

# ITEM VII

## MEMORANDUM MF NO. 23-22

DATE: September 15, 2023  
TO: Marine Advisory Board  
FROM: Andrew Cuba, Manager of Marine Facilities  
RE: October 5, 2023 MAB - Dock Waiver of Distance Limitations  
-Susan T. Gaddis; 830 NE 20<sup>th</sup> LLC # 1-4

Attached for your review is an application from Susan T. Gaddis / 830 NE 20<sup>th</sup> Avenue #1-4 (see **Exhibit 1**).

### APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for the installation of one (1) finger pier and one (1) boat lift. 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**

<b>PROPOSED STRUCTURE</b>	<b>STRUCTURE DISTANCE FROM PROPERTY LINE</b>	<b>PERMITTED DISTANCE WITHOUT WAIVER</b>	<b>DISTANCE REQUIRING A WAIVER</b>
<b>Finger Pier</b>	<b>63.0'+/-</b>	<b>25'</b>	<b>38'+/-</b>
<b>Boat Lift</b>	<b>48.0'+/-</b>	<b>25'</b>	<b>23.0'+/-</b>

ULDR Section 47-19.3 C. limits the maximum distance of mooring structures to 25 feet 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 specified that the extra distance for the finger pier is necessary for safely mooring vessels, especially during high wind events and severe weather, and to protect vessels from high wave energy due to excessive wakes.

### 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 285 to 300 feet+/-, according to the Summary Description provided in **Exhibit 1**.

**DOCK PLAN AND BOATING SAFETY**

Marine Facilities records reflect that there have been at least nineteen (19) 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**

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

**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  
Jon Luscomb, Marine Facilities Supervisor

**830 NE 20<sup>th</sup> AVENUE  
APPLICATION FOR WATERWAY WAIVER**

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

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



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## EXHIBIT II SUMMARY DESCRIPTION

**Summary Description**  
**830 NE 20<sup>th</sup> Avenue**  
**TCG Project No. 23-0044**

The project site is located along the Middle River at 830 NE 20<sup>th</sup> Avenue, in Section 01, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida.

The property is located along the Middle River, which is a tidal water. The nearest direct connection to the Atlantic Ocean is approximately 3 miles to the southeast at the Port Everglades Inlet. As the project site is located along the Middle River, the incoming tidal waters (flood) at the site move to the northwest and the outgoing waters (ebb) move to the southeast.

The project site consists of an existing  $\pm 60$  in. ft. concrete seawall with king piles and batter piles,  $\pm 480$  sq. ft. marginal wooden dock with a  $\pm 240$  sq. ft. wooden finger pier, and a 4-post boat lift. The proposed project consists of the removal of the wooden dock configuration; the reinstallation of the existing 4-post boat lift; the installation of a new 3.0' seawall cap overpour, a  $\pm 474$  sq. ft. (60'x7.9') concrete marginal dock, and a 280.5 sq. ft. (55'x5.10') concrete finger pier to accommodate a total of two (2) slips. The slips will be consistent with the docks and structures adjacent to the property along the Middle River. As measured from the property line, the proposed finger pier and boat lift will encroach more than 25' from the property line into the Middle River. As these distances are over the allowable 25' distance into the waterway from the property line, the proposed finger pier and boat lift will require a distance waiver.

The proposed structures have been authorized by the Broward County Resilient Environmental Department (Permit No. DF23-1080).

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

1. All structures will not exceed 25% of the width of the waterway.
2. Due to the extraordinary width of the waterway at this location from wetface to wetface ( $\pm 285'$ - $\pm 300'$ ), the proposed project will not impede navigation within the Middle River.
3. The proposed structures are necessary for safe mooring of vessels, especially during high wind events and severe weather.



4. The proposed structures are also necessary to protect the vessels from high wave energy from excessive boat wakes along the Middle River.
5. The finger pier is consistent with existing structures located along the Middle River.

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

STRUCTURE	PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
A	Finger pier	63.0'	25'	38.0'
B	Boat lift	48.0'	25'	23.0'

## EXHIBIT III WARRANTY DEED

92119552

PREPARED BY: Ellen A. Goldman  
English, McCaughan & O'Bryan, P.A.  
P. O. Box 14098  
Fort Lauderdale, FL 33302

Stamps \$ 1674.00 Tax \$ \_\_\_\_\_  
Documentary Intangible  
RECEIVED in Broward County as required by  
law by Catherine Carlson  
Deputy Clerk

Parcel Tax Identification No. 0201-17-013  
Grantee's Social Sec. No.:

PERSONAL REPRESENTATIVE'S DEED

THIS PERSONAL REPRESENTATIVE'S DEED, executed this 18th day of March, 1992, by SUN BANK/SOUTH FLORIDA, NATIONAL ASSOCIATION, as the duly appointed, qualified and acting PERSONAL REPRESENTATIVE OF THE ESTATE OF MARY V. LINDFORS, DECEASED, first party, to JESSE P. GADDIS and SUSAN T. GADDIS, husband and wife, whose post office address is P. O. Box 950, New River Station, Fort Lauderdale, Florida 33302, of the County of Broward, State of Florida, second party.

