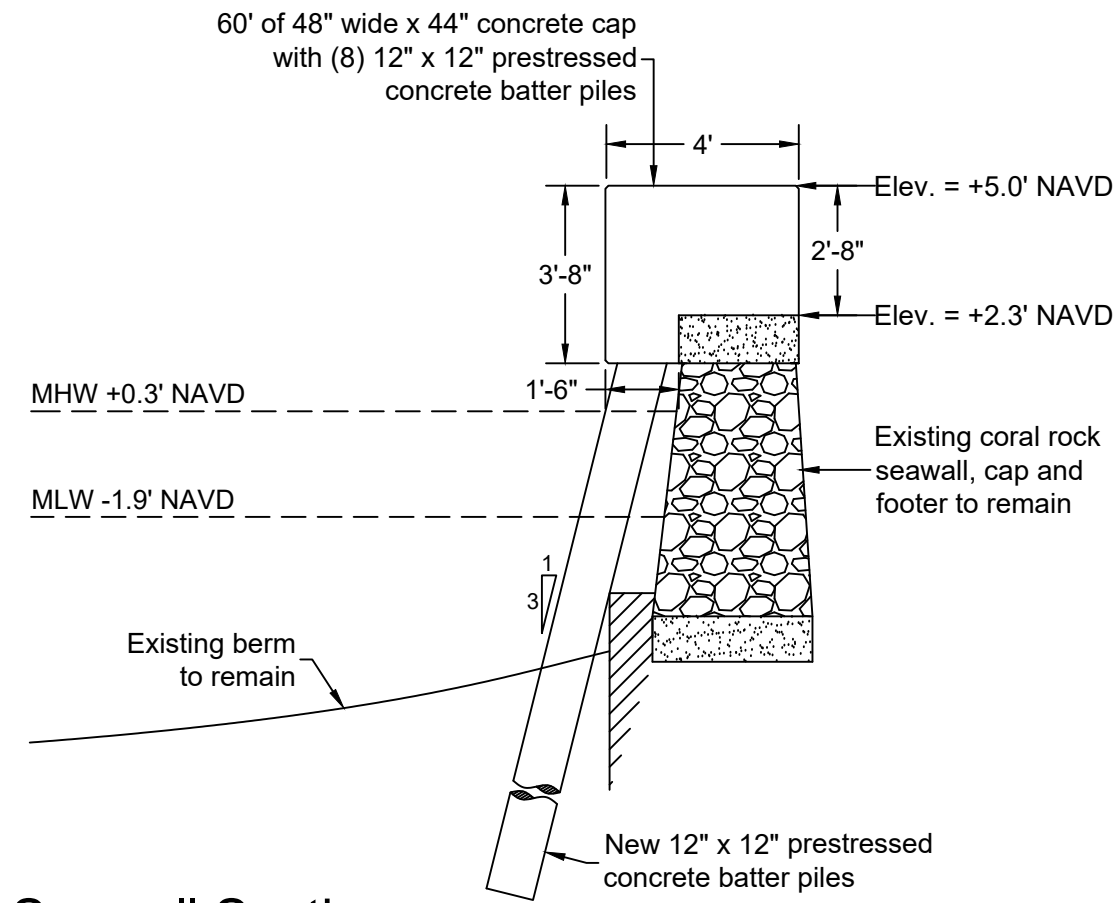
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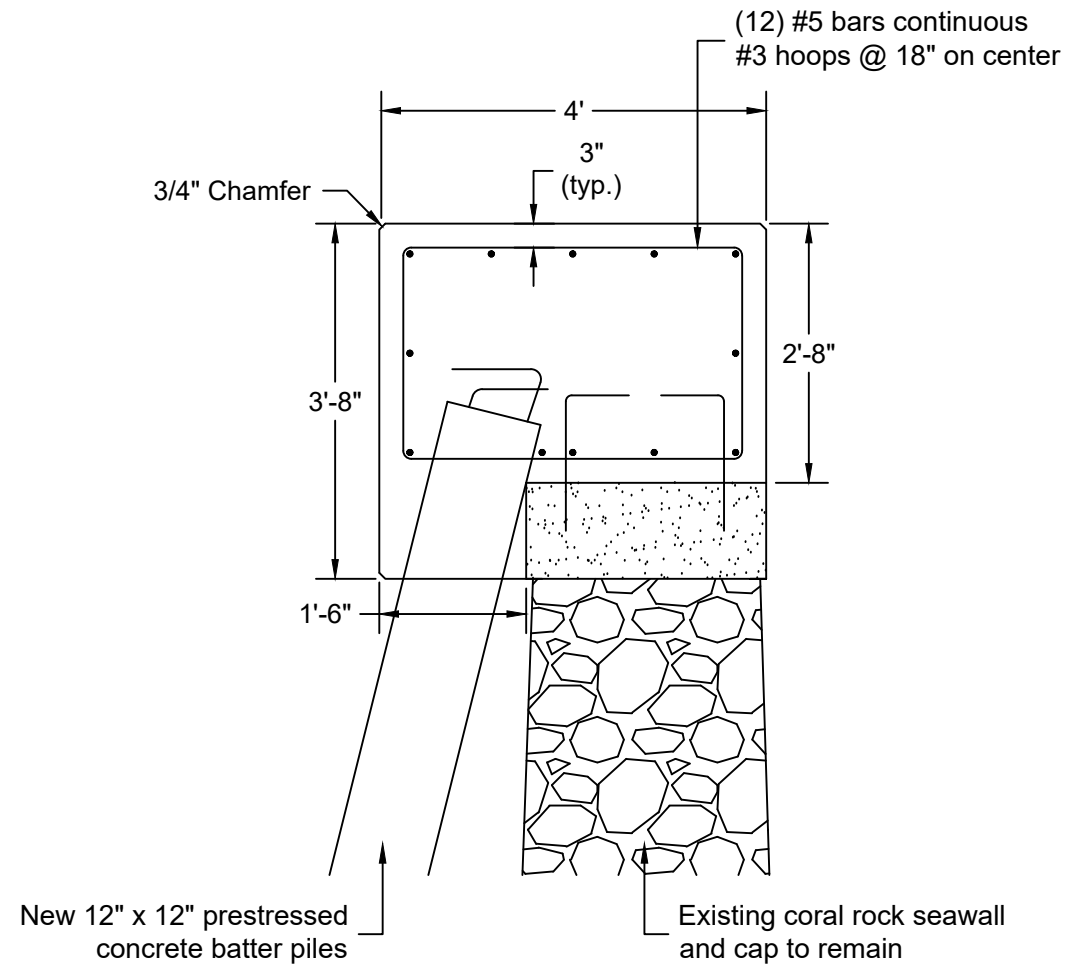
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Seawall Section
Scale 1/4" = 1'-0"



Cap Steel Detail
Scale: 1/2" = 1'-0"

