

ITEM V

MEMORANDUM MF NO. 22-26

DATE: November 15, 2022

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities Manager

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

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

APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for the installation of 50'+/- long x 8'+/- wide marginal dock, access steps, and a 14'+/-x10'+/- 4-post boat lift extending a maximum distance of 25' +/-from the property line on public property abutting the waterway adjacent to 711 Cordova Road. City Code Section 8-144 authorizes the construction and use of docks on public property, and allows for the permit to be issued provided the permit holder agrees to maintain the improvements and seawall.

PROPERTY LOCATION AND ZONING

The property is located within the Rio Vista Isles RS-8 Residential Low Density Zoning District. The dock area is directly adjacent to the Rio Cordova Canal with direct access to the Intracoastal Waterway.

ENGINEERING REVIEW REQUIREMENT

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

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

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

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

AC

Attachment

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

APPLICATION FOR DOCK PERMIT (RENEWAL)

Applicant Name : Rick J Burgess

Address: 711 Cordova Road
Fort Lauderdale, FL 33316

Type of Agreement: Renewal Dock permit

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To: Marine Advisory Board:

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

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

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

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

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

shown in the photo attached at page 15.)

Regards,
Rick Burgess

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

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

CORRECTIVE QUIT-CLAIM DEED

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

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

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

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

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

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

Signed, sealed and delivered
in the presence of:

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

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

Edward J. Bohne III
Edward J. Bohne III

Elizabeth E. Bohne
Elizabeth E. Bohne

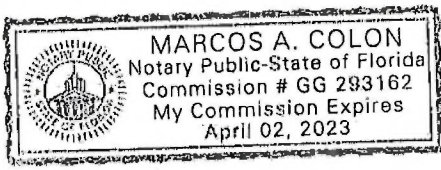
STATE OF FLORIDA
COUNTY OF BROWARD

SS.:

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

Marcos A. Colon (SEAL)

Notary Public
My Commission Expires: _____



Signed, sealed and delivered
in the presence of:

Kimberly Kiersted
Witness
Printed Name: Kimberly Kiersted

RJ Burgess
Rick J. Burgess

Haley Liningier
Witness
Printed Name: Haley Liningier

STATE OF FLORIDA
COUNTY OF BROWARD

SS.:

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

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



5

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

QUIT-CLAIM DEED

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

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

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

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

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

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

Signed, sealed and delivered in the presence of:

[Signature]
Witness (as to both)
Printed Name: RAFAEL MENDEZ

[Signature]
Edward J. Bohne, III
[Signature]
Elizabeth E. Bohne

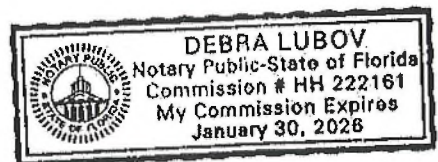
[Signature]
Witness (as to both)
Printed Name: RAFAEL MENDEZ

STATE OF FLORIDA
COUNTY OF BROWARD

SS.:

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

[Signature] (SEAL)
Notary Public
My Commission Expires: 1-30-26



Signed, sealed and delivered
in the presence of:

[Signature]
Witness
Printed Name: Michelle Newman

[Signature]
Rick J. Burgess

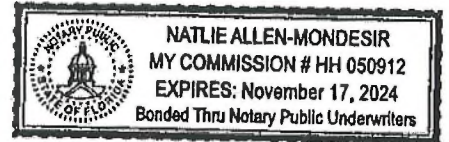
[Signature]
Witness
Printed Name: Karon K. Castillo

STATE OF FLORIDA
COUNTY OF BROWARD

SS.:

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

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



Prepared by and return to:

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

[Space Above This Line For Recording Data]

Warranty Deed

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

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

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

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

Parcel Identification Number: 504211-18-3650

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

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

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

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

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

Signed, sealed and delivered in our presence:

[Signature]
Witness Name: Nancy Zilka

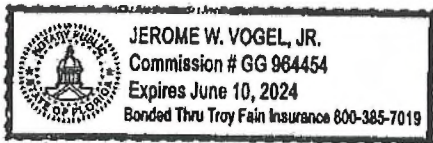
William Jubb Corbet Jr by
Margaret G. Corbet his attorney-in-fact (Seal)
William Jubb Corbet, Jr., by Margaret G. Corbet his attorney-in-fact

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

State of Florida
County of Broward

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

[Notary Seal]



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

3

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

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

THIS INDENTURE, made this 16th day of March, 2011 BETWEEN JOAN C. DRISCOLL, a single woman, Grantor, located at the following address: 1800 SW 75th Terrace Plantation, FL 33317 and RICK J. BURGESS, Grantee, located at the following address: 711 Cordova Road, Fort Lauderdale, FL 33316.

