#### MEMORANDUM MF NO. 25-04

DATE: February 20, 2025

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities & Parks Manager

RE: March 6, 2025 MAB – Application - Dock Waiver of Distance Limitations – Victor J. Aguilar & Yahira Z. Rosario / 155 Isle of Venice #501

Attached for your review is an application from Victor Aguilar & Yahira Rosario (see **Exhibit** 1).

#### APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for an existing 16'L x 16'W 4-post boat lift extending a maximum of 33.57'+/- into the adjacent Rio Grande Canal. The distance this structure extends from the property line into waterway is shown in the survey and summarized in Table 1 below:

	TABLE 1		
STRUCTURE	STRUCTURE	PERMITTED	AMOUNT OF
	DISTANCE FROM	DISTANCE	DISTANCE
	PROPERTY LINE	WITHOUT	REQUIRING
		WAIVER	WAIVER
4-Post Boat Lift	33.57'+/-	25'	8.57'+/-

As more than one boat lift was present within 100 feet at this address and per ULDR Section 47-19.3(b)(1), DRC Site Plan Level 2 review was completed and a building permit was received. The City's Unified Land and Development Regulations (UDLR) Sec. 47-19.3.C limits the maximum distance of mooring structures to 25' or 25% of the width of the waterway, whichever is less, from the property line. Section 47-19.3.E authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances. The applicant indicates that the boat lift is necessary to safely moor the resident's vessel, especially during high wind events and severe weather.

#### PROPERTY LOCATION AND ZONING

The property is located within the RMM-25 Residential Mid-Rise Multi Family / Medium High Density District. It is situated along the Rio Grande Waterway, where the approximate width of the waterway from wet face to wet face is listed as +/-170 feet, in the Narrative.

Marine Facilities' records reflect there has been at least nine (9) Waivers of Limitation approved by the City Commission within close proximity to 155 Isle of Venice Drive **(Table 2)**.

	TABLE 2	
DATE	ADDRESS	MAXIMUM DISTANCE
July 1985	440 Hendricks Isle	Pilings – 39'
June 1989	13 Hendricks Isle	Pilings – 80'
July 2007	101 Hendricks Isle	Pilings – 30'
April 2013	91 Isle of Venice	Pilings – 35'
April 2019	1 Hendricks Isle	Boatlift – 43'
July 2019	95 Hendricks Isle	Pilings/Finger Pier – 35'
July 2021	9 Hendricks Isle	Boatlift – 43.4'
Oct 2022	141 Isle of Venice	Pilings – 35'
Oct 2022	10 Isle of Venice	Pilings – 35'

#### RECOMMENDATIONS

Should the Marine Advisory approve the application, the resolution under consideration by the City Commission should include at least the following as prescribed in the ULDR and City Code of Ordinances:

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers.

AC Attachment

cc: Enrique Sanchez, Deputy Director of Parks and Recreation APPLICATION FOR MARINE ADVISORY BOARD (MAB) DOCK WAIVER FOUR (4) POST CRADLE BOATLIFT

155 Isle of Venice Dr, #501 Ft Lauderdale, FL 33301

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FINAL SURVEY	

APPLICATION

CAM #25-0456 Exhibit 1 Page 5 of 36

#### 155 Isle of Venice Dr, #501 Ft Lauderdale, FL 33301

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

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, licenses, permits and approvals involving municipal docking facilities or private uses in the waterways as regulated by Section 8 of the City Code of Ordinances or Section 47-19.3 of the City's Urban Land Development Regulations, shall be preceded by the execution and filing of the following application form available at the Office of the Supervisor of Marine Facilities. The completed application must be presented with the applicable processing fee paid before the agreement is prepared or the application processed for formal consideration (see City of Fort Lauderdale Code Section 2-157). If legal publication is necessary, the applicant agrees to pay the cost of such publication to the application fee.

#### <u>APPLICATION FORM</u> (Must be in Typewritten Form Only)

 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: Victor Joel Aguilar and Yahira Zadette Rosario

TELEPHONE NO: 954-830-9541 (home/cellular)

EMAIL: \_chicoc17@gmail.com\_

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

SAME

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:

The applicant requests a waiver for the installation of a four (4) post boatlift beyond 25 feet from the property line.