WITNESSETH, that said first party, for and in consideration of the sum of TEN DOLLARS (\$10.00) in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described land situate, lying and being in Broward County, Florida, to wit:

Lot 14 in Block 1 of GATEWAY, according to the Plat thereof, recorded in Plat Book 25, Page 24, of the Public Records of Broward County, Florida.

SUBJECT TO easements, restrictions and reservations of record, and taxes for the year 1992 and subsequent years.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto 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 behalf of the said second party forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered  
in our presence:

[Signature]  
Print Name: Michael H. Adams

[Signature]  
Print Name: Laurita H. [unclear]

SUN BANK/SOUTH FLORIDA, NATIONAL ASSOCIATION, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MARY V. LINDFORS, DECEASED

By: Sandra M. Morway  
Print Name: SANDRA M. MORWAY  
Title: SR. VICE PRESIDENT

Grantor's Address:  
501 E. Las Olas Boulevard  
Fort Lauderdale, FL 33301

RETURN TO: LAWYERS TITLE INSURANCE CORP. 39203131

MAR 23 1 13 PM '92

BR 19291 PG0004

900  
y  
1/4  
5

STATE OF FLORIDA )  
COUNTY OF BROWARD )

The foregoing instrument was acknowledged before me  
this 18 day of March, 1992, by SANDRA M. MURRAY,  
AS SERVICE PRESIDENT of SUN BANK/SOUTH FLORIDA, NATIONAL  
ASSOCIATION, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MARY V.  
LINDFORS, DECEASED, on behalf of the corporation, who is  
personally known to me ~~or who has produced~~  
as identification, and who did  
not take an oath.

*Alice W. McCarty*  
Notary Public  
Print Name: ALICE W. MCCARTY  
My Commission expires: 11-5-88/75

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. AUG. 19, 1992  
BONDED THRU GENERAL INS. UND.

f:\users\jean\general\lindfors.prd

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY FLORIDA  
COUNTY ADMINISTRATOR

BK 19291P50005

## EXHIBIT IV ZONING AERIAL





City of Fort Lauderdale ©13



CITY OF FORT LAUDERDALE

830 NE 20th Avenue



0 90 180 Feet

**GIS**  
Fort Lauderdale

CAM 23-1016  
Printed on: 8/22/2023  
Exhibit 1

## EXHIBIT V SITE PHOTOGRAPHS





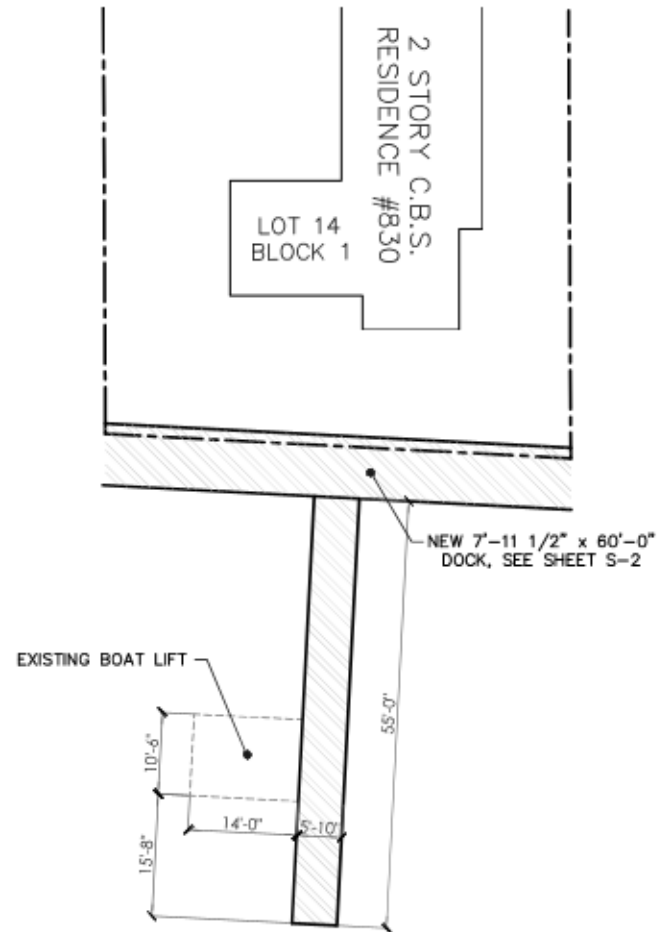
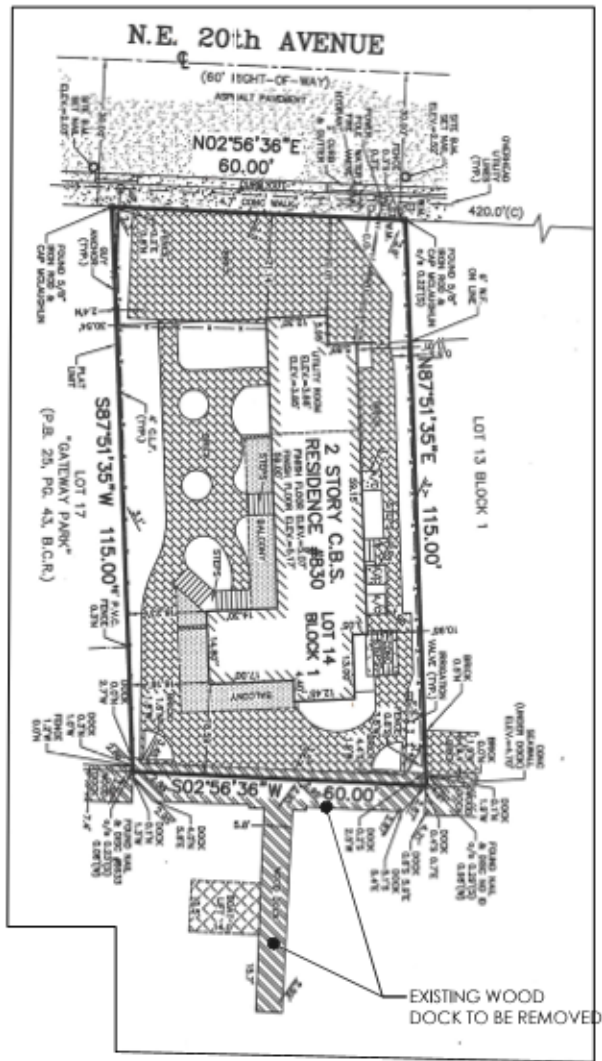
**1. Southern portion of the subject site, facing north along the Middle River.**