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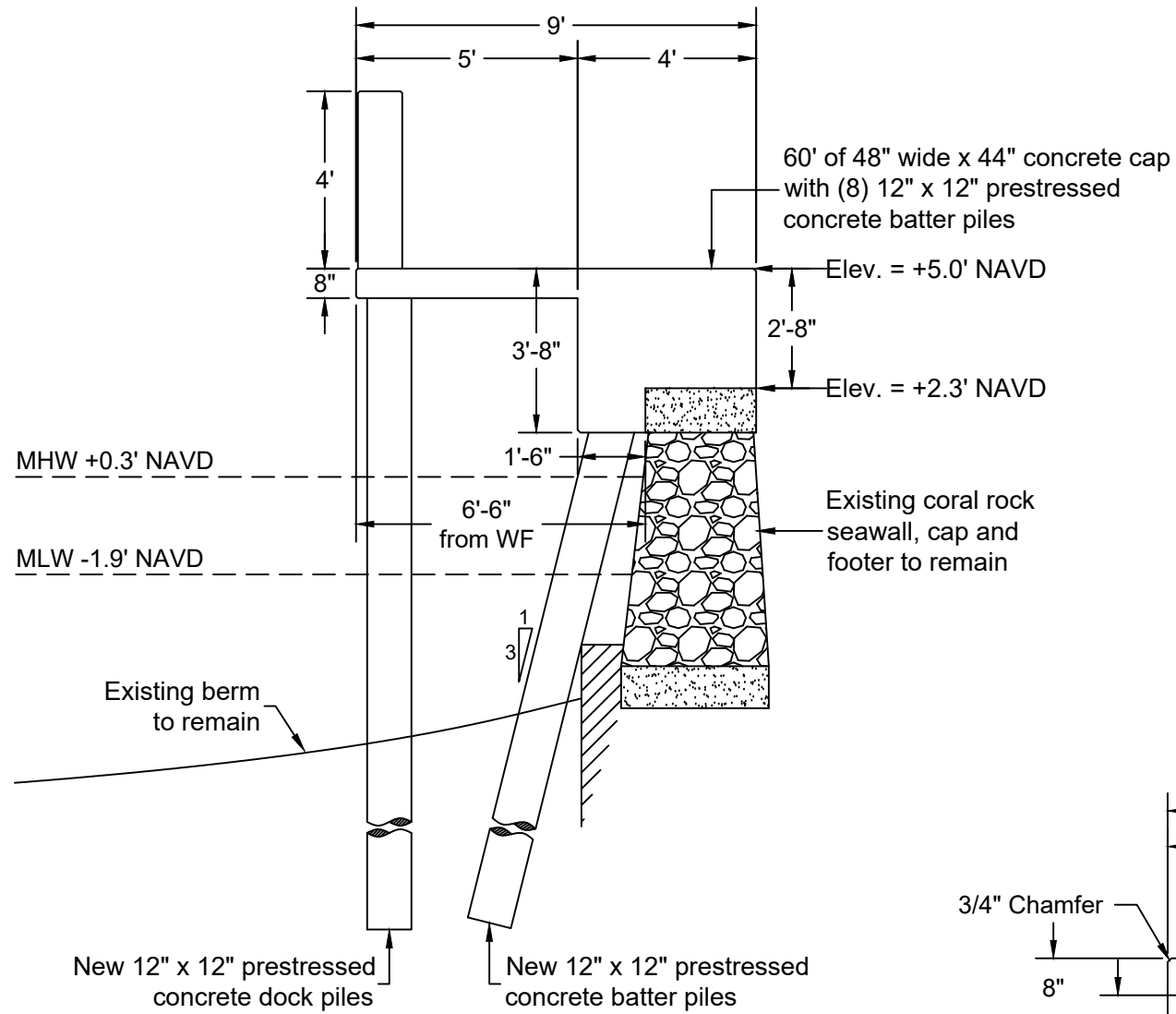
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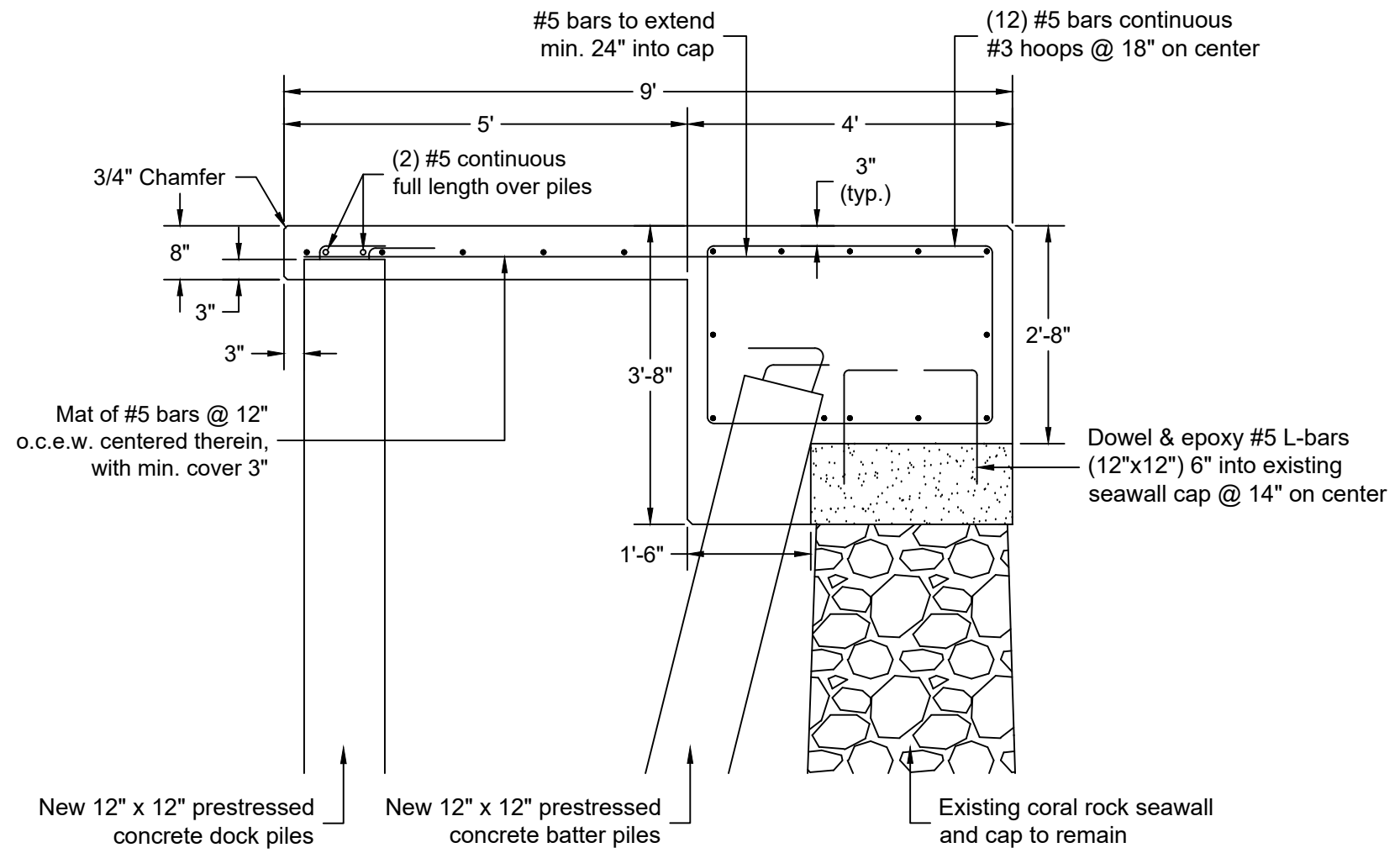
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Dock Section
Scale 1/4" = 1'-0"



Dock Steel Detail
Scale: 1/2" = 1'-0"

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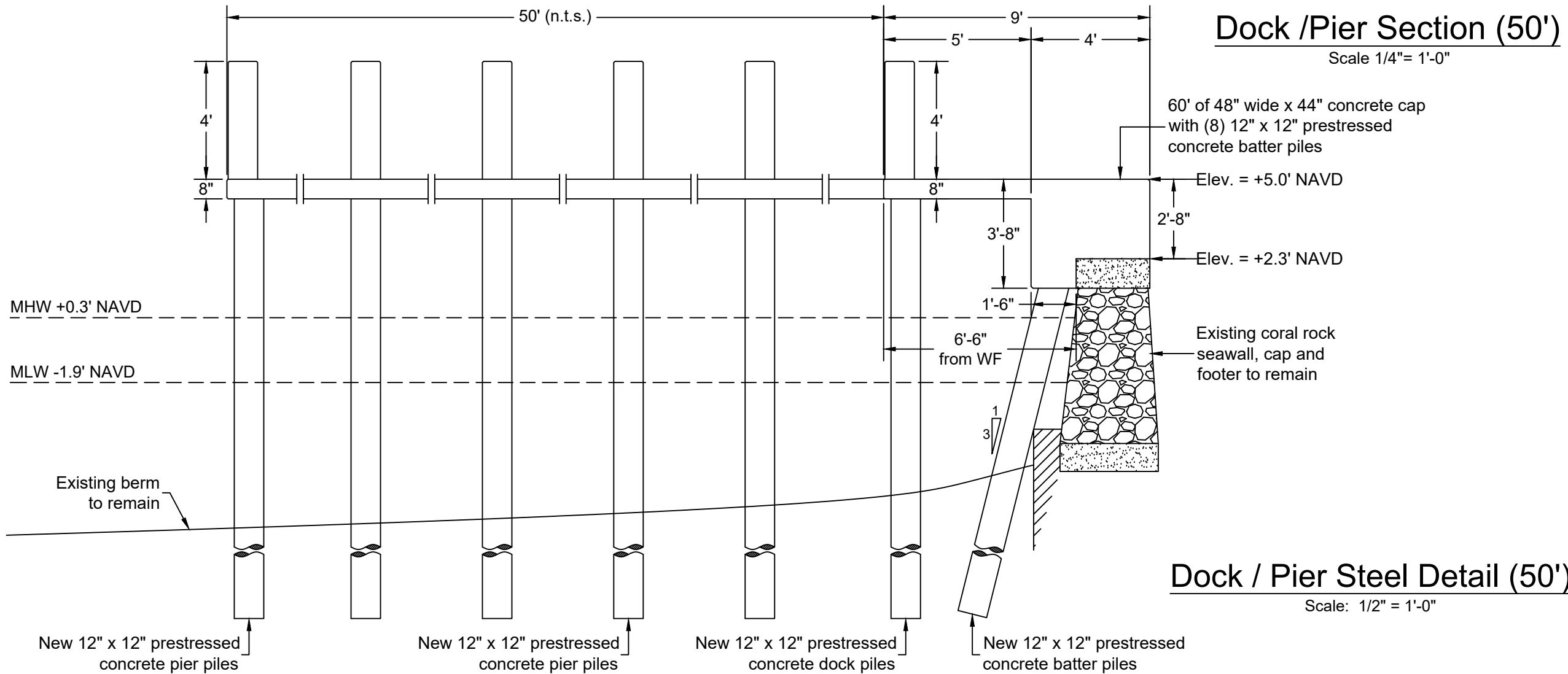
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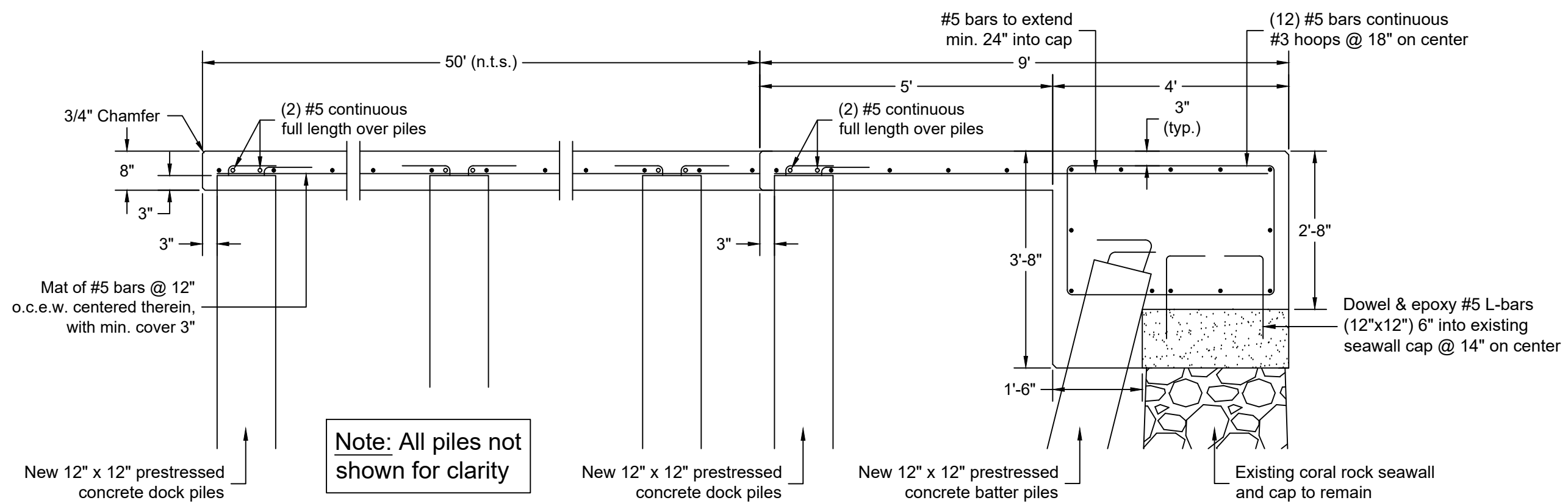
Project Information
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DATE
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Dock / Pier Steel Detail (50')
Scale: 1/2" = 1'-0"