4. SITE ADDRESS: 155 ISLE OF VENICE DR, #501 FT LAUDERDALE, FL 33301

ZONING: RMM-25 - Residential Multifamily Mid Rise/ Medium High Density

LEGAL DESCRIPTION: VENICE ISLE TOWER CONDO UNIT 501 PER CDO BK/PG: 5251/529

FOLIO NUMBER: 5042 01 BG 0090

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

Proof of ownership documents and exhibits listed in Table of Contents

Applicant's Signature \_\_\_\_\_

February 02, 2025\_ Date

\_\_\_\_\_

#### 155 Isle of Venice Dr, #501 Ft Lauderdale, FL 33301

Recommendation\_\_\_\_

Action\_

## NARRATIVE

CAM #25-0456 Exhibit 1 Page 8 of 36 Victor J Aguilar & Yahira Z Rosario ("Applicant") file this Marine Advisory Board ("MAB") application for a dock waiver. The project site is located along the Rio Barcelona Canal in the Isle of Venice Drive division.

The project received approval from the Broward County Environmental Permitting Division (FDEP Permit N0: 06-0450350-001, License No: GL-FTL2406-016). In addition, applicant went through the City of Ft Lauderdale Development Review Committee (DRC) approval process in order to obtain a building permit (DRC Approval UDP-S24052, City Permit BLD-BDSP-24070348).

The contractor installing the 4-post boat lift was unable to keep the boat lift within 25' of the property line due to actual conditions at the dock. The boat lift needs at least 3-4 feet of water depth to keep the beams submerged, but the topography of the canal does not allow that depth the closer you get to the seawall. In order for the boat lift to stay level underwater and provide appropriate clearance from the boat engines to the dock the boat lift needs to move to 33.57' from the property line.

As measured from the property line, 8.5' +/- encroach into the canal outside of the 25' allowable distance into the waterway from the property line. The justification for this waiver request is as follows:

- 1. All structures and Piles will not exceed 25% of the width of the waterway.
- Due to the extraordinary width of the waterway at this location (+/- 170'), the project will not impede navigation within the canal. Currently boat lift is inside previously installed pilings (See picture).
- 3. The structure is necessary for safely mooring resident vessel, especially during high wind events and severe weather. The structure will be used for one vessel.
- The structure is consistent with other structures previously authorized within the City of Ft Lauderdale. County permits as well as City Permits are both approved.

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

Proposed Structure	Structure Distance from the property line	Permitted Distance Without Waiver	Distance Requiring Waiver
Boat Lift Pilings	33.5' +/-	25'	8.5' +/-

# **PROOF OF OWNERSHIP**

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#### 155 Isle of Venice Dr, #501 Ft Lauderdale, FL 33301

THIS INSTRUMENT PREPARED BY: JK Closing Attorneys, PLLC Charles J. Esposito, Esq. 5489 Wiles Road, Suite 304 Coconut Creek, FL 33073 Our File No . JK-24-03998

our r ne no <b>311-24-03</b> //15
AND RETURN TO:
Prince A. Donnahoe IV P.A.
1401 North University Drive, #401
Coral Springs, FL 33071
(954) 438-4040

Contraction of the local division of the loc	RECORDED ELECTRONICALLY BROWARD COUNTY, FLORIDA	Contraction of the local division of the loc
	119453684	STREET, STREET, ST
	DATE: 3-15-24 TIME: 1:47 PM	

Property Appraisers Parcel Identification (Folio) Number: 50-42-01-BG-0090 State of Florida Deed Documentary Stamps paid on this transaction: \$3,395.00

SPACE ABOVE THIS LINE FOR RECORDING DATA

# WARRANTY DEED

THIS WARRANTY DEED, made the <u>S</u> day of March, 2024 by Andrew Hoing and Claire Murphy-Cook, husband and wife, whose post office address is 825 Southwest 4th Court, Fort Lauderdale, FL 33312, herein called the Grantor,

to Victor Joel Aguilar and Yahira Zadette Rosario, husband and wife, whose post office address is 155 Isle of Venice Drive, #501, Fort Lauderdale, FL 33301, hereinafter called the Grantee:

(Wherever 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)

W I T N E S S E T H: That the Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in Broward County, State of Florida, viz .:

UNIT NO. 501, OF VENICE ISLE TOWER, A CONDOMONIUM, ACCORDING TO THE **DECLARATION OF CONDOMONIUM THEREOF, AS RECORDED IN OFFICAL RECORDS** BOOK 5251, PAGE 529, AND ALL EXHIBITS AND AMENDMENTS THEREOF, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Locally known as 155 Isle of Venice Drive, #501, Fort Lauderdale, FL 33301

Subject to easements, restrictions and reservations of record and taxes for the year 2024 and thereafter, without reimposing same.