**2. Northern portion of the subject site, facing south along the Middle River.**



## EXHIBIT VI PROJECT PLANS



01 EXISTING SITE PLAN



N.T.S.

02 PROPOSED SITE PLAN



1/16" = 1'-0"

DAVID B. ROGERS, P.E.  
5343 PARK PLACE CIRCLE  
BOCA RATON, FLORIDA 33486  
561-699-3776



David Rogers  
2023.02.28  
13:02:27  
-05'00"

SEAL

DAVID B. ROGERS, P.E.  
FLORIDA REG. NO. 54981

PROJECT INFORMATION

NEW DOCK  
830 N.E. 20TH AVENUE  
FORT LAUDERDALE, FLORIDA 33304

PAGE NO.

S-1

**GENERAL STRUCTURAL NOTES:**

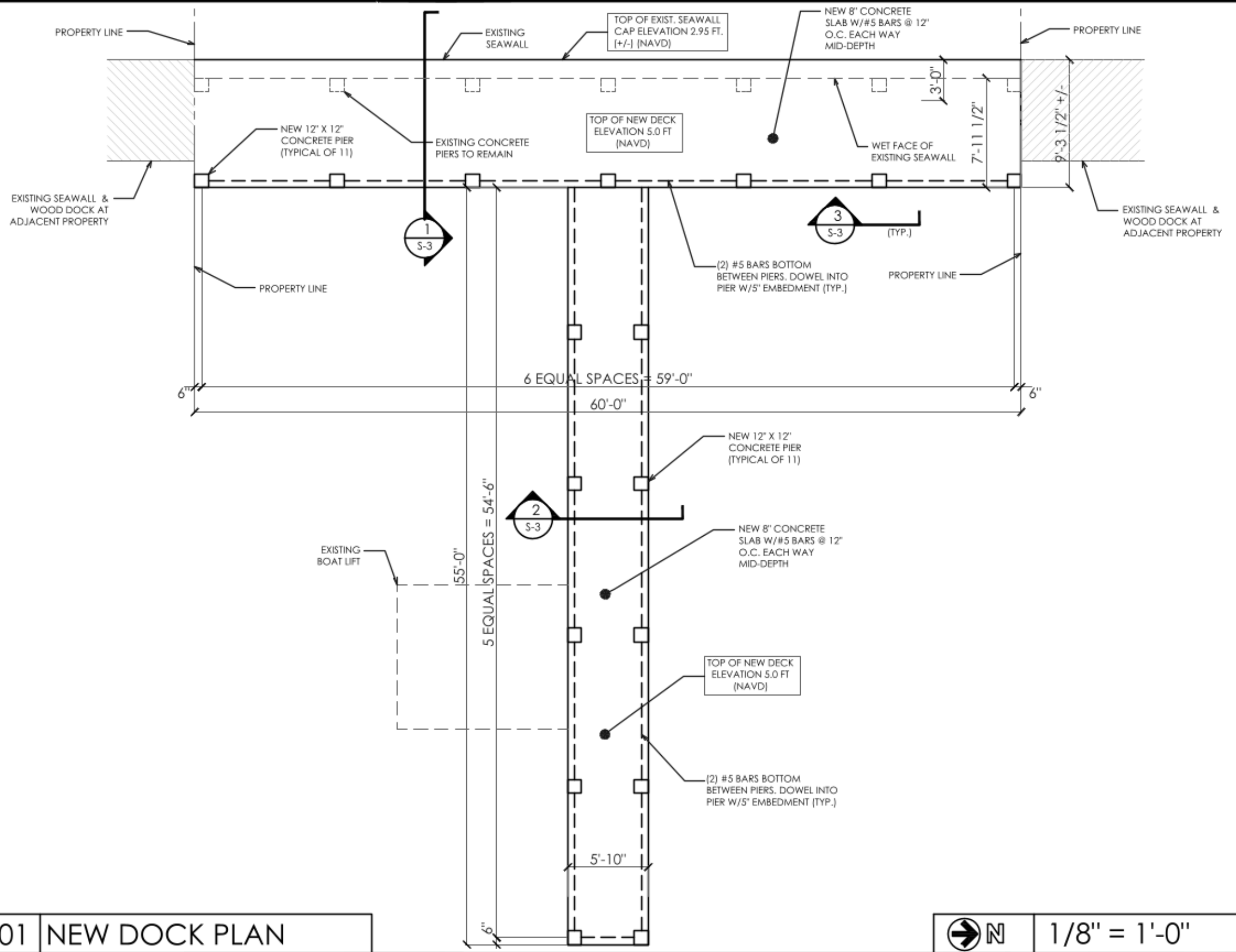
- GOVERNING CODE: FLORIDA BUILDING CODE, 2020 EDITION
- IN THE EVENT OF DISCREPANCIES BETWEEN PLANS, STANDARDS AND CODES, THE MORE STRINGENT REQUIREMENT SHALL GOVERN. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS AND SITE CONDITIONS PRIOR TO BEGINNING WORK. CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER AND ARCHITECT OF ANY DISCREPANCIES AFTER VERIFICATION OF EXISTING CONDITIONS.
- IN THE EVENT OMISSIONS & CONFLICTS EXIST BETWEEN THE PLANS AND SITE CONDITIONS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
- THE CONTRACTOR IS RESPONSIBLE FOR SAFETY AT THE SITE, AND FOR STABILITY OF PARTIALLY COMPLETED STRUCTURES DURING CONSTRUCTION.
- ADEQUATE VERTICAL AND HORIZONTAL SHORING SHALL BE PROVIDED TO SAFELY SUPPORT ALL LOADS IMPARTED DURING CONSTRUCTION.
- THE STRUCTURAL ENGINEER SHALL BE NOTIFIED AT LEAST 24 HOURS IN ADVANCE FOR OBSERVATION OF WORK AS REQUIRED BY THE OWNER, TO BE DETERMINED IN THE PRE-CONSTRUCTION PHASE.