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GENERAL NOTES:

1. Construction to follow the Florida Building Code 8th Edition (2023) and amendments as applicable and all Local, State and Federal Laws.
2. Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
3. Do not scale drawings for dimensions.
4. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
5. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
6. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
9. Licensed Contractor to verify location of existing utilities prior to commencing work.
10. The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

PILE DRIVING:

1. Piles shall be driven using an approved cushion block consisting of material so arranged so as to provide the transmission of hammer energy.
2. Piles shall be driven to a minimum allowable bearing capacity of 10 tons for wood, 25 tons for concrete, and 5 tons for pin piles, a minimum of 8' into berm or refusal.
3. Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weight no less than 3,000 pounds, and the fall of the hammer shall not exceed 6'.
4. Piles shall be driven with a variation of not more than 1/4 inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
5. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

CONCRETE NOTES:

1. Concrete shall conform to ACI 318-14 and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
4. Concrete cover shall be 3" unless otherwise noted on the approved drawings.
5. Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
6. Fiber Reinforced Polymer (FRP) Reinforcing Bars may be used in lieu of reinforcing steel. FRP shall meet FDOT specification 932-3.1 - Use only solid, round, thermoset basalt fiber reinforced polymer (BFRP), glass fiber reinforced polymer (GFRP) or carbon fiber reinforced polymer (CFRP) reinforcing bars from producers currently on the FDOT's Production Facility Listing.
7. Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
8. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of epoxy-concrete mix or gunnite concrete with sulfate-resistant cement.

PILE NOTES:

1. Concrete piles shall attain 6000 psi compressive strength in 28 days.
2. Concrete piles shall be reinforced with four - 7/16"Ø lo-lax strands, 270 kips, and 5 ga. spiral ties.
3. Concrete piles shall be 12"x12" square, minimum length of 20'.
4. Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel or drill and epoxy (2) #5 12"x18" hook bars 6" into pile.

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Sec. 27-14. Administrative review of EPGMD determinations.

- (a) A person with a substantial interest may file a petition to request review of or to intervene in a review of a final administrative determination made pursuant to this chapter concerning:
- (1) The requirement that a facility or activity obtain a license or environmental review approval.
 - (2) Interpretations of license or environmental review approval conditions.
 - (3) Interpretations of variance conditions.
 - (4) The decision to suspend or revoke a license or environmental review approval.
 - (5) The requirement of certain license conditions.
 - (6) The issuance of a license or environmental review approval.
 - (7) The denial of a license or environmental review approval.
 - (8) The scope of a license or environmental review approval, geographic or otherwise.
 - (9) The scope of a variance, geographic or otherwise.
 - (10) The issuance of a stop work order.
 - (11) Similar final administrative determinations.

This administrative review procedure shall be the only means of review available for the above final administrative determinations by either the petitioner or the intervenor (the parties).

- (b) person may not obtain review by this procedure of:
- (1) The issuance or adjudication of or other matters involving a notice of violation or a citation.
 - (2) Internal policy decisions
- (c) A person desiring a review of a staff determination made pursuant to this Chapter shall first bring the determination to the attention of the appropriate section supervisor to attempt to resolve the matter. If a resolution cannot be reached, then the decision shall be reviewed by successive supervisory levels until the issue is resolved or reaches the level of the director or his or her designee for the final determination.
- (d) A person desiring administrative review of a final determination made by the director or the designee shall file a petition with the director for review by the hearing examiner. The petition shall be filed within ten (10) days from the rendition of the action taken or of the decision made by the director. An entity whose license or approval is being challenged shall be a party to the action.
- (e) The review shall not be heard until the provisions of subsection (f) are met. Upon motion to the hearing examiner, an insufficient petition shall be dismissed with or without leave to refile. If a petition is determined to be insufficient by the hearing examiner and the petitioner has been given leave to refile by the hearing examiner, unless otherwise ordered by the hearing examiner, the petitioner must refile within ten (10) days of the rendition of the order of dismissal or the petition will be dismissed with prejudice.

- (f) A sufficient petition for review or petition for intervention in the review shall, at a minimum, contain the following information:
- (1) The nature of the determination sought to be reviewed.
 - (2) A short, plain statement of the facts which form the subject matter upon which the determination was made as asserted by all parties of record at the time that the petition is filed; a statement of the material facts in dispute, if any. If any party is unable to state the matters in sufficient detail at the time initial petition is filed, the petition may be limited to a statement of the issues involved; and thereafter, upon timely written motion, a more definite and detailed statement shall be furnished not less than seven (7) days prior to the date set for the hearing.
 - (3) The specific determination for which the review is sought.
 - (4) The specific legal grounds upon which the parties seek review of the determination.
 - (5) A short statement of the petitioner's or the intervenor's substantial interest in the matter to be reviewed.
 - (6) The specific section of this chapter on which the decision is based, if known, and the specific section that the parties allege should control the decision, if known.
 - (7) A copy of the director's or the designee's written final determination.
 - (8) A statement of the relief requested stating precisely the action that the petitioner wants EPGMD to take with respect to the final determination.
- (g) All pleadings or other documents filed in the proceeding must be signed by a party, the party's attorney, or the party's qualified representative. The signature of a party, the party's attorney or a party's qualified representative constitutes a certificate that he or she has read the pleading or other document and that to the best of his or her knowledge, information, and belief formed after reasonable inquiry, it is not brought for any improper purposes, such as to harass or to cause unnecessary delay or for frivolous purpose or needless increase in the cost of litigation. If a pleading or other document is signed in violation of these requirements, the hearing examiner, upon motion or his or her own initiative, shall dismiss the matter.
- (h) A petitioner or intervenor may request an emergency hearing to stay all activities or work conducted pursuant to the challenged license or approval. Such petitioner or intervenor has the burden of proof to show by a preponderance of the evidence that the continued activities would cause substantial pollution or degradation to the environment. An emergency hearing shall be scheduled by EPGMD and be held within five (5) days of said request or as soon thereafter as possible subject to the availability of the hearing examiner. The petitioner or intervenor shall comply with the notice provisions of section 27-14(j)(2)a. and c. and section 27-14(j)(3) and (4) of this chapter.
- (i) The petition for review will not stay environmental protection activities required for the remediation or mitigation of a site or facility, the protection of the environment or the health, safety and welfare of the citizens of Broward County, or the prevention of further environmental degradation. The person responsible for these activities must take all necessary steps to prevent environmental degradation and must conduct the remediation or mitigation activities required by this chapter. The director may allow these activities to be delayed until after the hearing examiner's decision by certifying to

the hearing examiner that, by reason of facts stated in the certificate, a delay in the initiation or completion of these activities would not cause substantial environmental degradation or peril to life or property. The delay for conducting these activities may be subject to appropriate terms to ensure protection of the environment. The person responsible for these activities shall be responsible for any environmental damage or any violation of this chapter caused by the delay.

(j) Notice and Scheduling Requirements:

(1) The hearing on the review shall be scheduled within a reasonable time. It shall be the responsibility of the petitioner to request through EPGMD that the hearing date be scheduled. It shall also be the responsibility of the petitioner to give notice in accordance with this section at least ten (10) days prior to the hearing.

(2) The petitioner shall give notice of the hearing by:

- a. Giving personal notice to all proper parties; and
- b. Publishing notice on two (2) days in a newspaper of general circulation in the county; and
- c. Posting notice at a location determined by the Broward County Administrator's Office.

(3) The petitioner shall bear the cost of giving notice.

(4) The notice shall contain, at a minimum:

- a. A description and location of the facility or the activity to be conducted by the petitioner; and
- b. The time and place of the hearing.

(k) The petitioner shall bear the cost of accurately and completely preserving all testimony and providing full or partial transcripts to all parties.

(l) The hearing shall be a quasi-judicial hearing.

(1) The applicant/petitioner requesting the administrative review, any intervenor/petitioner and EPGMD shall have an opportunity to respond to and to present witnesses, other evidence and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of facts and orders, and to be represented by counsel. Members of the general public who are not intervenors as set forth in Section 27-14 of this chapter are not parties to the proceeding.

