

## ITEM VII

### MEMORANDUM MF NO. 25-07

DATE: April 14, 2025

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities & Parks Manager

RE: May 1, 2025 MAB Meeting – Application for Dock Permit – 909 Beverly LLC / 909 SE 2<sup>nd</sup> Street

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Attached for your review is an application from 909 Beverly LLC / 909 SE 2<sup>nd</sup> Street.

### APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for the usage of two (2) proposed 15'+/- long x 8.3'+/- wide marginal wooden docks with steps extending a maximum distance of 5'+/- from the seawall cap on public property abutting the waterway adjacent to 909 SE 2<sup>nd</sup> Street. City Code Section 8-144 authorizes the construction and use of docks on public property, and allows for the permit to be issued provided the permit holder agrees to maintain the improvements and seawall.

### PROPERTY LOCATION AND ZONING

The property is located within the Beverly Heights RMM-25 Residential Multi Family Mid Rise/Medium High Density Zoning District. The dock area is directly adjacent to the Himmarshee Canal with direct access to the New River.

### 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. 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.
9. Except as to a tender, there shall be no rafting of vessels from the moored vessel.
10. 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.
11. Per 8-144 (6), penetration of the City's seawall to support the dock or attach improvements is prohibited, barring specified considerations.
12. 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.
13. 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  
Luis Villanueva, Marine Facilities Supervisor



**APPLICATION FOR DOCK PERMIT  
SEC. 8-144. PRIVATE USE OF PUBLIC PROPERTY ABUTTING A WATERWAY**

**Applicant:  
909 Beverly, LLC  
730 NW 9<sup>th</sup> St  
Fort Lauderdale, FL 33311**

**Site Address:  
909 SE 2<sup>nd</sup> St  
Fort Lauderdale, FL 33301**

**Type of Agreement:  
New Dock Permit**



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

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, licenses, permits and approvals involving municipal docking facilities or private uses in the waterways as regulated by Section 8 of the City Code of Ordinances or Section 4 7-19. 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: **909 Beverly, LLC, by Cabot Edewaard, Manager**

TELEPHONE NO. 954-683-8920 EMAIL: karl@edewaarddevelopment.com  
(home) (business)

2. APPLICANT'S ADDRESS (if different than the site address): **730 NW 9<sup>th</sup> Street, Fort Lauderdale, FL 33311**
3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: **Dock permit for private use of public property abutting waterways**
4. SITE ADDRESS: **909 SE 2<sup>nd</sup> Street Fort Lauderdale, FL 33301** ZONING: **RMM-25**

LEGAL DESCRIPTION AND FOLIO NUMBER:  
**BEVERLY HEIGHTS 1-30 B LOTS 11 LESS E 10,12 E 20 BLK 16**  
**Folio No. 504211070450**

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).  
**Narrative, Warranty Deed, Survey, Plan Set, Site Photographs, Landscape Plan**

Cabot Edewaard, Manager  
Applicant's Signature

3/19/25  
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 \_\_\_\_\_

Prepared by and return to:

Christopher James Gertz, Esq.  
Christopher J. Gertz, P.A.  
888 South Andrews Avenue Suite 204  
Fort Lauderdale, FL 33316  
954-565-2601  
File Number: CCS-841  
Will Call No.:

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this 17 day of June, 2022 between **Bhuchaye Jhonaul**, a single man, whose post office address is c/o Porntip Rand, 1821 Florida Mango Road , West Palm Beach, FL 33406, grantor, and 909 Beverly, LLC, a Florida limited liability company, whose post office address is 730 NW 9th Street, Fort Lauderdale, FL 33311, 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)

**Witnesseeth**, 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:

**Lot 11 and the East 20 feet of Lot 12, Block 16, BEVERLY HEIGHTS, according to the map or plat thereof as recorded in Plat Book 1, Page 30, Public Records of Broward County, Florida.**

**Parcel Identification Number: 5042 11 07 0450**

**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**.

DoubleTime®

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:

Jesenia Gill  
Witness Name: Jesenia Gill  
Nyasha Soyini Yong-Wright  
Witness Name: Nyasha Soyini Yong-Wright