**CONCRETE:**

- COMPRESSIVE STRENGTH OF CONCRETE SHALL BE 4000 PSI AT 28 DAYS.
- REINFORCING STEEL SHALL CONFORM TO ASTM A-615, A-616, AND A-617 WITH A MINIMUM YIELD STRENGTH OF 60 KSI.

**DESIGN LOADS FOR THE PROJECT AS FOLLOWS:**

DEAD LOADS = 120 PSF  
LIVE LOADS = 60 PSF



Broward County  
6/9/2023 SSL

01 NEW DOCK PLAN

1/8" = 1'-0"

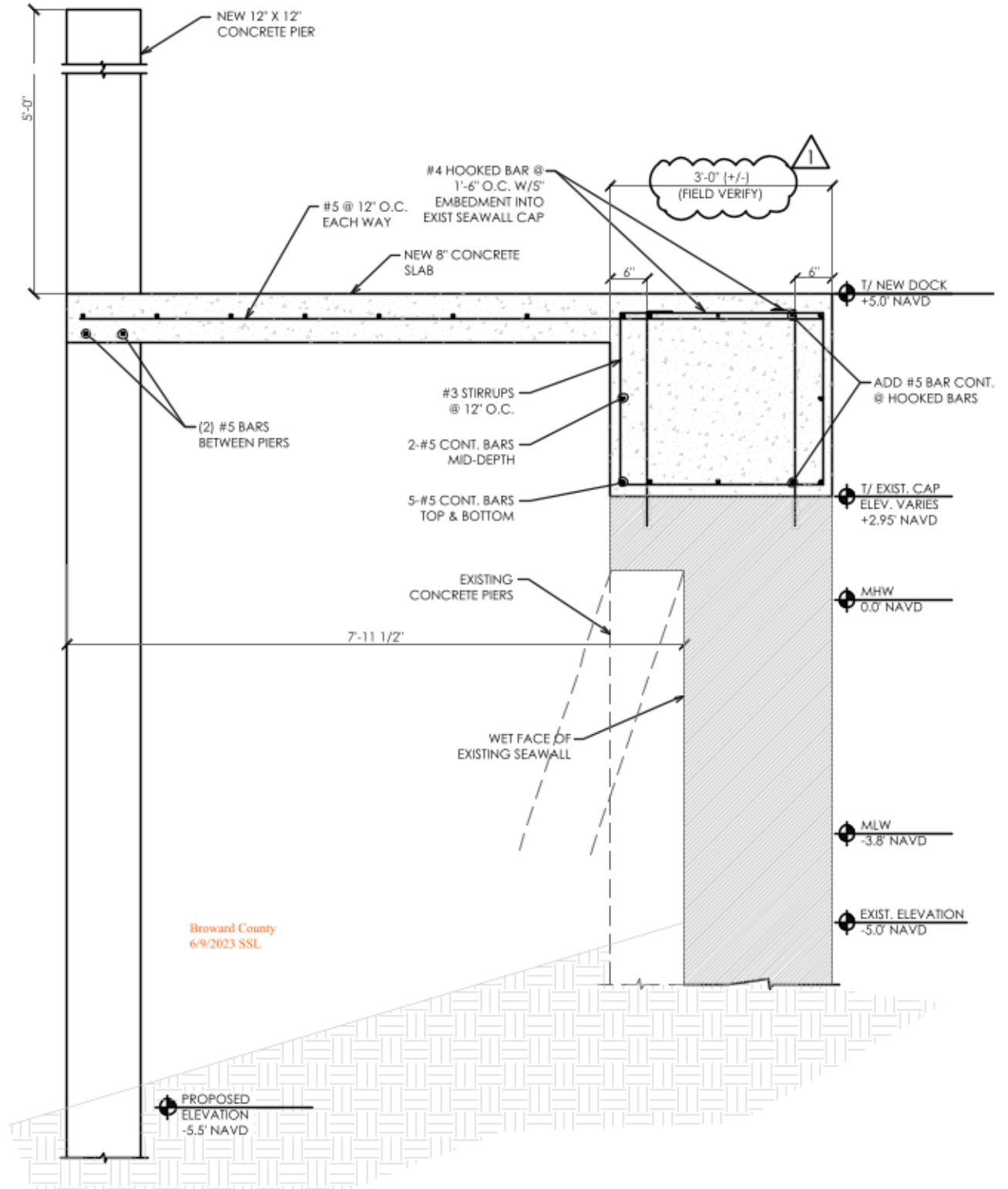
DAVID B. ROGERS, P.E.  
5343 PARK PLACE CIRCLE  
BOCA RATON, FLORIDA 33486  
561-699-3776