(2) When appropriate, the general public may be given an opportunity to present oral or written communications. If the hearing examiner proposes to consider such material, then all parties shall be given an opportunity to cross-examine, challenge or rebut it.

(m) Denial, protest of, revocation, or suspension of a license, environmental review approval, or any other approval:

(1) In regard to denial or protest of approval of a license and any other review of an administrative decision, notwithstanding (2) below, the petitioner shall have the burden of showing, by a preponderance of the evidence, that the determination of the director was an arbitrary and/or capricious abuse of discretion, not supported by competent, substantial evidence or not in conformance with the

essential requirements of this chapter. The hearing examiner shall not substitute his or her judgment for that of EPGMD on an issue of discretion even though the hearing examiner may have reached a different conclusion based on the same facts.

- (2) In an action to revoke or suspend a valid license or approval, the burden shall be upon EPGMD to prove, by a preponderance of the evidence in an administrative hearing, the grounds for revocation or suspension. The license holder or approval recipient shall be provided notice of the hearing and a copy of the petition stating the grounds for revocation or suspension as provided in section 27-63 of this chapter. The petition shall state with specificity the acts complained of in order to allow the license holder or approval recipient an opportunity to prepare a defense. The hearing shall be conducted in accordance with the provisions of Section 27-37 of this chapter.
- (n) Findings of fact shall be based exclusively on the evidence of record and on matters officially recognized.
- (o) If the hearing examiner finds that the director or his or her designee has erroneously interpreted a provision and that a correct interpretation compels a particular action, he or she shall remand the case to the director or his or her designee for further action under a correct interpretation of the provision.
- (p) The hearing examiner shall complete and submit to the director and all parties a final order consisting of his or her findings of fact and conclusions of law.
- (q) A party to the hearing may obtain appellate review of the final order as provided by section 27-42 of this chapter.
- (r) A petitioner or intervenor shall pay a filing fee at the time the application for review is filed. The amount of the filing fee shall be set by resolution of the Board.

(Ord. No. 2003-34, § 1, 9-23-03; Ord. No. 2005-08, § 2.03, 4-26-05)
Secs. 27-15--27-19. Reserved.

Special Conditions for all Projects:

1. Authorization, design and construction must adhere to the terms of the SPGP VI instrument including the General Conditions for All Projects, Special Conditions for All Projects, Applicable activity-specific special conditions, Procedure and Work Authorized sections.
2. Design and construction must adhere to the PDCs for In-Water Activities (Attachment 28, from PDCs AP.7 through AP11, inclusive, of JAXBO) (Reference: JAXBO PDC AP.1.).
3. All activities must be performed during daylight hours (Reference: JAXBO PDC AP.6.).
4. For all projects involving the installation of piles, sheet piles, concrete slab walls or boatlift I-beams (Reference Categories A, B and C of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86):
 - a. Construction methods limited to trench and fill, pilot hole (auger or drop punch), jetting, vibratory, and impact hammer (however, impact hammer limited to installing no more than 5 per day).
 - b. Material limited to wood piles with a 14-inch diameter or less, concrete piles with a 24-inch diameter/width or less, metal pipe piles with a 36-inch diameter or less, metal boatlift I-beams, concrete slab walls, vinyl sheet piles, and metal sheet piles.
 - c. Any installation of metal pipe or metal sheet pile by impact hammer is not authorized (Reference: Categories D and E of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86.).
 - d. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary (Reference: JAXBO PDCs AP.14 and A1.6).
5. The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment 29).
6. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant’s/Permittee’s behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us. The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at <http://www.cr.nps.gov/nr/research>.

a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245-6333 and the Corps Regulatory Archeologist at 904-232-3270 to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 C.F.R. § 325.7.

b. In the unlikely event that human remains are identified, the remains will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, and the State Archaeologist (850-245-6444) and the Corps Regulatory Archeologist at 904-232-3270 shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.

7. The Permittee is responsible for obtaining any “take” permits required under the U.S. Fish and Wildlife Service’s regulations governing compliance with these laws. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such “take” permits are required for a particular activity.

8. Mangroves. The design and construction of a Project must comply with the following (Reference: JAXBO PDCs AP.3 and AP.12.):

a. All projects must be sited and designed to avoid or minimize impacts to mangroves.

b. Mangrove removal must be conducted in a manner that avoids any unnecessary removal and is limited to the following instances:

(1) Removal to install up to a 4-ft-wide walkway for a dock.

(2) Removal of mangroves above the mean high water line (MHWL) provided that the tree does not have any prop roots that extend into the water below the MHWL.

(3) Mangrove trimming. Mangrove trimming refers to the removal (using hand equipment such as chain saws and/or machetes) of lateral branches (i.e., no alteration of the trunk of the tree) in a manner that ensures survival of the tree.

(a) Projects with associated mangrove trimming waterward of the MHWL are authorized if the trimming: (a) occurs within the area where the

authorized structures are placed or will be placed (i.e., removal of branches that overhang a dock or lift), (b) is necessary to provide temporary construction access, and (c) is conducted in a manner that avoids any unnecessary trimming.

(b) Projects proposing to remove red mangrove prop roots waterward of the MHWL are not authorized, except for removal to install the dock walkways as described above.

9. For Projects authorized under this SPGP VI in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
10. Notifications to the Corps. For all authorizations under this SPGP VI, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:
 - a. Commencement Notification. Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" form (Attachment 8).
 - b. Corps *Self-Certification Statement of Compliance* form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (Attachment 9) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.
 - c. Permit Transfer. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form (Attachment 10).

d. Reporting Address. The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to the following address.

(1) For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.

(2) For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.

11. The District Engineer reserves the right to require that any request for authorization under this SPGP VI be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP VI does not automatically guarantee Federal authorization.
12. On a case-by-case basis, the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.
13. Failure to comply with all conditions of the SPGP VI constitutes a violation of the Federal authorization.
14. The SPGP VI will be valid through the expiration date unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the period ending expiration date, is not contrary to the public interest. The SPGP VI will not be extended beyond the expiration date but may be replaced by a new SPGP. If revocation occurs, all future applications for activities covered by the SPGP VI will be evaluated by the Corps.
15. If the SPGP VI expires, is revoked, or is terminated prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP VI will remain in effect provided the activity is completed within 12 months of the date the SPGP VI expired or was revoked.

Special Conditions for Shoreline Stabilization activities.

1. Shoreline stabilization structures other than vertical seawalls shall be no steeper than a 2 horizontal:1 vertical slope (Reference: JAXBO PDC A1.1.4.).
2. Placement of backfill is limited to those situations where it is necessary to level the land behind seawalls or riprap.
3. Living shoreline structures and permanent wave attenuation structures can only be constructed out of the following materials: oyster breakwaters, clean limestone boulders or stone (sometimes contained in metal baskets or cages to contain the material), small mangrove islands, biologs, coir, rock sills, and pre-fabricated structures made of concrete and rebar that are designed in a manner so that they do not trap sea turtles, smalltooth sawfish, or sturgeon (Reference: JAXBO PDC A7.5.).
 - a. Reef balls or similar structures are authorized if they are not open on the bottom, are open-bottom structures with a top opening of at least 4 ft, or are pre-fabricated structures, such as reef discs stacked on a pile, and are designed in a manner that would not entrap sea turtles.
 - b. Oyster reef materials shall be placed and constructed in a manner that ensures that materials will remain stable and that prevents movement of materials to surrounding areas (e.g., oysters will be contained in bags or attached to mats and loose cultch must be surrounded by contained or bagged oysters or another stabilizing feature) (Reference: JAXBO PDC A7.2.).
 - c. Oyster reef materials shall be placed in designated locations only (i.e., the materials shall not be indiscriminately dumped or allowed to spread outside of the reef structure) (Reference: JAXBO PDC A7.3.).
 - d. Wave attenuation structures must have 5 ft gaps at least every 75 ft in length as measured parallel to the shoreline and at the sea floor, to allow for tidal flushing and species movement (Reference: JAXBO PDC A7.6.).
 - e. Other materials are not authorized by this SPGP VI (Reference: JAXBO PDC A7.5.).

Special Conditions for Docks, Piers, Associated Facilities, and other Minor Piling-Supported Structures.

1. Chickees must be less than 500 ft² and support no more than 2 slips (Reference: JAXBO PDC A2.1.6.).
2. The design and construction of a Project over marsh (emergent vegetation) must comply with the following:
 - a. The piling-supported structure shall be aligned so as to have the smallest over-marsh footprint as practicable.
 - b. The over-marsh portion of the piling-supported structure (decking) shall be elevated to at least 4 feet above the marsh floor.
 - c. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.
3. Mangroves. For pile-supported structures, the following additional requirements for mangroves found in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) shall apply:
 - a. The width of the piling-supported structure is limited to a maximum of 4 feet.
 - b. Mangrove clearing is restricted to the width of the piling-supported structure.
 - c. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.
4. Educational Signs. For commercial, multi-family, or public facilities, and marine events, signs must be posted as described below (Reference: These replicate JAXBO PDCs A.2.2 and A.2.2.1 to A.2.2.3., inclusive, within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, starting on page 112.):
 - a. For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at: (<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>). The signs required to be posted by area are stated below: <https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>.

(1) All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign. These signs shall include contact information to the sea turtle and marine mammal stranding networks and smalltooth sawfish encounter database.

5. Monofilament Recycling Bins. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided as described below (Reference: The below replicates PDC A.2.3 within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, the PDC itself on page 113 of the JAXBO.):

a. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:

(1) Be constructed and labeled according to the instructions provided at <http://mrrp.myfwc.com>.

