

Table of Contents

Exhibit	Page
Application	i
Aerial Photograph	ii
Table Of Contents	iii
Narrative Summation (2 pages)	1-2
Survey, 11x17	3
Site Plans showing Proposed Conditions, including specific dimensions and distances of proposed facilities, 11x17	4
Cross Sectional Detail Drawing of Structures, 11x17 (2 pages)	5-6
Proof of ownership (2 pages)	7-8
Broward County Permit (8 pages)	9-16
State of Florida DEP Permit (12 pages)	17-28
ACOE Permit (15 pages)	29-43
Photos (unnumbered)	

March 11, 2013

Marine Advisory Board
2 South New River East
Ft. Lauderdale, FL 33301

Re: La Scala Townhomes LLC
91 Isle of Venice
Ft. Lauderdale, FL 33301

Dear Board Members,

We are requesting a waiver of limitations to install 12 mooring piling at the above referenced property. All existing finger piers and mooring pilings are legally permitted and will remain as is. There are 6 existing 25' +/- x 4' finger piers. The total square footage is 600 square feet and this will remain unchanged. The site also includes four mooring pilings, 25' from the rear property line, all of which will remain as they are.

All 12 of the new mooring pilings will extend a maximum of 35 feet into the waterway from the rear property line and will be in line with either the existing mooring pilings or the existing piers. The outer 2 new mooring pilings will be adjacent to either of the side property lines. Per conversations with Robert Dunckel, the City Attorney for Fort Lauderdale, these outer 2 mooring pilings will not require any additional approval from the Board of Adjustment. Mr. Dunckel has stated that he has confirmed this with Mohammed Malik and Anthony Fajardo of the City Zoning Department.

The new pilings will not extend further into the canal than several existing pilings at nearby properties along this canal. This property, like several others on this canal is multifamily and/or commercial. At these properties, vessels are moored perpendicular to the properties in order to maximize the number of vessels that can be moored at each of the properties. The purpose of the additional mooring pilings is to increase the number of tie-off points for the vessels kept at the site, allowing them to be moored safely and securely. As perpendicular mooring orientations are typical for this canal, neither the mooring pilings nor the vessels will create any obstruction or impediment to the navigation on the canal.

The City Building Code, Section 47-19.3, Paragraph D, allows mooring pilings/clusters to extend out 30% of a canal's width, up to a maximum of 25 feet from the property line. The requested Waiver of Limitations will allow the 12 new mooring pilings to extend an additional 10 feet from the rear property line.

Unfortunately, the City code does not allow mooring pilings to extend out into a waterway as far as vessels. Vessels are allowed to extend up to 30% of a canal's width, while mooring pilings are allowed to extend up to 25%, with maximum of 25 feet. This waterway is approximately 160 feet wide at its narrowest at this property. The vessels could extend out up to 30% or 48 feet. The mooring pilings reach their limit at 25 feet.

This creates a potential situation where the far end of a vessel cannot be properly or even safely tied off. At times of extreme inclement weather (particularly heavy wind storms), without the additional mooring pilings, the far ends of the vessels sway very much and there is great potential for the vessels to break loose. At that time, not only are the vessels in danger of being damaged, but any other vessel or structure along the waterway is at an increased risk of suffering damage from a freely drifting vessel.

As to the vessels, there are 11 slips at the site. As a condition to obtaining the city building permit for the existing piers and pilings, the owner has to obtain a permit for and install a fire protection line, before the permit for the piers and pilings can be closed out.

If the waiver is not granted, any vessel moored at the site, as well as any other vessel along the waterway will remain at an increased risk of damage during extreme weather.

In conclusion, the homeowner, La Scala Townhomes LLC and B & M Marine Construction Inc. should be granted permission to install the additional mooring pilings.

Sincerely,

Glen Bryant
B.K. Marine Construction Inc.

March 11, 2013

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Ft. Lauderdale, FL 33301

Re: La Scala Townhomes LLC
91 Isle of Venice
Ft. Lauderdale, FL 33301

Dear Board Members,

As agreed upon and approved at the March 7, 2013 hearing, La Scala Townhomes LLC and B & M Marine Construction are accepting the distance of extension for the mooring pilings of 35 feet, requiring a waiver of limitations of 10 feet above and beyond the code. As such, the maximum distance that any piling may extend into the water at this property will be 35 feet from the rear property line.

Sincerely,

Glen Bryant
B.K. Marine Construction Inc.