SEAL

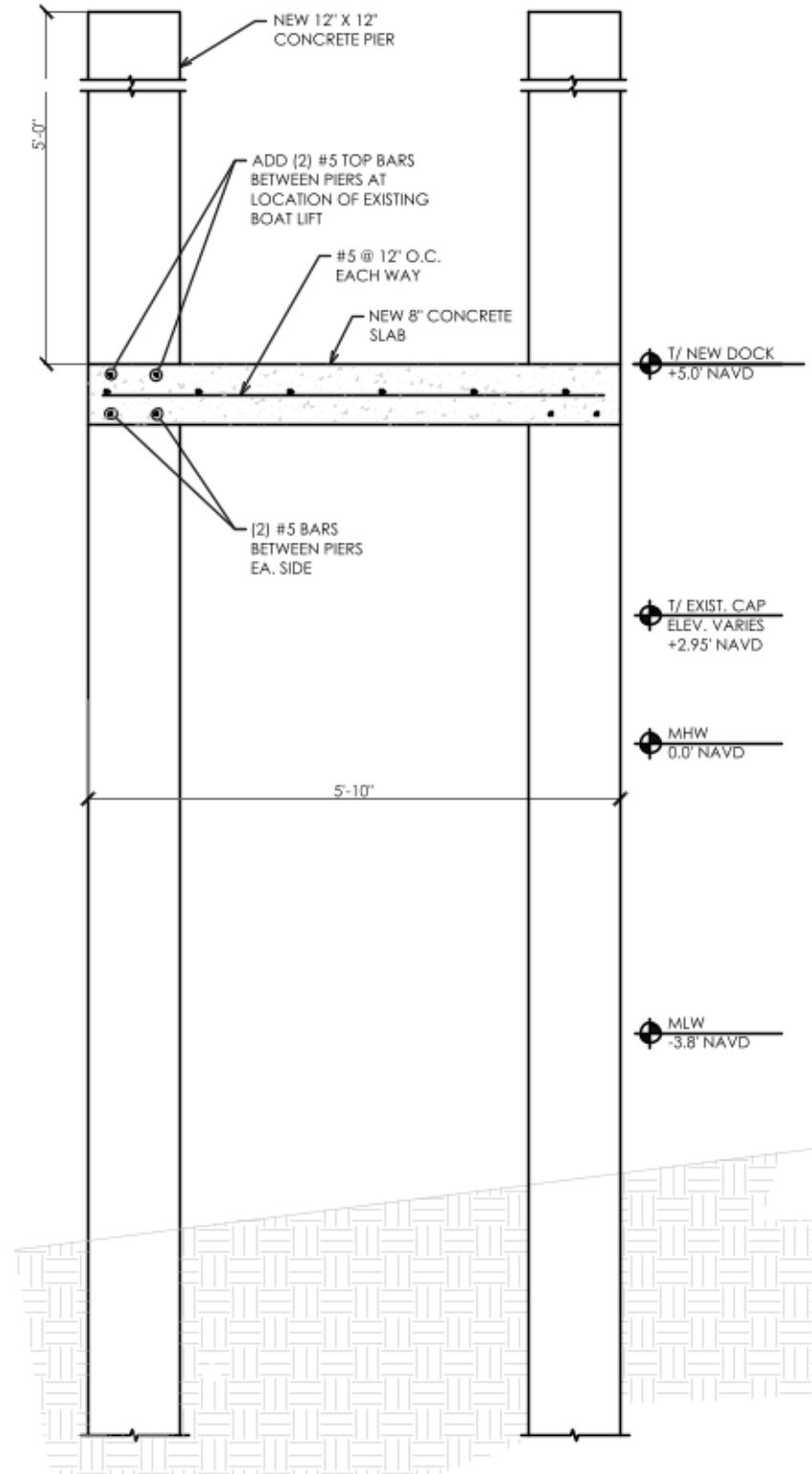
DAVID B. ROGERS, P.E.  
FLORIDA REG. NO. 54981