(2) Be maintained in working order and emptied frequently (according to <http://mrrp.myfwc.com> standards) so that they do not overflow.

6. Lighting for docks installed within visible distance of ocean beaches. If lighting is necessary, then turtle-friendly lighting shall be installed. Turtle-friendly lighting is explained, and examples are provided on the Florida Fish and Wildlife Conservation Commission website: <http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/> (Reference: JAXBO PDC A2.8.).

7. Construction Location. Project construction shall take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited (Reference: JAXBO PDC A2.9.).

8. Aids to Navigation (ATONs). ATONs must be approved by and installed in accordance with the requirements of the U.S. Coast Guard (i.e., 33 C.F.R., chapter I, subchapter C, part 66, Section 10 of the Rivers and Harbors Act, and any other pertinent requirements) (Reference: JAXBO PDC A2.5.).

9. Aids to Navigation (ATONs) in Acropora critical habitat. The distance from ATONs to ESA-listed corals and Acropora critical habitat (Attachment 20) shall ensure there are no impacts to the corals or the essential feature of Acropora critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit the contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom (Reference: JAXBO PDC A2.10.).

10. Within Loggerhead sea turtle critical habitat (Reference: JAXBO PDC A2.15.):

(1) ATONs (pile-supported and anchored buoys) are allowed in nearshore reproductive habitat of the Northwest Atlantic Distinct Population Segment (NWA DPS) of loggerhead sea turtle critical habitat.

(2) No other pile-supported structures are allowed in nearshore reproductive habitat.

General Conditions for All SPGP Projects:

1. The time limit for completing the work authorized ends on July 27, 2026.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity, or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form (Attachment 10) and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or Construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
 4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
 5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
 6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this

permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.

7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC

COMMENCEMENT NOTIFICATION

*Within 10 days of initiating the authorized work, submit this form via electronic mail to sajrd-enforcement@usace.army.mil (preferred, not to exceed 15 MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

1. **Department of the Army Permit Number:** SAJ-2015-2575, SPGP VI

FDEP or Designee Permit Number: _____

2. **Permittee Information:**

Name: _____

Email: _____

Address: _____

Phone: _____

3. **Construction Start Date:** _____

4. **Contact to Schedule Inspection:**

Name: _____

Email: _____

Phone: _____

Signature of Permittee

Printed Name of Permittee

Date

SELF-CERTIFICATION STATEMENT OF COMPLIANCE
SPGP V-R1

Permit Number: _____

Permittee's Name & Address (please print or type): _____

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed:

PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES _____ NO _____

TO SCHEDULE AN INSPECTION PLEASE CONTACT _____
AT _____

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks, dredging, etc.): _____

Acreage or Square Feet of Impacts to Waters of the United States: _____

Describe Mitigation completed (if applicable): _____

Describe any Deviations from Permit (attach drawing(s) depicting the deviations):

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Date

Department of the Army Permit Transfer for SPGP VI

PERMITEE: _____

PERMIT NUMBER: _____ DATE: _____

ADDRESS/LOCATION OF PROJECT:

(Subdivision)

(Lot)

(Block)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

(Transferee Signature)

(Date)

(Name Printed)

(Street address)

(Mailing address)

ITEM XII

MEMORANDUM MF NO. 25-17

DATE: September 25, 2025

TO: Marine Advisory Board

FROM: Andrew Cuba, Manager of Marine Facilities

RE: November 6, 2025 MAB - Dock Waiver of Distance Limitations
-1476446 ONTARIO LIMITED/Gerhard Sowa Jr./ 736 NE 20th Avenue

Attached for your review is an application from 1476446 ONTARIO LIMITED/Gerhard Sowa Jr. / 736 NE 20th Avenue (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for the installation of five (5) sets of triple pile clusters. The distance these structures will extend from the property line into the Middle River is shown in the survey in **Exhibit 1** and summarized in **Table 1** below:

TABLE 1

PROPOSED STRUCTURE	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
(A) Two Triple Pile Clusters	60'+/-	25'	35'+/-
(B) Three Triple Pile Clusters	120'+/-	25'	95'+/-

ULDR Section 47-19.3 D. limits the maximum distance of mooring piles to 25 feet or 30% of the width of the waterway, whichever is less. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has specified that the extra distance for the pile clusters are necessary for safely mooring vessels, especially during severe weather, and that the request is consistent with others in the area, with a waterway width of 595.9+/- from property line to property line.

PROPERTY LOCATION AND ZONING

The property is located within the ROA Limited Residential / Office / Medium High Density Zoning District. It is situated on the Middle River where the distance from wet face to wet face on the opposite side of the Middle River is 595.9+/- , according to the Summary Description provided in **Exhibit 1**.

DOCK PLAN AND BOATING SAFETY

Marine Facilities records reflect that there have been at least twenty (20) waivers of docking distance limitations approved by the City Commission since 1983 within close proximity. A comparison of these are shown in **Table 2**, including the maximum distances of all structures extending into the Middle River:

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
March 1983	834 N.E. 20 th Avenue	Pilings – 45’
April 1983	714 N.E. 20 th Avenue	Pilings – 45’ Piers – 37’
July 1985	808 N.E. 20 th Avenue	Pilings – 48’ Piers – 38’
January 1990	840 N.E. 20 th Avenue	Pilings – 48’ Pier – 48’
September 1992	738 N.E. 20 th Avenue	Pilings – 75’ Pier – 39’
November 2007	810 N.E. 20 th Avenue	Pilings – 68’ Piers – 73’
January 2008	852 N.E. 20 th Avenue	Pilings – 86’ Pier – 49’
October 2008	714 N.E. 20 th Avenue	Pier – 108’
November 2012	808/810 N.E. 20 th Avenue	Pilings- 124.4’
May 2013	720 N.E. 20 th Avenue	Pilings-80’ Pier-42’
May 2013	816 N.E. 20 th Avenue	Pilings-124.4’
March 2014	704 N.E. 20 th Avenue	Pilings – 125’
October 2014	720 N.E. 20 th Avenue	Pilings-125’
November 2014	726 N.E. 20 th Avenue	Pilings-125’
February 2015	824 N.E. 20 th Avenue	Pilings-106.3’
January 2016	900/910 N.E. 20 th Avenue	Pilings – 80.3’
November 2017	800 N.E. 20 th Avenue	Pilings – 100’
March 2019	866 N.E. 20 th Avenue	Pilings – 71’
July 2023	900/910 N.E. 20 th Avenue	Pier – 68.7’
May 2025	738 N.E. 20 th Avenue	Pilings – 129’6”

RECOMMENDATIONS

Should the Marine Advisory Board consider approval of 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 City Staff with copies of "As Built" drawings from a certified and licensed contractor.

AC

Attachment

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



PREPARED BY:

Alejandra Giraldo

954-504-8815

alejandra@lwpermitsfl.com

**CITY OF FORT LAUDERDALE
MARINE FACILITIES**

Application for Waterway

Waiver of Triple Mooring Piles Limitations

Subject Address:

736 NE 20 Avenue
Fort Lauderdale, FL 33304

Gerhard Sowa Jr
1476446 ONTARIO LIMITED

LW PERMITS LLC

Permitting & Consulting

Pompano Beach FL 33060 954-504-8815* www.lwpermitsfl.com



LW Permits

alejandra@lwpermitsfl.com

736 NE 20 Avenue

Fort Lauderdale, Florida 33304

Applications for Waterway Waiver of Limitations

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LW PERMITS LLC

Permitting & Consulting

Pompano Beach FL 33060 954-504-8815* www.lwpermitsfl.com

**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: 1476446 ONTARIO LIMITED / Gerhard Sowa Jr.

TELEPHONE NO: 519-841-0242
(home/cellular)

EMAIL: gartuso@sowatool.com

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

500 MANITOU DR *KITCHENER ON CA N2C 1L3

3. **TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:** Waiver of Distance Limitations

4. **SITE ADDRESS:** 736 NE 20 AVENUE- FORT LAUDERDALE **ZONING:** RS-8

LEGAL DESCRIPTION AND FOLIO NUMBER: 5042 02 13 0040

VICTORIA HIGHLANDS AMD PLAT 15-9 B PT OF BLK 1 F/P/A LOTS 4 S 18, LOT 5,6 N 15LESS LOT 4 N 7 OF S 18, BLK 1 VICTORIA HIGHLANDS

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

Michael De S.C.

JUL 29 2025

Applicant's Signature

Date

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

City of Fort Lauderdale

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

Marine Advisory Board Action

Formal Action taken on _____
Recommendation _____
Action _____

Commission Action

Formal Action taken on _____



LW PERMITS LLC
 Pompano Beach, FL 33060
alejandra@lwpermitsfl.com

SUMMARY DESCRIPTION

736 NE 20 Avenue
 Fort Lauderdale, Florida 33304

This project is located at 736 NE 20th Avenue, in the City of Fort Lauderdale, Florida.

Folio Number 5042 02 13 0040. Broward County, Florida.

The purpose of the project is to install 5 sets of triple pile clusters. The proposed Triple Pile Clusters will be approximately (A) +/-60'0 (B) +/-120'0. **See Table A.** These pilings/ triple Clusters require a Waiver of Limitations. The waterway width at this site, from the property line to property line, is approximately 595.9 feet.