Bhuchaye Jhonaul by Porntip Rand torney in fact  
Bhuchaye Jhonaul by Porntip Rand, his attorney in fact

State of FLORIDA  
County of BROWARD

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [X] online notarization, this 14th day of June, 2022 by Porntip Rand, attorney in fact for Bhuchaye Jhonaul, who [ ] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]



ASY

Notary Public

Printed Name: Nyasha Soyini Yong-Wright

My Commission Expires: June 14, 2025

Notarial act performed by audio-visual communication



## PROPERTY SUMMARY

**Tax Year:** 2025

**Property ID:** 504211070450

**Property Owner(s):** 909 BEVERLY LLC

**Mailing Address:** 730 NW 9 ST FORT LAUDERDALE, FL 33311

**Physical Address:** 909 SE 2 STREET FORT LAUDERDALE, 33301

**Property Use:** 00 - Vacant residential

**Millage Code:** 0312

**Adj. Bldg. S.F:** 0

**Bldg Under Air S.F:**

**Effective Year:** 0

**Year Built:**

**Units/Beds/Baths:** 0 / /

**Deputy Appraiser:** Residential Department

**Appraisers Number:** 954-357-6831

**Email:** [realprop@bcpa.net](mailto:realprop@bcpa.net)

**Zoning :** RMM-25 - RESIDENTIAL MULTIFAMILY MID RISE/MEDIUM HIGH DENSITY

**Abbr. Legal Des.:** BEVERLY HEIGHTS 1-30 B LOTS 11 LESS E 10,12 E 20 BLK 16

## PROPERTY ASSESSMENT

Year	Land	Building / Improvement	Agricultural Saving	Just / Market Value	Assessed / SOH Value	Tax
2025	\$597,240	0	0	\$597,240	\$562,060	
2024	\$564,060	0	0	\$564,060	\$510,970	\$10,256.39
2023	\$464,520	0	0	\$464,520	\$464,520	\$9,320.32

## EXEMPTIONS AND TAXING AUTHORITY INFORMATION

	County	School Board	Municipal	Independent
Just Value	\$597,240	\$597,240	\$597,240	\$597,240
Portability	0	0	0	0
Assessed / SOH	\$562,060	\$562,060	\$562,060	\$562,060
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	\$562,060	\$597,240	\$562,060	\$562,060

## SALES HISTORY FOR THIS PARCEL

Date	Type	Price	Book/Page or Cin
06/14/2022	Multi Warranty Deed Excluded Sale	\$1,800,000	118225409
09/10/2009	Warranty Deed Non-Sale Title Change	\$100	46544 / 1779
06/18/2009	Personal Representatives Deed Non-Sale Title Change	\$100	46342 / 1562
10/01/1977	Warranty Deed	\$71,000	7269 / 814

## LAND CALCULATIONS

Unit Price	Units	Type
\$90.00	6,636 SqFt	Square Foot
CAM #25-0543 Exhibit 1 Page 8 of 19		



## RECENT SALES IN THIS SUBDIVISION

Property ID	Date	Type	Qualified/ Disqualified	Price	CIN	Property Address
504211070830	12/17/2024	Warranty Deed	Qualified Sale	\$2,255,000	119965968	118 SE 11 AVE FORT LAUDERDALE, FL 33312
504211070946	09/21/2024	Warranty Deed	Qualified Sale	\$1,665,000	119818594	216 SE 10 TER FORT LAUDERDALE, FL 33301
504211070934	09/28/2023	Warranty Deed	Qualified Sale	\$1,717,000	119138682	208 SE 10 TER FORT LAUDERDALE, FL 33301
504211070881	09/15/2023	Warranty Deed	Qualified Sale	\$1,375,000	119117939	20 SE 11 AVE FORT LAUDERDALE, FL 33301
504211070690	08/10/2023	Warranty Deed	Qualified Sale	\$1,100,000	119047108	23 SE 12 AVE FORT LAUDERDALE, FL 33301