PROJECT INFORMATION  
NEW DOCK  
830 N.E. 20TH AVENUE  
FORT LAUDERDALE, FLORIDA 33304

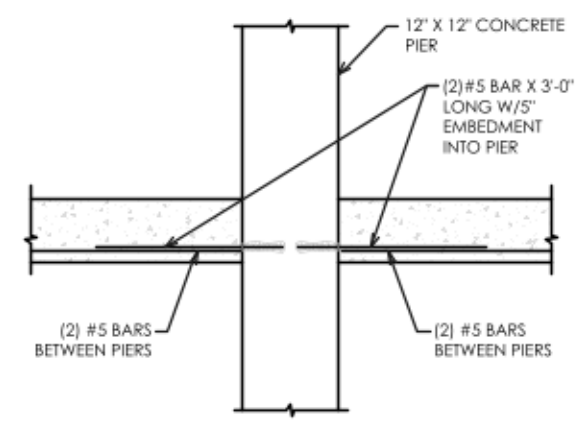
PAGE NO.  
S-2



01 DOCK SECTION 1/2" = 1'-0"



02 DOCK SECTION 1/2" = 1'-0"



03 SLAB DETAIL 1/2" = 1'-0"

DAVID B. ROGERS, P.E.  
 5343 PARK PLACE CIRCLE  
 BOCA RATON, FLORIDA 33486  
 561-699-3776

PLAN REVIEW 5/15/23

SEAL

DAVID B. ROGERS, P.E.  
 FLORIDA REG. NO. 54981

PROJECT INFORMATION

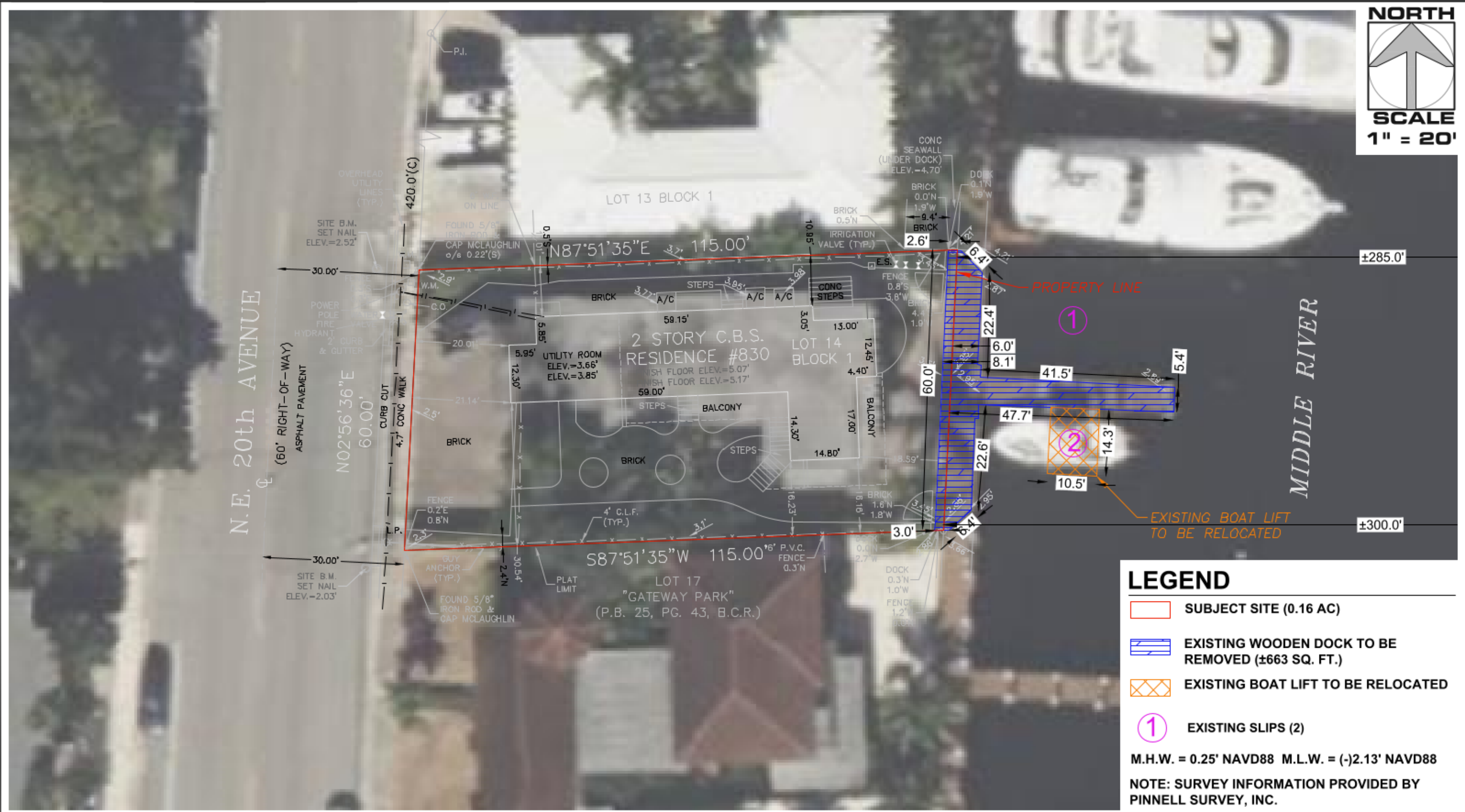
NEW DOCK  
 830 N.E. 20TH AVENUE  
 FORT LAUDERDALE, FLORIDA 33304

PAGE NO.