PROPOSED STRUCTURES	TABLE A STRUCTURE DISTANCE FROM PROPERTY LINE ADJACENT TO WETFACE	PERMITTED DISTANCE WITHOUT WAIVER	AMOUNT OF DISTANCE REQUIRING WAIVER
(A) Two Triple Pile Clusters	+/- 60'0	25'	+/- 35'0
(B) Three Triple Pile Clusters	+/- 120	25'	+/- 95'0

47-19.3 (D) specifies that mooring piles can only extend 25ft or 30% of the width of the waterway from the property line, whichever is less.

47-19.3 (E) Allows for a waiver of limitations based upon proof of extraordinary circumstances.

The following extraordinary circumstances justify this waiver request:

1. The proposed Piles/Clusters are necessary for the safe mooring of vessels, especially during severe weather.
2. The waterway width at this location from the property line to the opposite property line is +/- 595.9 feet.
3. This request is consistent with other waivers that have been granted. **See Table B**
4. **Note:** If the waiver is approved the applicant will comply with all necessary construction conditions & requirements stated in all agency guidelines & codes.



	TABLE B	
March 1983	834 N.E. 20 th Avenue	Pilings – 45'
April 1983	714 N.E. 20 th Avenue	Pilings – 45' Piers – 37'
July 1985	808 N.E. 20 th Avenue	Pilings – 48' Piers – 38'
January 1990	840 N.E. 20 th Avenue	Pilings – 48' Pier – 48'
September 1992	738 N.E. 20 th Avenue	Pilings – 75' Pier – 39'
November 2007	810 N.E. 20 th Avenue	Pilings – 68' Piers – 73'
January 2008	852 N.E. 20 th Avenue	Pilings – 86' Pier – 49'
October 2008	714 N.E. 20 th Avenue	Pier – 108'
November 2012	810 N.E. 20 th Avenue	Pilings- 124.4'
May 2013	720 N.E. 20 th Avenue	Pilings-80' Pier-42'
May 2013	816 N.E. 20 th Avenue	Pilings-112.4'
March 2014	704 N.E. 20 th Avenue	Pilings – 125'
October 2014	720 N.E. 20 th Avenue	Pilings-125'
November 2014	726 N.E. 20 th Avenue	Pilings-125'
February 2015	824 N.E. 20 th Avenue	Pilings-106.3'
January 2016	900/910 N.E. 20 th Avenue	Pilings – 80.3'
November 2017	800 N.E. 20 th Avenue	Pilings – 100'
June 2025	738 NE 20 Avenue	Pilings _104'6



MARTY KIARD
BROWARD
 COUNTY
 PROPERTY APPRAISER

Site Address	736 NE 20 AVENUE, FORT LAUDERDALE FL 33304-3414	ID #	5042 02 13 0040
Property Owner	1476446 ONTARIO LIMITED	Millage	0312
Mailing Address	500 MANITOU DR *KITCHENER ON CA N2C 1L3	Use	01-01
Abbr Legal Description	VICTORIA HIGHLANDS AMD PLAT 15-9 B PT OF BLK 1 F/P/A LOTS 4 S 18, LOT 5,6 N 15 LESS LOT 4 N 7 OF S 18, BLK 1 VICTORIA HIGHLANDS		

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)**.

* 2025 values are considered "working values" and are subject to change.

Property Assessment Values					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2025*	\$854,370	\$820,280	\$1,674,650	\$1,674,650	
2024	\$854,370	\$863,840	\$1,718,210	\$1,718,210	\$32,515.98
2023	\$522,120	\$1,435,940	\$1,958,060	\$1,831,750	\$35,926.12

2025* Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$1,674,650	\$1,674,650	\$1,674,650	\$1,674,650
Portability	0	0	0	0
Assessed/SOH	\$1,674,650	\$1,674,650	\$1,674,650	\$1,674,650
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$1,674,650	\$1,674,650	\$1,674,650	\$1,674,650

Sales History			
Date	Type	Price	Book/Page or CIN
7/11/2017	WD-Q	\$1,695,500	114511254
10/11/2002	QCD	\$347,000	33995 / 1430
10/5/2000	WD	\$405,000	30947 / 1095
3/1/1986	QCD	\$110	15205 / 589
3/1/1978	WD	\$82,000	

Land Calculations		
Price	Factor	Type
\$90.00	9,493	SF
Adj. Bldg. S.F. (Card, Sketch)		1363
Units/Beds/Baths		1/2/2
Eff./Act. Year Built: 1966/1949		

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

This Document Prepared By and Return to:
Robert S. Forman, Esquire
Robert S. Forman, P.A.
2101 West Commercial Boulevard, Suite 2800
Fort Lauderdale, Florida 33309

Parcel ID Number: 5042-02-13-0040

Warranty Deed

This Indenture, Made this 12 day of July, 2017 A.D., **Between**
Alan G. Leigh, a single man

of the County of **Broward**, State of **Florida**, **grantor**, and
1476446 Ontario Limited

whose address is: **500 Manitou Drive, Kitchener, Ontario Canada N2C1L3**

of the **City of Kitchener**, **Country of Ontario Canada**, **grantee.**

Witnesseth that the GRANTOR, for and in consideration of the sum of
-----**TEN DOLLARS (\$10)**----- DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of **Broward** State of **Florida** to wit:

The South 18 feet of Lot 4, all of Lot 5, and the North 15 feet of Lot 6, in Block 1, of Victoria Highlands, according to the Plat thereof, as recorded in Plat Book 9, at Page 47, of the Public Records of Broward County, Florida, Less the North 7 feet of the South 18 feet of said Lot 4.

(Continued on Attached)

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

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

Signed, sealed and delivered in our presence:

Jean Seibold
Printed Name: Jean Seibold
Witness

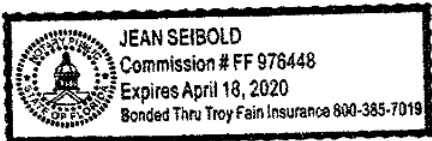
Alan G. Leigh (Seal)
Alan G. Leigh
P.O. Address: 738 NE 20th Avenue, Fort Lauderdale, FL 33304

Robin Harper
Printed Name: Robin Harper
Witness

STATE OF **Florida**
COUNTY OF **Broward**

The foregoing instrument was acknowledged before me this 11th day of **July**, 2017 by
Alan G. Leigh, a single man

who is personally known to me or who has produced his **Florida driver's license** as identification.



Jean Seibold
Printed Name: _____
Notary Public
My Commission Expires: _____

Warranty Deed - Page 2

Parcel ID Number: 5042-02-13-0040

Subject to restrictions, reservations, easements and limitations of record, if any, provided that this shall not serve to reimpose the same, zoning ordinances, and real property taxes for 2017 and subsequent years.

1476446



Ministry of
Consumer and
Ontario Commercial Relations
CERTIFICATE
This is to certify that these
articles are effective on

Ministère de
la Consommation
et du Commerce
CERTIFICAT
Ceci certifie que les présents
statuts entrent en vigueur le

JUNE 18 JUIN, 2001

[Signature]
Director / Directrice



Business Corporations Act / Loi sur les sociétés par actions

**ARTICLES OF INCORPORATION
STATUTS CONSTITUTIFS**

Form 1
Business
Corporations
Act

Formule
numéro 1
Loi sur les
compagnies

1. The name of the corporation is: *Dénomination sociale de la compagnie:*

1476446	O	N	T	A	R	I	O	L	I	M	I	T	E	D
----------------	---	---	---	---	---	---	---	---	---	---	---	---	---	---

2. The address of the registered office is: *Adresse du siège social:*

334 Manitou Drive, Box 694

(Street & Number, or R.R. Number & if Multi-Office Building give Room No.)
(Rue et numéro, ou numéro de la R.R. et, s'il s'agit d'édifice à bureaux, numéro du bureau)

Kitchener, Ontario

N	2	G	4	B	6
---	---	---	---	---	---

(Name of Municipality or Post Office)
(Nom de la municipalité ou du bureau de poste)

(Postal Code/Code postal)

3. Number (or minimum and maximum number) of directors is: *Nombre (ou nombres minimal et maximal) d'administrateurs:*

minimum of one and maximum of five

4. The first director(s) is/are:

Premier(s) administrateur(s):

First name, initials and surname <i>Prénom, initiales et nom de famille</i>	Address for service, giving Street & No. or R.R. No., Municipality and Postal Code <i>Domicile élu, y compris la rue et le numéro, le numéro de la R.R., ou le nom de la municipalité et le code postal</i>	Resident Canadian State Yes or No <i>Résident Canadien Oui/Non</i>
Gerhard Michael Sowa	235 Glenvalley Drive Cambridge, Ontario N1T 1R3	Yes

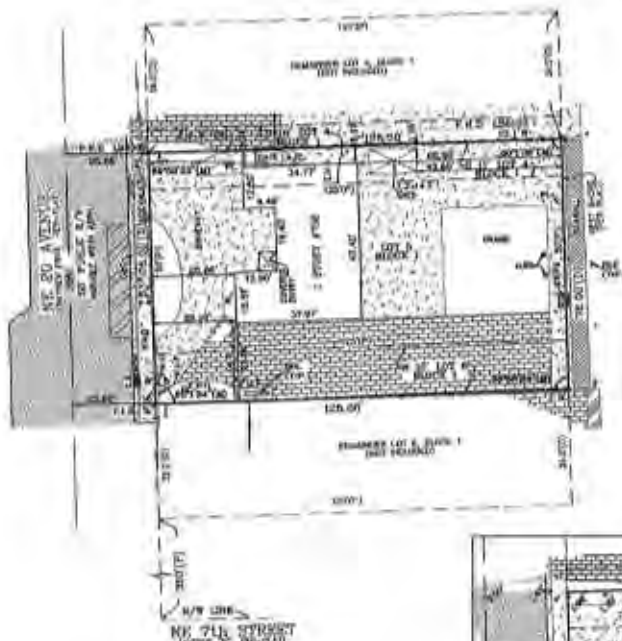
MAP OF BOUNDARY SURVEY

DATE OF FIELD WORK: 10/20/2024

CERTIFIED TO:
MIDNIGHT SURVEYING

PROPERTY ADDRESS:
12000 N. 24th Avenue
FORT LAUDERDALE, FL 33404

LEGAL DESCRIPTION: THIS SOUTH 18 FEET OF LOT 4, ALL OF LOT 7, AND THE NORTH 12 FEET OF LOT 8, IN BLOCK 1, OF VICTORIA HIGHLANDS, A VILLAGE TO THE PLAN THEREON, AS DESCRIBED BY PLAT BOOK 1, AT PAGE 61, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS THE NORTH 12 FEET OF THE SOUTH 18 FEET OF SAID LOT 4.