WITNESSETH, that said Grantor, for and in consideration of the sum of TEN and 00/100 (\$10.00) DOLLARS and other good and valuable consideration to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Broward County, Florida, to-wit:

Lot 45, Block 30, RIO VISTA ISLES UNIT 3, according to the map or plat thereof, recorded in Plat Book 7, Page 47, of the Public Records of Broward County, Florida.

Tax Folio No. 504211-18-3640

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

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

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

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

Signed, sealed, and delivered in our presence:

Vicki Summers
Witness Signature

Vicki Summers
Witness Printed Name

Joseph M. Balocco
Witness Signature

Joseph M. Balocco
Witness Printed Name

Joan C. Driscoll
JOAN C. DRISCOLL

STATE OF FLORIDA
COUNTY OF BROWARD

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

Vicki Summers (SEAL)
Notary Public

My Commission Expires:



PROPERTY SUMMARY

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

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

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

PROPERTY ASSESSMENT

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

EXEMPTIONS AND TAXING AUTHORITY INFORMATION

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

SALES HISTORY FOR THIS PARCEL

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

LAND CALCULATIONS

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

RECENT SALES IN THIS SUBDIVISION

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

SPECIAL ASSESSMENTS

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

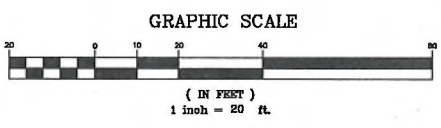
SCHOOL


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

ELECTED OFFICIALS

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

Florida House Rep. District	Florida House Rep. Name	Florida Senator District	Florida Senator Name	CAM 23-0004	School Board