S-3

## EXHIBIT VII DISTANCE EXHIBIT





**LEGEND**

- SUBJECT SITE (0.16 AC)
- EXISTING WOODEN DOCK TO BE REMOVED (±663 SQ. FT.)
- EXISTING BOAT LIFT TO BE RELOCATED
- EXISTING SLIPS (2)

M.H.W. = 0.25' NAVD88 M.L.W. = (-)2.13' NAVD88  
 NOTE: SURVEY INFORMATION PROVIDED BY PINNELL SURVEY, INC.

THIS DRAWING AND ALL APPURTENANT MATTER CONTAINS INFORMATION PROPRIETARY TO THE CHAPPELL GROUP, INC. AND IS LOANED SUBJECT TO RETURN UPON DEMAND AND MUST NOT BE REPRODUCED, COPIED, LOANED, REVEALED, NOR LISTED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS SPECIFICALLY FURNISHED WITHOUT EXPRESSED WRITTEN CONSENT OF THE CHAPPELL GROUP, INC.  
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 www.thechappellgroup.com

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

**830 NE 20TH AVENUE**

PREPARED FOR:  
**GADDIS CAPITAL**

DISTANCE EXHIBIT		
Date: 8/22/2023	Sheet : <b>1</b>	of : <b>3</b>
Proj No.: 23-0044		





### LEGEND

- SUBJECT SITE (0.16 AC)
- PROPOSED CONCRETE DOCK (±794.8 SQ. FT.)
- RELOCATED EXISTING BOAT LIFT
- 1 EXISTING SLIPS (2)

M.H.W. = 0.25' NAVD88 M.L.W. = (-)2.13' NAVD88

**NOTE: SURVEY INFORMATION PROVIDED BY PINNELL SURVEY, INC.**

CITY WAIVER REQUEST			
PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
FINGER PIER	63.0'	25'	38.0'
BOAT LIFT	47.0'	25'	22.0'

PROPOSED SLIP TABLE		
SLIP #	LENGTH	WIDTH
SLIP 1	59.7'	28.3'
SLIP 2	43.7'	15.7'

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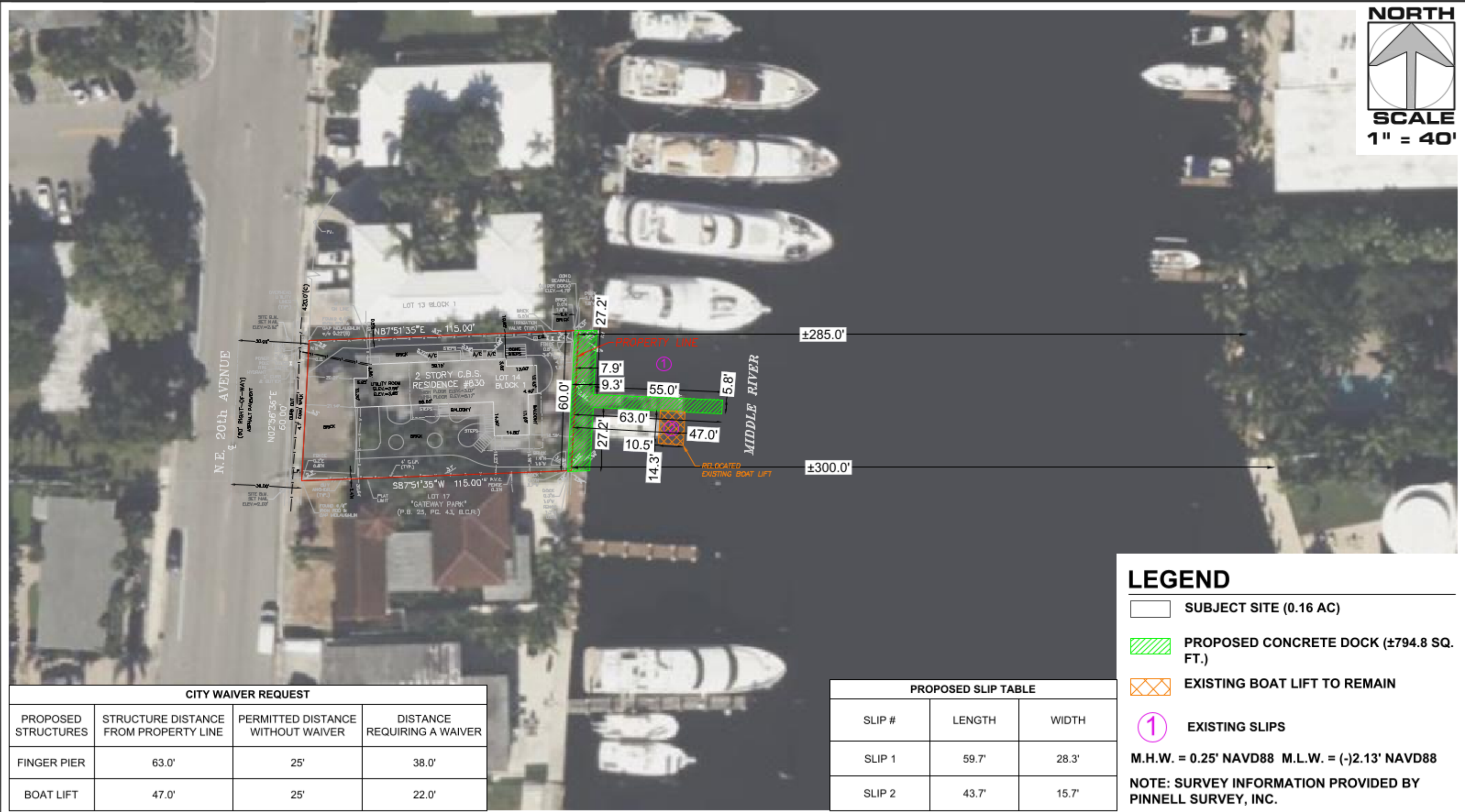
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- T&E Species Surveys
- Tree Surveys/Appraisals