## SPECIAL ASSESSMENTS

Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc	SCHOOL
Ft Lauderdale Fire-rescue (03)						FT Laud Stormwater Cat II (F2)			Harbordale Elementary School: A Sunrise Middle School: B Fort Lauderdale High School: A
Vacant Lots (L)									
1						6,636.00			

## ELECTED OFFICIALS

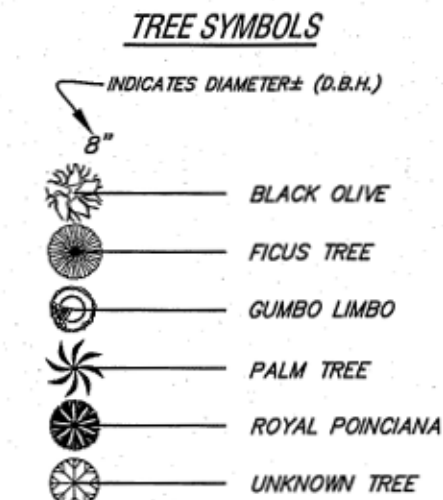
Property Appraiser	County Comm. District	County Comm. Name	US House Rep. District	US House Rep. Name
Marty Kiar	4	Lamar P. Fisher	23	Jared Moskowitz
Florida House Rep. District	Florida House Rep. Name	Florida Senator District	Florida Senator Name	School Board Member
100	Chip LaMarca	37	Jason W. B. Pizzo	Sarah Leonardi



## **SUMMARY DESCRIPTION**

### **909 SE 2<sup>nd</sup> St**

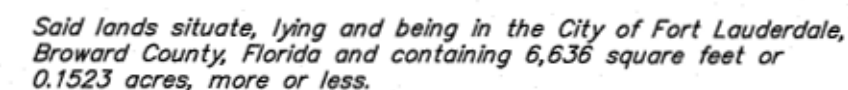
The project site is located at 909 SE 2<sup>nd</sup> St in the City of Fort Lauderdale. The existing site conditions consist of a 40 in. ft. coral rock wall along the east side and approximately 20.5' in. ft. of unconsolidated shoreline on the west side along the Himmarshee Canal. The proposed project consists of the installation of (2) 8.3' x 15' wood docks (250 ft<sup>2</sup> total). The docks are intended for usage by the property owner for owner's vessel(s) and no rentals will be allowed. In accordance with Sec. 8-144(6), the proposed docks will not be permanently affixed to the existing seawall. As the seawall is owned by the City of Fort Lauderdale, the proposed wood docks require approval of private use of public property abutting a waterway. If the request is granted, the applicant agrees to adhere to all provisions of Sec. 8-144 of the city code.



- 1) This survey reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Underground improvements if any not located.
- 3) This drawing is not valid unless sealed with an authorized surveyors seal.
- 4) Boundary survey information does not infer Title or Ownership.
- 5) Reference Bench Mark: City of Fort Lauderdale BM # NE 897, Elevation= 3.731 (NAVD88).
- 6) Elevations shown refer to North American Vertical Datum (1988), and are indicated thus:  $\uparrow$ , Elev. = 7.24
- 7) This property lies in Flood Zone "AH", Elev.=5.0 Per Flood Insurance Rate Map No. 12011C0557 H, Dated: August 18, 2014. Community Panel No. 125105.
- 8) Elevations per North American Vertical Datum (1988) derived from National Geodetic Vertical Datum (1929) and converted using U.S. Army Corps of Engineers software (Corpscon 6.0.1) obtained from <http://www.tech.army.mil/>