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

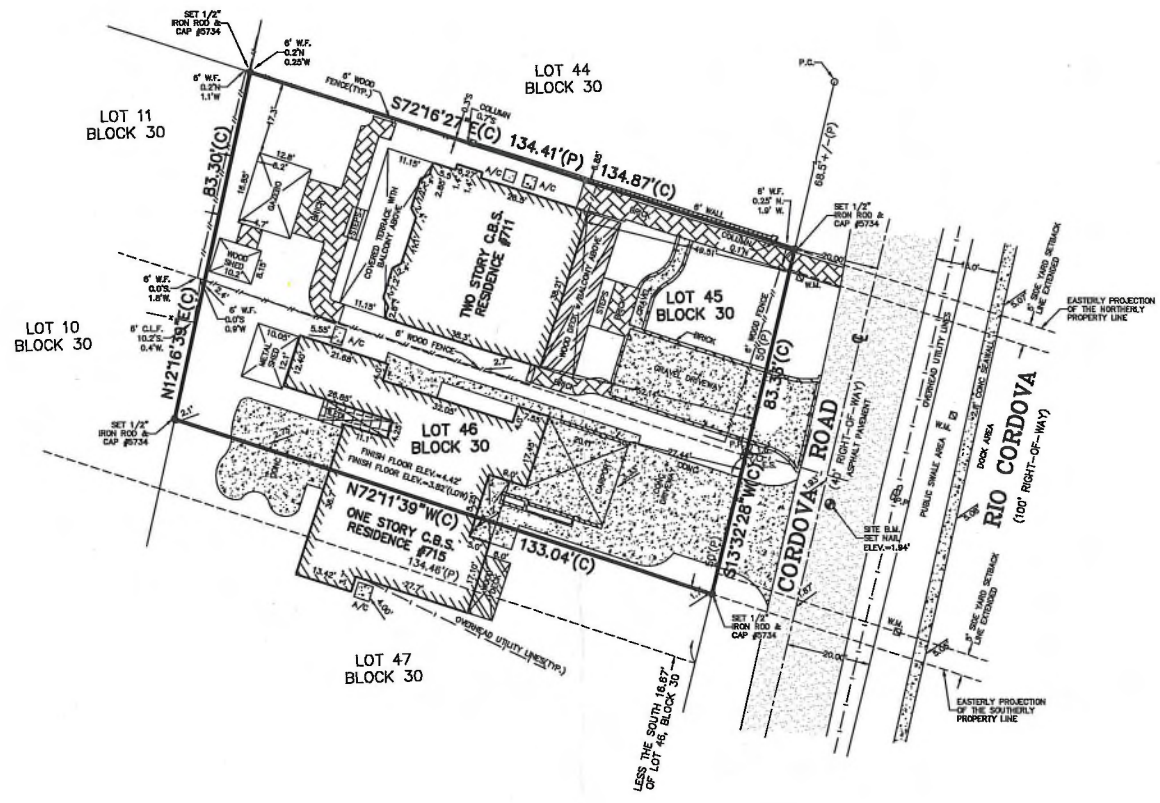
PROJECT ADDRESS: 711 CORDOVA ROAD
FORT LAUDERDALE, FLORIDA 33316

CERTIFY TO:
1. RICK J. BURGESS

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

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

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




GENERAL NOTES:

- 1) TYPE OF SURVEY: BOUNDARY
- 2) IF THIS SURVEY HAS BEEN REVISED AS INDICATED IN THE REVISION BOX SHOWN HEREON, THEN ANY AND ALL PREVIOUS VERSIONS OF THIS SURVEY PREPARED BY PINNELL SURVEY, INC. ARE NULL & VOID.
- 3) THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, UNLESS IT HAS BEEN ELECTRONICALLY SIGNED AND SEALED.
- 4) THE PROPERTY SHOWN HEREON WAS NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD BY PINNELL SURVEY, INC. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT DEPICTED ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY, FOR WHICH THE SUBJECT PROPERTY IS LOCATED IN.
- 5) UNLESS OTHERWISE NOTED, FIELD MEASUREMENTS ARE IN AGREEMENT WITH RECORD MEASUREMENTS.
- 6) ELEVATIONS SHOWN HEREON ARE BASED ON THE NAVD '88, UNLESS OTHERWISE NOTED.
- 7) UNDERGROUND IMPROVEMENTS AND UTILITIES ARE NOT LOCATED.
- 8) FENCE AND WALL OWNERSHIP IS NOT DETERMINED.
- 9) THIS DRAWING IS THE PROPERTY OF PINNELL SURVEY, INC. AND SHALL NOT BE USED OR REPRODUCED, WHOLE OR IN PART WITHOUT WRITTEN PERMISSION & AUTHORIZATION FROM PINNELL SURVEY, INC.
- 10) ALL EASEMENTS SHOWN ON THE ATTACHED DRAWING ARE PER THE RECORD PLAT (UNLESS OTHERWISE NOTED).
- 11) BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF SOUTH 13°32'28\"/>

CERTIFICATION:

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



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

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

REVISIONS:

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

PROJECT NAME: BURGESS JOB NO.: 22-1086

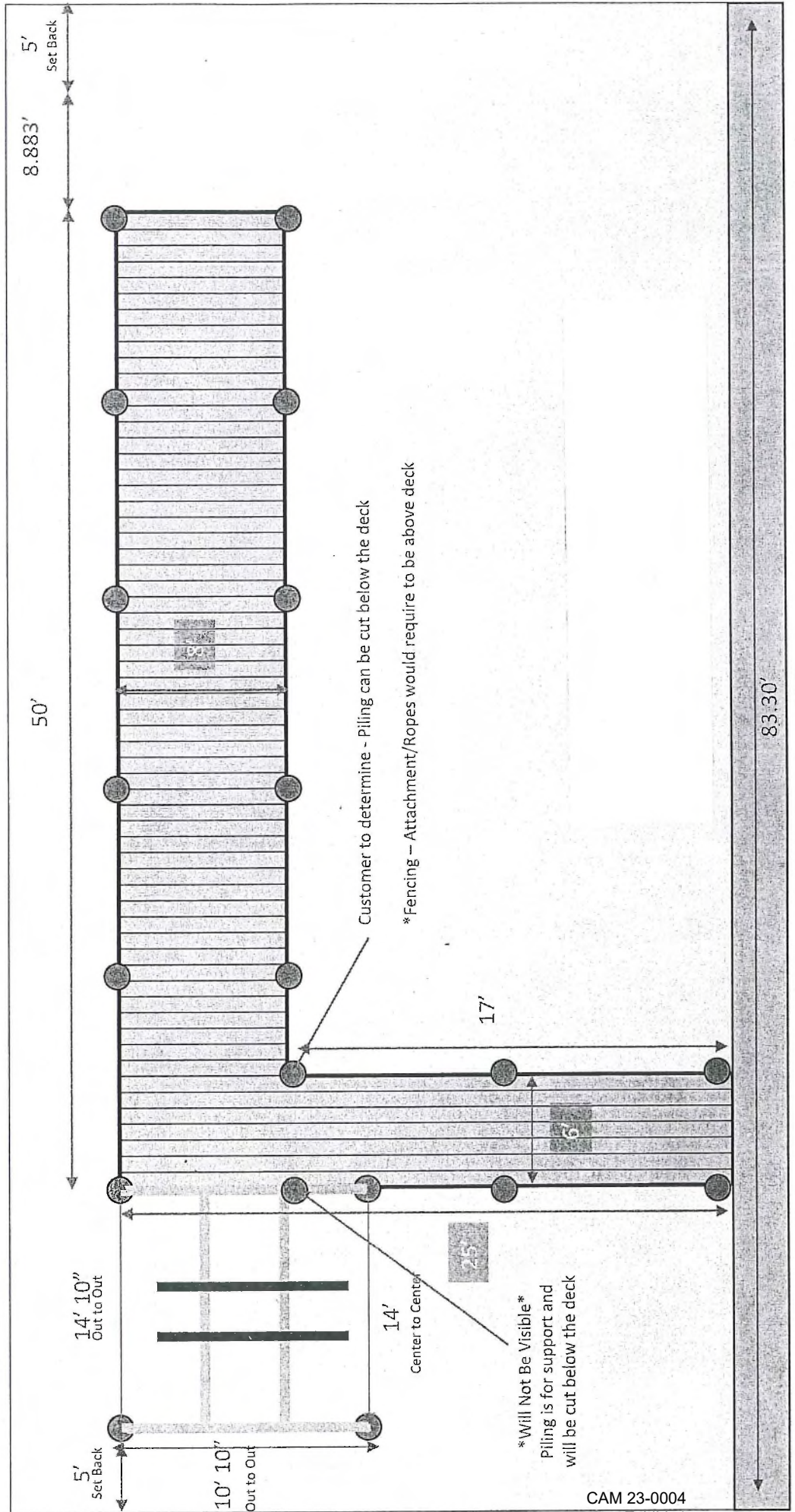
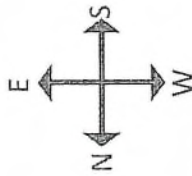
14A