830 NE 20TH AVENUE

PREPARED FOR:  
**GADDIS CAPITAL**

DISTANCE EXHIBIT		
Date: 8/22/2023	Sheet :	of :
Proj No.: 23-0044	2	3





### LEGEND

- SUBJECT SITE (0.16 AC)
  - PROPOSED CONCRETE DOCK (±794.8 SQ. FT.)
  - EXISTING BOAT LIFT TO REMAIN
  - EXISTING SLIPS
- M.H.W. = 0.25' NAVD88 M.L.W. = (-)2.13' NAVD88  
 NOTE: SURVEY INFORMATION PROVIDED BY PINNELL SURVEY, INC.

#### CITY WAIVER REQUEST

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
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## 830 NE 20TH AVENUE

PREPARED FOR:  
 GADDIS CAPITAL

#### DISTANCE EXHIBIT

Date: 8/22/2023	Sheet : <b>3</b>	of : <b>3</b>
Proj No.: 23-0044		



## EXHIBIT VIII EXISTING WAIVERS IN THE VICINITY

## EXISTING WAIVERS IN THE VICINITY



ADDRESS	MAXIMUM DISTANCE
704 NE 20 <sup>th</sup> Avenue	125'
714 NE 20 <sup>th</sup> Avenue	108'
720 NE 20 <sup>th</sup> Avenue	80'
726 NE 20 <sup>th</sup> Avenue	125'
733 Middle River Drive	60'
738 NE 20 <sup>th</sup> Avenue	75'
785 Middle River Drive	40'
797 Middle River Drive	54.5'
801 Middle River Drive	52'
808 NE 20 <sup>th</sup> Avenue	112.4'
816 NE 20 <sup>th</sup> Avenue	124.4'
824 NE 20 <sup>th</sup> Avenue	106.3'
834 NE 20 <sup>th</sup> Avenue	45'
840 NE 20 <sup>th</sup> Avenue	48'
852 NE 20 <sup>th</sup> Avenue	86'
866 NE 20 <sup>th</sup> Avenue	71'
900-910 NE 20 <sup>th</sup> Avenue	68.7'
<b>Subject Site</b>	<b>63.0'</b>

## EXHIBIT IX LETTERS OF SUPPORT

**LETTERS OF SUPPORT**



ADDRESS	OWNER
826 NE 20 <sup>th</sup> Avenue	Malek Akkad, Seven Sheets, Inc.
834-846 NE 20 <sup>th</sup> Avenue	Rose Ann Lovell, 834 Lovell Bldg, Inc.

August 7, 2023

Susan T. Gaddis  
830 NE 20<sup>th</sup> Ave  
Fort Lauderdale, FL 33304

RE: 830 NE 20<sup>th</sup> Ave  
City of Fort Lauderdale Waiver Request

Dear Mrs. Gaddis,

I have reviewed the attached plans (Attachment A), for the proposed project to install a finger pier and boat lift 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 826 NE 20<sup>th</sup> Ave, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read "Malek Akkad", with a long horizontal flourish extending to the right.

Malek Akkad  
Seven Sheets, Inc.  
826 NE 20<sup>th</sup> Ave  
Fort Lauderdale, FL 33304

August 7, 2023

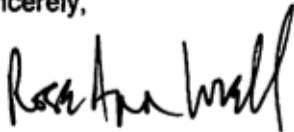
Susan T. Gaddis  
830 NE 20<sup>th</sup> Ave  
Fort Lauderdale, FL 33304

RE: 830 NE 20<sup>th</sup> Ave  
City of Fort Lauderdale Waiver Request

Dear Mrs. Gaddis,

I have reviewed the attached plans (Attachment A), for the proposed project to install a finger pier and boat lift 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 834-846 NE 20<sup>th</sup> Ave, and support the project as proposed.

Sincerely,



Rose Ann Lovell  
834 Lovell Bldg Inc.  
834-846 NE 20<sup>th</sup> Ave  
Fort Lauderdale, FL 33304