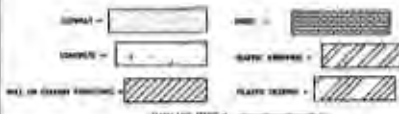
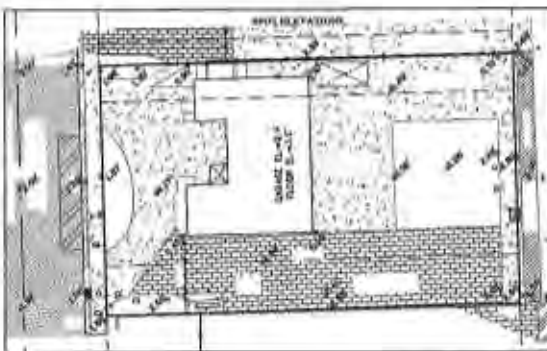


MIDDLE RIVER WATERWAY



SYMBOLS AND ABBREVIATIONS

- 1/2" = 1/2" CONCRETE
- 1/4" = 1/4" CONCRETE
- 3/8" = 3/8" CONCRETE
- 1" = 1" CONCRETE
- 2" = 2" CONCRETE
- 4" = 4" CONCRETE
- 6" = 6" CONCRETE
- 8" = 8" CONCRETE
- 10" = 10" CONCRETE
- 12" = 12" CONCRETE
- 14" = 14" CONCRETE
- 16" = 16" CONCRETE
- 18" = 18" CONCRETE
- 20" = 20" CONCRETE
- 24" = 24" CONCRETE
- 30" = 30" CONCRETE
- 36" = 36" CONCRETE
- 42" = 42" CONCRETE
- 48" = 48" CONCRETE
- 54" = 54" CONCRETE
- 60" = 60" CONCRETE
- 66" = 66" CONCRETE
- 72" = 72" CONCRETE
- 78" = 78" CONCRETE
- 84" = 84" CONCRETE
- 90" = 90" CONCRETE
- 96" = 96" CONCRETE
- 102" = 102" CONCRETE
- 108" = 108" CONCRETE
- 114" = 114" CONCRETE
- 120" = 120" CONCRETE
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- 738" = 738" CONCRETE
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- 768" = 768" CONCRETE
- 774" = 774" CONCRETE
- 780" = 780" CONCRETE
- 786" = 786" CONCRETE
- 792" = 792" CONCRETE
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- 804" = 804" CONCRETE
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- 894" = 894" CONCRETE
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- 906" = 906" CONCRETE
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- 1122" = 1122" CONCRETE
- 1128" = 1128" CONCRETE
- 1134" = 1134" CONCRETE
- 1140" = 1140" CONCRETE
- 1146" = 1146" CONCRETE
- 1152" = 1152" CONCRETE
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- 1164" = 1164" CONCRETE
- 1170" = 1170" CONCRETE
- 1176" = 1176" CONCRETE
- 1182" = 1182" CONCRETE
- 1188" = 1188" CONCRETE
- 1194" = 1194" CONCRETE
- 1200" = 1200" CONCRETE



NATIONAL BOUNDARY SURVEYING FUNDING STATEMENT
 CITY OF FORT LAUDERDALE
 1000 W. UNIVERSITY BLVD
 FORT LAUDERDALE, FL 33404
 PHONE: 954-346-1000
 FAX: 954-346-1001
 WWW: WWW.FORTLAUDERDALEFL.GOV

PRINTING ELECTRONICALLY SIGNED DOCUMENT

THIS DOCUMENT IS A COPY OF THE ORIGINAL DOCUMENT AND IS NOT A SUBSTITUTE FOR THE ORIGINAL DOCUMENT. THE ORIGINAL DOCUMENT IS THE ONLY COPY OF THE ORIGINAL DOCUMENT THAT IS VALID FOR RECORDING PURPOSES. THE ORIGINAL DOCUMENT IS THE ONLY COPY OF THE ORIGINAL DOCUMENT THAT IS VALID FOR RECORDING PURPOSES.

7/24/24
 HENRY A. JOHNSON P.L.L.C.
 1000 W. UNIVERSITY BLVD
 FORT LAUDERDALE, FL 33404
 PHONE: 954-346-1000
 FAX: 954-346-1001
 WWW: WWW.HENRYJOHNSON.PC.COM



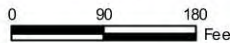


City of Fort Lauderdale GIS



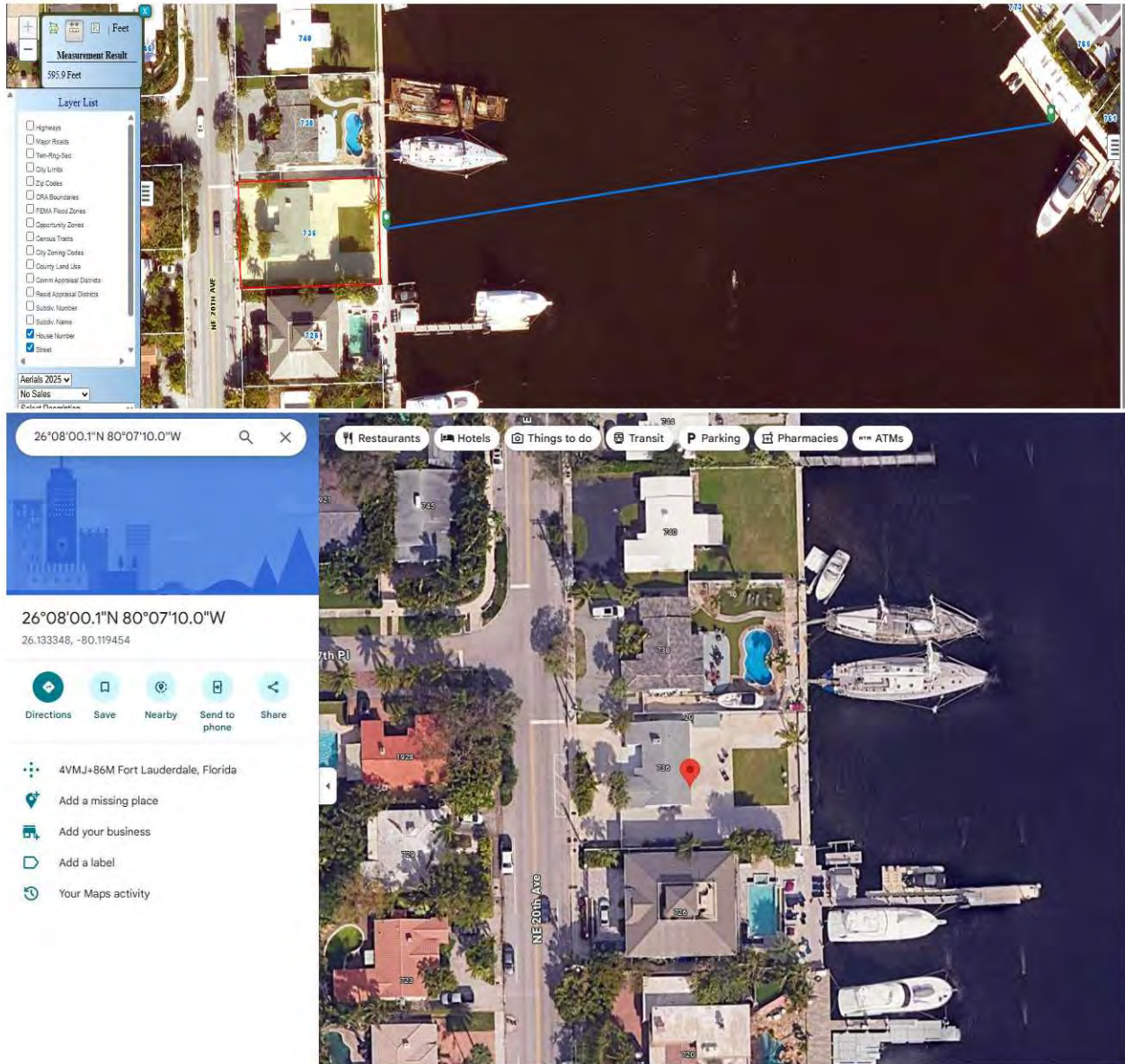
CITY OF FORT LAUDERDALE

736 NE 20th Avenue



GIS
Fort Lauderdale

The waterway width distance from the outside edge of the dock to the opposite side of seawall is + or -595.9 ft.