15







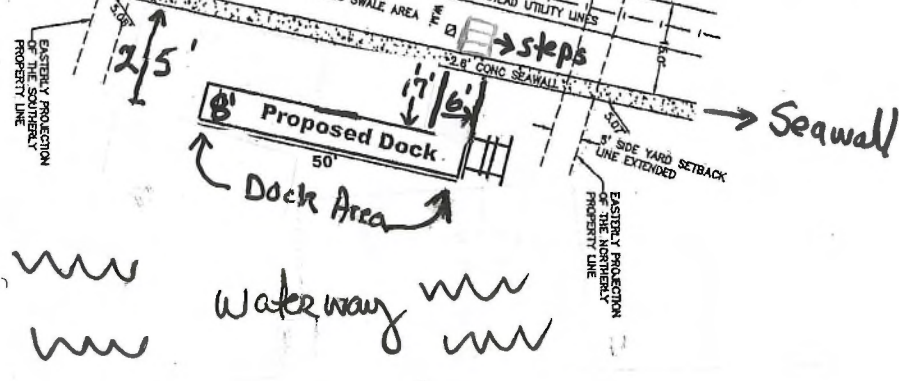
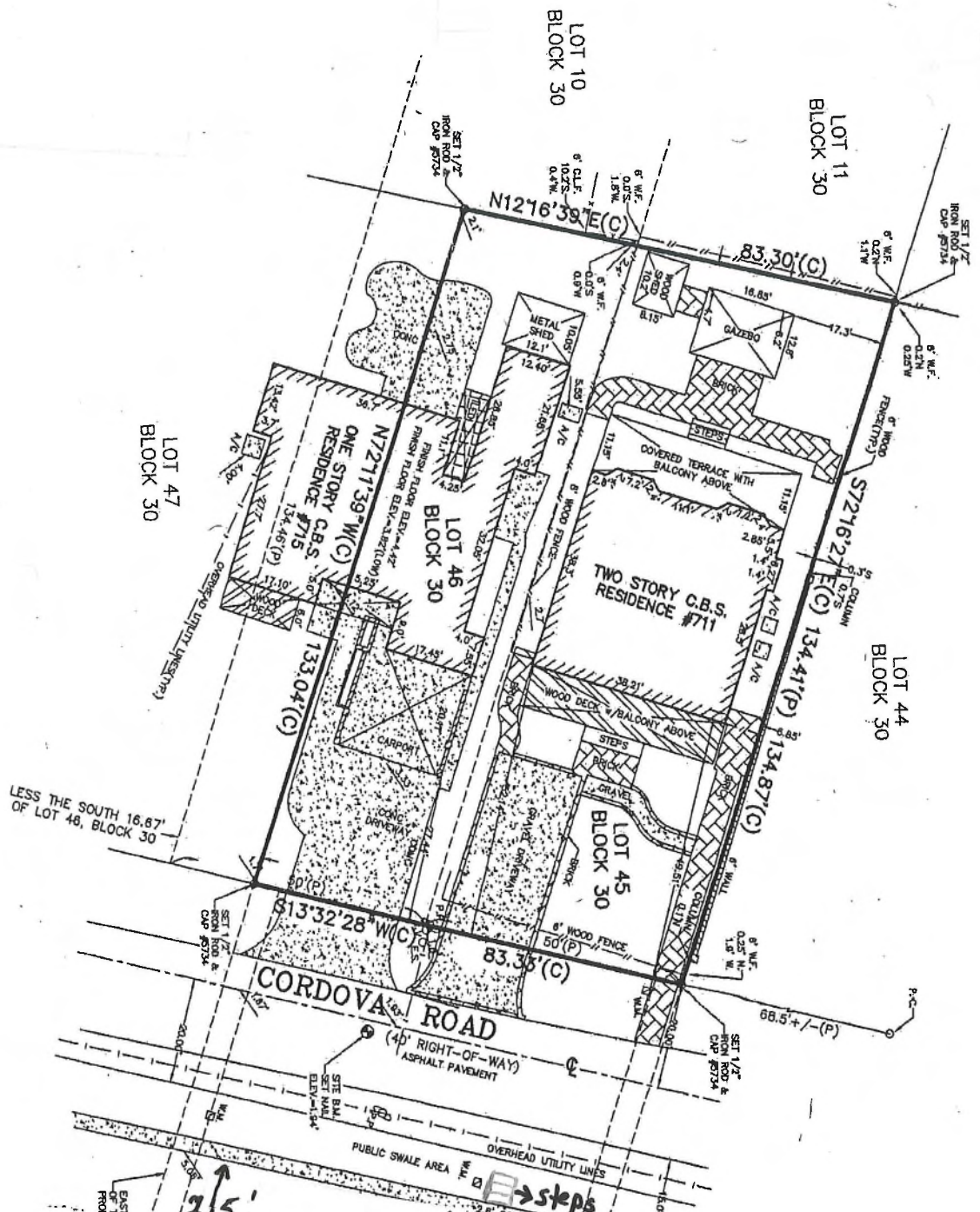
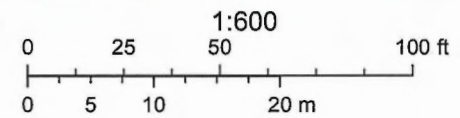


Exhibit "A"



August 8, 2022





Electric Bill Statement

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

Statement Date: Nov 2, 2022

Account Number: 88952-76486

Service Address:

711 CORDOVA RD
FORT LAUDERDALE, FL 33316

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

CURRENT BILL

\$195.19

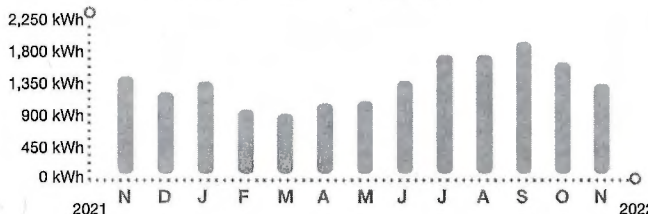
TOTAL AMOUNT YOU OWE

Nov 23, 2022

NEW CHARGES DUE BY

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

ENERGY USAGE HISTORY



BILL SUMMARY

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

(See page 2 for bill details.)