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

File No: JK-24-0399S

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

Signed, sealed and delivered in the presence of:

Witness #1 Signature Michael McIntosh Print Name: Address: 5489 Wiles Rd, Ste 304, Coconut Creek, FL 33073

Whyless #2 Signature Print Name: Ayanna Duarte Address: 5489 Wiles Rd, Ste 304, Coconut Creek, FL 33073

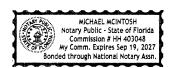
#### STATE OF FLORIDA COUNTY OF BROWARD

Andrew Hoing

Claire Murphy-Cook

The foregoing instrument was acknowledged before me by means of [m] physical presence or [] online notarization this  $\_$  day of March, 2024 by Andrew Hoing and Claire Murphy-Cook, who are personally known to me or who have produced  $\_$  DL as identification.

SEAL



Notary Public Michael McIntosh

Printed Notary Name My commission expires:

File No: JK-24-0399S



Site Address	155 ISLE OF VENICE DRIVE #501, FORT LAUDERDALE FL	ID #	5042 01 BG 0090
	33301	Millage	0312
Property Owner	AGUILAR, VICTOR JOEL ROSARIO, YAHIRA ZADETTE	Use	04
Mailing Address	155 ISLE OF VENICE DR #501 FORT LAUDERDALE FL 33301		
Abbr Legal Description	VENICE ISLE TOWER CONDO UNIT 501 PER CDO BK/PG: 52	251/529	

The just values displayed below were set in compliance with Sec. 193.011, Fla. Stat., and include a reduction for costs of sale and other adjustments required by Sec. 193.011(8).

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#### \* Certificate of Approval \*

#### VENICE ISLE TOWER ASSOCIATION INC.

155 Isle Of Venice Drive - Fort Lauderdale - FL

TO CERTIFY THE APPROVAL OF VICTOR J, AGUILAR & YAHIRA Z, ROSARIO BY VENICE ISLE TOWER ASSOCIATION INC, A FLORIDA CORPORATION NOT FOR PROFIT, AS THE PURCHASER(S) OF THE FOLLOWING DESCRIBED REAL PROPERTY IN BROWARD COUNTY, FLORIDA:

APARTMENT # \_501, VENICE ISLE TOWER ASSOCIATION INC.

SUCH APPROVAL HAS BEEN GIVEN PURSUANT TO THE PROVISIONS OF THE DECLARATION OF CONDOMINIUM AND ALL EXHIBITS ATTACHED TO THE DECLARATION OF CONDOMINIUM AND ANY AMENDMENTS THERETO, IF ANY.

DATED THIS 7th DAY OF MARCH, 2024

CK

Venice Isle Tower Association Inc. 155 Isle OF Venice Drive- Fort Lauderdale- FL DARYL / ERKOWSKY, PRESINENT

#### 155 Isle of Venice Dr, #501 Ft Lauderdale, FL 33301

Venice Isle Tower Association

155 ISLE OF VENICE DRIVE - FORT LAUDERDALE, FLORIDA 33301 Management: IIP Inc. - 1220 Miami Road - Ft Lauderdale FL 33316 Phone: 954 462-0880 Email: iipshafor@gmail.com

May 10, 2024

To Whom It May Concern:

This letter is to verify Mr. Victor Aguilar is the owner of Unit #501, Venice Isle Tower Association, Inc., located at 155 Isle of Venice Drive, Fort Lauderdale, Florida. This ownership also includes a dock space on the premises.

The Venice Isle Towers Association has granted permission for Mr. Aguilar to install a boat lift at his dock space.

Should you have any questions regarding this matter, please do not hesitate to contact our office at 954-462-0880.