## LEGEND

Δ = CENTRAL ANGLE (DELTA)	MHW = MEAN HIGH WATER
A/C = AIR CONDITIONING	MISC. = MISCELLANEOUS
A.K.A. = ALSO KNOWN AS	M.L.P. = METAL LIGHT POLE
A.L.P. = ALUMINUM LIGHT POLE	N = NONE AND LESS
ALTA = AMERICAN LAND TITLE ASSOCIATION	NGS = NATIONAL GEODETIC SURVEY
A OR L = ARC LENGTH	NSPS = NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS
B.C.R. = BROWARD COUNTY RECORDS	NGVD29 = NATIONAL GEODETIC VERTICAL DATUM (1929)
B.F.P. = BACK FLOW PREVENTOR	NAVD88 = NORTH AMERICA VERTICAL DATUM (1988)
B.H. = BULKHEAD	N.S.I.D. = NORTH SPRINGS IMPROVEMENT DISTRICT
B. = BASE LINE	NO. = NUMBER
C.A.T.C. = CABLE TV TERMINAL OR BOX	O.R.B. = OFFICIAL RECORDS BOOK
C.A.L.C. = CALCULATED	O/S = OFFSET
G.B.S. = CONCRETE, BLOCK AND STUCCO	O/W = OVERHEAD UTILITY LINES
C = CENTERLINE OF RIGHT-OF-WAY	PG. = PAGE
CH. = CHORD	P.B. = PLAT BOOK
CH.BRG. = CHORD BEARING	P.C.B.R. = PALM BEACH COUNTY RECORDS
C.C.C.L. = COASTAL CONTROL LINE	P.C. = POINT OF CURVE
C.C.L. = CHAIN LINK FENCE	P.C.D. = POLLUTION CONTROL DEVICE
C.L.P. = CONCRETE LIGHT POLE	P.I. = POINT OF INTERSECTION
C.P.L.P. = CONCRETE POWER LIGHT POLE	P.I.V. = POST INDICATOR VALVE
C.P.P. = CONCRETE POWER POLE	P.O.B. = POINT OF BEGINNING
CO. = COMPANY	P.O.C. = POINT OF COMMENCEMENT
CONC. = CONCRETE	P.R.C. = POINT OF REVERSE CURVE
C/O = CLEAN OUT	P.R.M. = PERMANENT REFERENCE MONUMENT
D.B. = DEED BOOK	R = RADUS
DESC. = DESCRIPTION FROM FORMER DESCRIPTION	R.C.P. = REINFORCED CONCRETE PIPE
DIA. = DIAMETER	R/W = RIGHT-OF-WAY
D.B.H. = DIAMETER AT BREAST HEIGHT	S.B.T. = SOUTHERN BELL TELEPHONE
ELEC. = ELECTRIC	SA = SEWER VALVE
ELEV. OR EL. = ELEVATION	S.H.W. = SEASONAL HIGH WATER LINE
FL. = FEET	S.T.L. = SURVEY TIE LINE
F.H. = FIRE HYDRANT	TAN. = TANGENT
F.D.C.T. = FLORIDA DEPARTMENT OF TRANSPORTATION	TAN.BRG. = TANGENT BEARING
F.P.L. = FLORIDA POWER AND LIGHT CO.	W.M. = WATER METER
G.T.M. = GREASE TRAP MAINHOLE	WA = WATER VALVE
H.H. = HAND HOLE	W.B.H. = WET FACE OF BULKHEAD
I.V.C. = IRRIGATION CONTROL VALVE	W/F. = WET FACE OF CAP
INERT.	W.L.P. = WOOD STREET LIGHT POLE
LB. = LICENSE BUSINESS	W.L.P.L. = WOOD POWER STREET LIGHT POLE
MAG. = MAGNET	W.P.P. = WOOD POWER POLE
M.D.C.R. = MIAMI DADE COUNTY RECORDS	W/M.C. = WITH MCLAUGHLIN ENGINEERING CO. CAP
MEAS. = FIELD MEASURE	W/W.C. = WITH WITNESS CAP # 285
PA. = PARKING SPACES	W. = HANDICAPPED PARKING SPACE



I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN PERFORMED IN THE FIELD UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION, MEETS THE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.05 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

NOT VALID WITHOUT RAISED IMPRESSION OR PDF OF DIGITAL SEAL

**JERALD A. McLAUGHLIN**  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER #5269  
FLORIDA CERTIFICATE OF AUTHORIZATION LB #8137