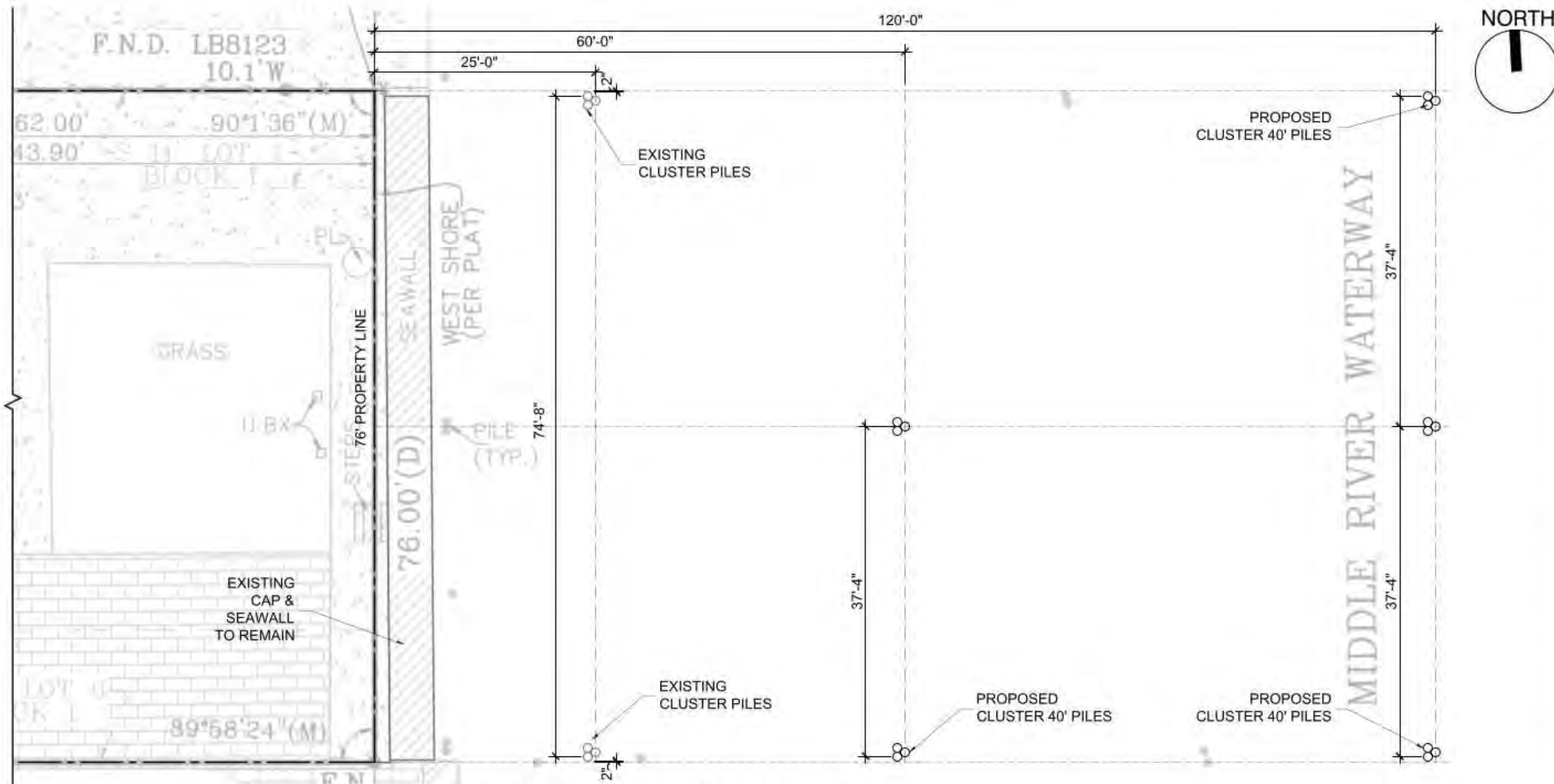
PHOTOS











CORONEL ASSOCIATES
www.coronelasociates.com
 coronel@coronelasociates.com
 954.254.4911

LOVELL MARINE CONSTRUCTION
 3801 NW 108th Ave
 OAKLAND PARK, FL 33309
 954-487-5055 / 954-563-9700
 F. 954-563-9299
www.lovellmarine.com
 info@lovellmarine.com

DOLPHIN PILE CLUSTERS
 1475446 ONTARIO LIMITED
 736 NE 20 Ave
 Fort Lauderdale, FL 33304

SHEET TITLE
SITE PLAN PROPOSED PHASE II

No.	DATE	REVISION

CHECKED: **FC**
 DRAWN: **JV**
 DATE: **082025**
 PROJECT No.: **25113**

SHEET No. **A1-1 of 2**

MARK WEBER P.E.
 LICENSE #53895 / CA30702
MW ENGINEERING, Inc.
 802 NE 1st Street, Suite 2
 Pompano Beach, FL 33060
 Ofc: 754-333-0877
www.MwEngineering.net

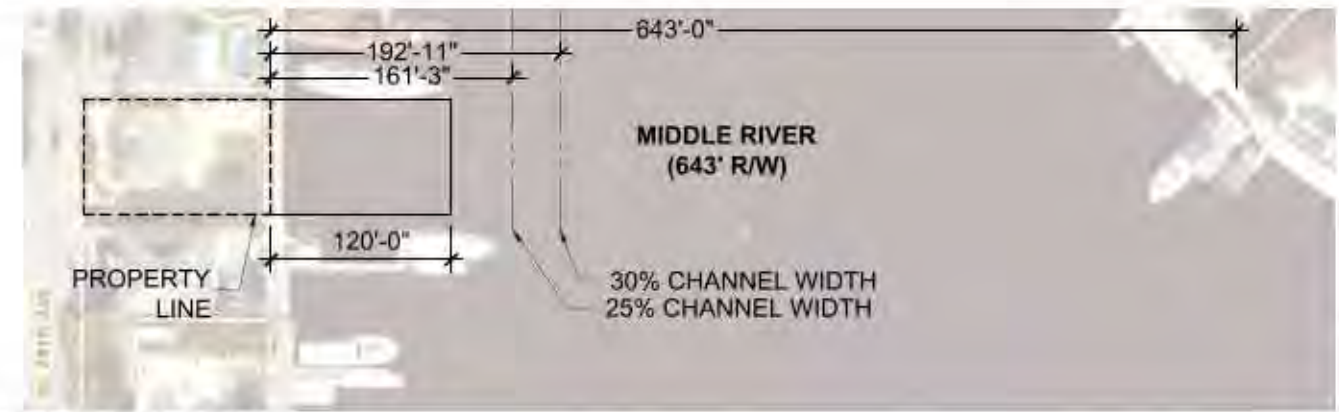
SCOPE OF WORK	
1	NEW (5) CLUSTERS OF 3 (II PHASE)
2	PILES TO HAVE CONE CAPS
3	PILES TO HAVE ROPE HANGERS

ZONING DESCRIPTION	
FLOOD ZONE:	"AE 7/8"
PANEL NO:	12011C0388J
DATE:	07/31/24

THE SOUTH 18 FEET OF LOT 4, ALL OF LOT 5, AND THE NORTH 15 FEET OF LOT 6, IN BLOCK 1, OF VICTORIA HIGHLANDS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, AT PAGE 47, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS THE NORTH 7 FEET OF THE SOUTH 18 FEET OF SAID LOT 4

SEE SURVEY FOR LEGAL DESCRIPTION, AND EXACT PROPERTY INFORMATION

1 SITE PLAN - PROPOSED
 Scale: 1" = 150'



2 SITE AERIAL
 Scale: N.T.S.

ALL DESKTOP DRAWINGS, REPORTS, SPECIFICATIONS, COMPUTER FILES, FIELD DATA, NOTES AND ANY OTHER DOCUMENTS PREPARED BY THE ENGINEER AS INSTRUMENTS OF SERVICE SHALL REMAIN THE PROPERTY OF THE ENGINEER AND IS NOT TO BE REPRODUCED, COPIED OR ALTERED IN WHOLE OR IN PART. IT IS ONLY TO BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND IS NOT TO BE USED ON ANY OTHER PROJECT. THE ENGINEER SHALL RETAIN ALL COMMON LAW COPYRIGHT AND OTHER RESERVED RIGHTS THERETO, WRITTEN DIMENSIONS

September 17, 2025

Gerhard Sowa Jr.

1476446 Ontario Limited
500 Manitou Dr
Kitchener ON CA N2C 1L3

RE: 736 NE 20th Avenue
City of Fort Lauderdale Waiver Request

Dear Mr. Sowa,

I have reviewed the attached plans for the proposed project to install (5) triple cluster piles beyond 25 feet from the property line into the Middle River. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 726 NE 20th Avenue and support the project as proposed.

Sincerely,

X



KLAR, KEVIN
OWNER

726 NE 20th Avenue
Fort Lauderdale, FL 33304

September 17, 2025

Gerhard Sowa Jr.

1476446 Ontario Limited
500 Manitou Dr
Kitchener ON CA N2C 1L3


RE: 736 NE 20th Avenue

City of Fort Lauderdale Waiver Request

Dear Mr. Sowa,

I have reviewed the attached plans for the proposed project to install (5) triple cluster piles beyond 25 feet from the property line into the Middle River. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 738 NE 20th Avenue and support the project as proposed.

Sincerely,

A rectangular box containing a handwritten signature in black ink. The signature appears to be "Hal Griffith". To the left of the signature is a large, bold, black "X" mark.

Hal Griffith
Owner / HG Middle River Investments LLC

738 NE 20th Avenue
Fort Lauderdale, FL 33304