KEEP IN MIND

- Payments received after November 23, 2022 are considered late; a late payment charge, the greater of \$5.00 or 1.5% of your past due balance will apply. Your account may also be billed a deposit adjustment.

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

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



/ 27

7102889527648609159100000

The amount enclosed includes
the following donation:
FPL Care To Share: _____

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

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

FPL
GENERAL MAIL FACILITY
MIAMI FL 33188-0001

Visit FPL.com/PayBill
for ways to pay.

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

21

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

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

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

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

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

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

- (4) (a) During the term of the dock permit, the permit holder shall be required to repair, replace, reconstruct or maintain the dock or adjacent seawall or both to meet the requirements of section 47-19.3(f). "Boat slips, docks, boat davits, hoists and similar mooring structures" of the city's Unified Land Development Code and other relevant terms and conditions imposed by the resolution granting the dock permit. Permit holder shall also be required, during the term of the dock permit, to post and maintain a city-issued sign on the dock indicating the Resolution No. that authorized the permit to use the dock.
- (b) The permit to use the dock shall expire upon the: (i) abandonment of the use of the dock; or (ii) recordation of the deed of conveyance transferring title to the upland parcel; or (iii) termination, expiration or revocation of the dock permit by the city commission, whichever (i), (ii) or (iii) shall first occur, subject to survivability of the obligation to remove the dock pursuant to subsection 4(c) below and the obligations within the covenant running with the land as set forth in subsection 1(a) hereof.
- (c) Except as set forth in subsection 4(e)(d) below, upon expiration of the permit to use the dock, the permit holder shall be obligated to remove the dock and all appurtenances thereto no later than three (3) months after the termination, revocation or expiration of the permit to use the dock. This provision shall be a continuing obligation that survives expiration of the permit to use the dock.
- (d) In the event a dock permit is granted to a successor applicant for the same public dock permit parcel within the time proscribed in subsection 4(d) hereof, the obligation to remove the dock and all appurtenances thereto shall be discharged as to the former permit holder and a release and discharge of the covenant

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

- (e) The dock permit granted may be revoked by the city commission for good cause shown upon at least ninety (90) days advance notice to the permit holder and an opportunity for the permit holder to be heard.
- (5) All improvements such as docks, seawalls and the like which are made or placed upon the public dock permit parcel or within the dock area and public swale area by a private person shall be constructed with appropriate permits from all applicable regulatory authorities having subject matter jurisdiction regarding such matters. All maintenance and repairs shall be performed according to city engineering standards and all applicable regulatory codes including the city's Unified Land Development Code regulations, Florida Building Code and Broward County Amendments thereto.
- (6) All docks installed pursuant to this section must be either: (i) floating docks that can adapt to sea level rise over their useful life span; or (ii) fixed docks installed at a minimum elevation consistent with the requirements of section 47-19.3(f); or (iii) fixed docks the height of which are even with the city's seawall, whichever (ii) or (iii) is the greater. Penetrating the city seawall to support the dock or permanently attaching improvements, such as cleats, ladders, ramps, mooring whips or similar devices to the city's seawall is prohibited, unless: (a) specifically recommended pursuant to the dock building permit review process; or (b) where the seawall and dock are being constructed by the dock permit holder; or (c) upon demonstration of hardship, as it relates to accommodations under the Americans with Disability Act, as same may be amended from time to time and as authorized in the resolution granting the dock permit.
- (7) The holder of the permit shall be responsible for maintaining improvements within the dock area, as hereinafter defined and for maintaining and beautifying the public swale area, as hereinafter defined. The public swale area shall be landscaped in accordance with: (i) the established landscape plan for the area in question adopted by the department of sustainable development; or (ii) a landscape plan approved by the department of sustainable development and embodied in the resolution adopted by the city commission granting the permit under this section. Failure to do so shall be grounds for revocation of the permit.
 - (a) For the purposes of this section, the term "dock area" shall mean that area bounded by: (i) the upland cap of the seawall abutting the dock; and (ii) extending over the water the length and width of the dock; and (iii) including the area within which the vessel may be berthed and all appurtenances to the dock area. The length of the dock shall not exceed: (1) the distance between the extension into the waterway of the two (2) side yard setbacks for the principal building on the

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

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

use or improvement of the public dock permit parcel.

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

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

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