09-06-2023  
DATE



**COLOR PHOTOS OF DOCK AREA**



1. Eastern portion of property, facing west. Note trees and mangroves to remain.



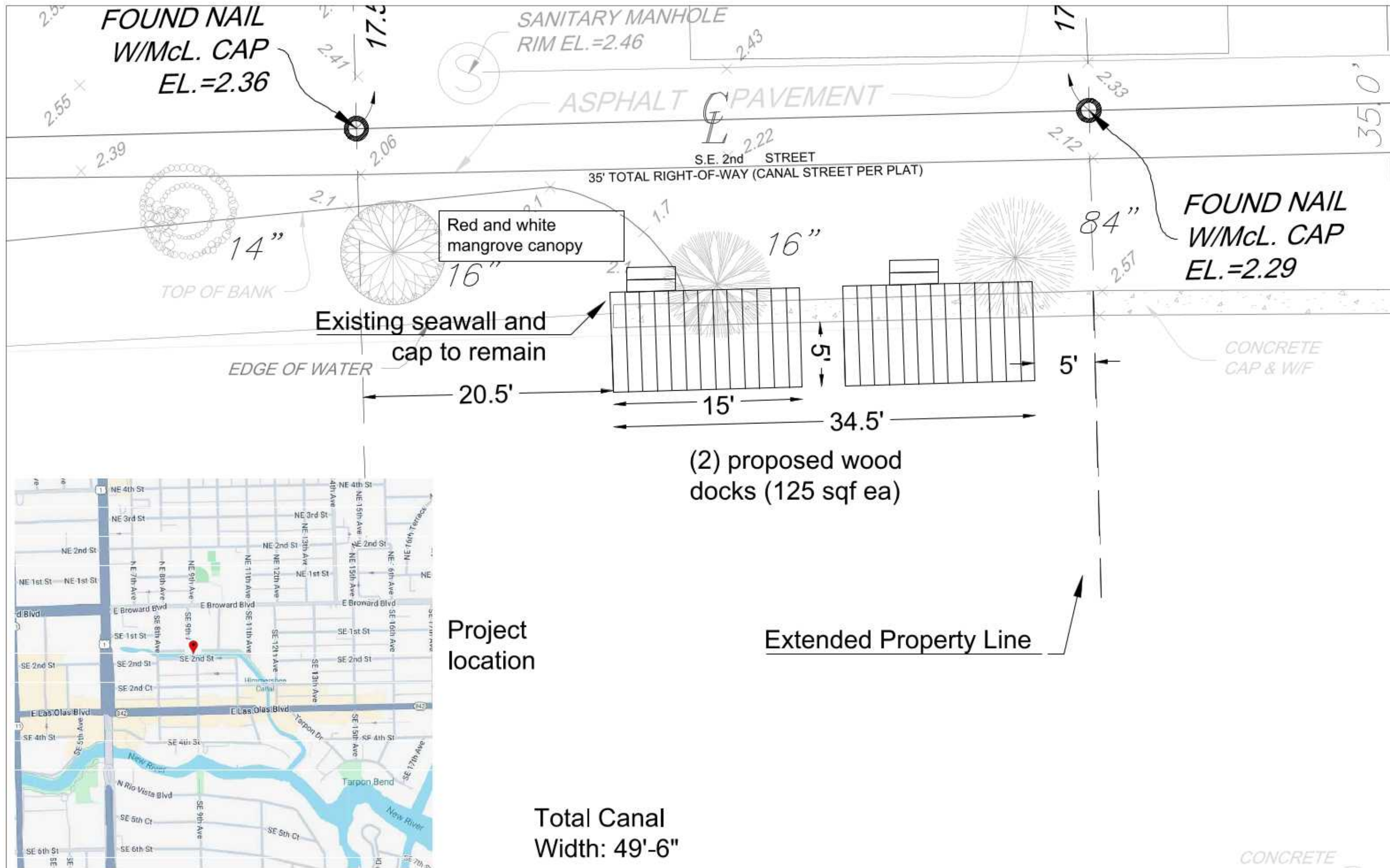
2. Central portion of property, facing east.



## **APPLICANT VESSEL INFORMATION**

Applicant does not currently own a vessel. The proposed dock will be used for kayak/paddle boarding. Once a vessel is purchased, vessel information will be submitted to the City.





SCALE: 1' = 10'

Proposed Conditions

909 SE 2nd St, Fort  
Lauderdale, FL 33301



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CAM #25-0543  
Exhibit 1  
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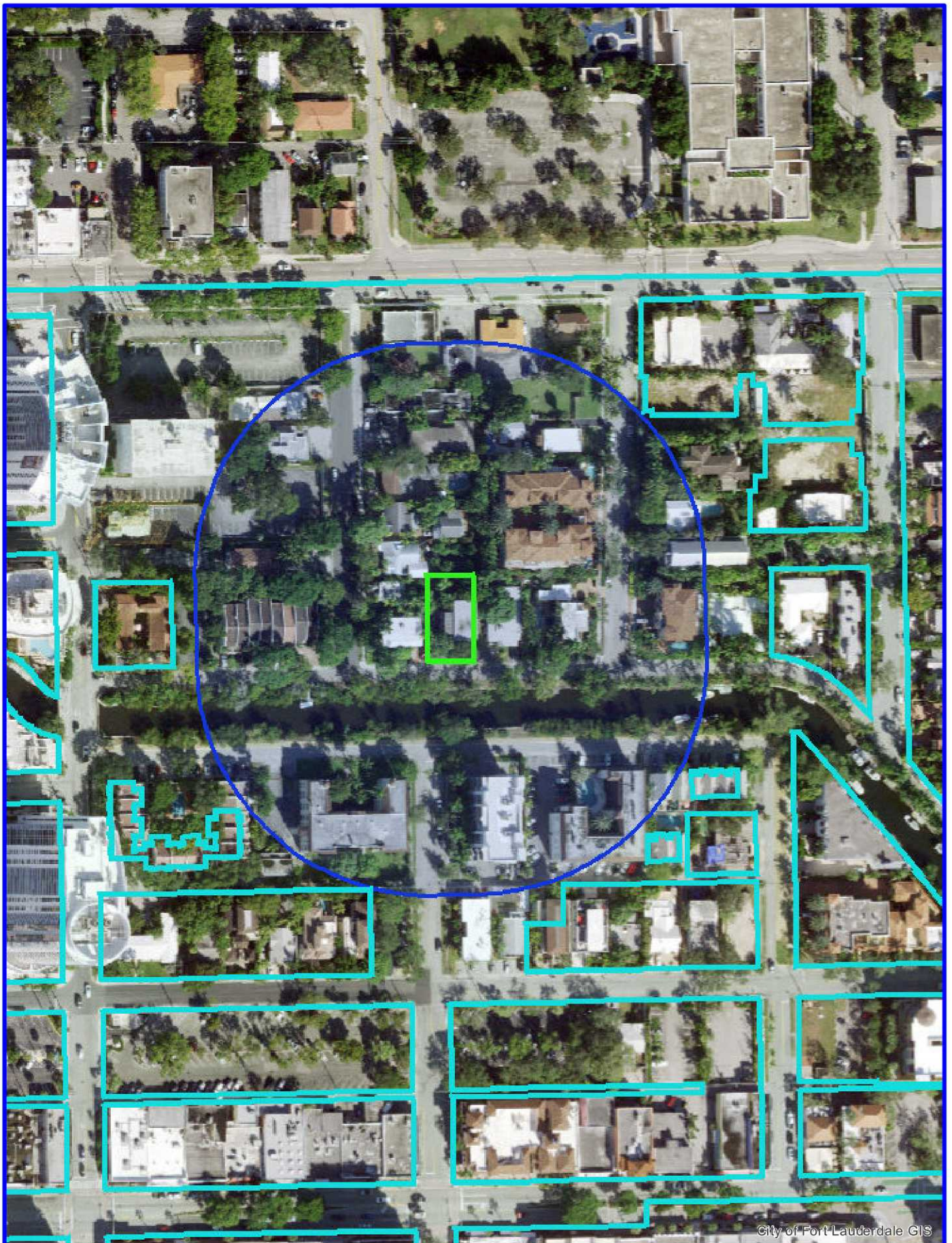


## **PROPOSED LANDSCAPING PLAN**

The mangroves and upland trees will remain on site. The proposed docks will be cut around the existing trees as necessary.







City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

909 SE 2nd St



0 90 180 Feet

**GIS**  
Fort Lauderdale