Sincerely,

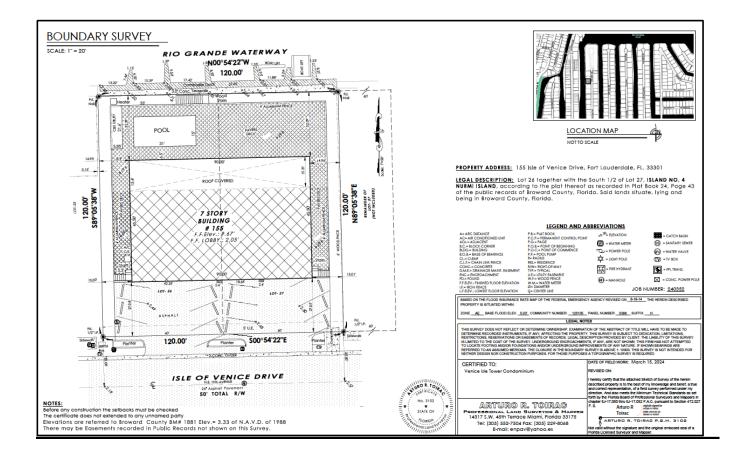
Steve Shafor, Management Venice Isle Tower Association, Inc. IIP, Inc. (Intercontinental Investment Properties, Inc.) 1220 Miami Rd #6 - Ft Lauderdale FL 33316 (954-462-0880

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## **ORIGINAL SURVEY**

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#### 155 Isle of Venice Dr, #501 Ft Lauderdale, FL 33301



# **ZONING AERIAL**

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155 Isle of Venice Dr, #501 Ft Lauderdale, FL 33301



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# SITE PHOTOGRAPHS

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#### 155 Isle of Venice Dr, #501 Ft Lauderdale, FL 33301



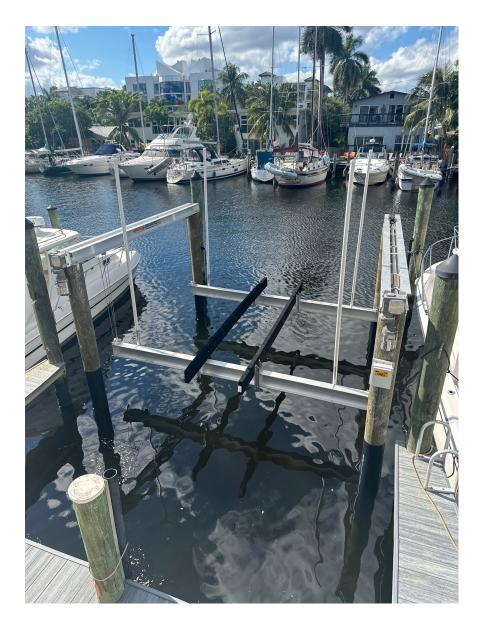
Project Site showing the existing mooring pilings

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Aerial View of boatlift as currently installed

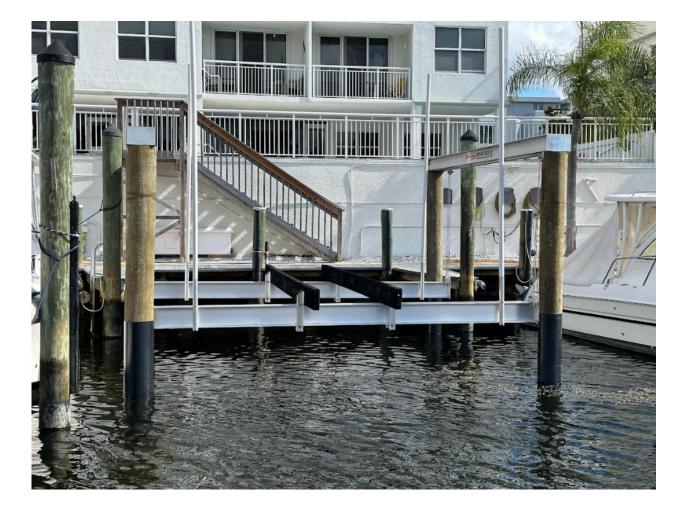
### 155 Isle of Venice Dr, #501 Ft Lauderdale, FL 33301



Boat lift close up view

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155 Isle of Venice Dr, #501 Ft Lauderdale, FL 33301

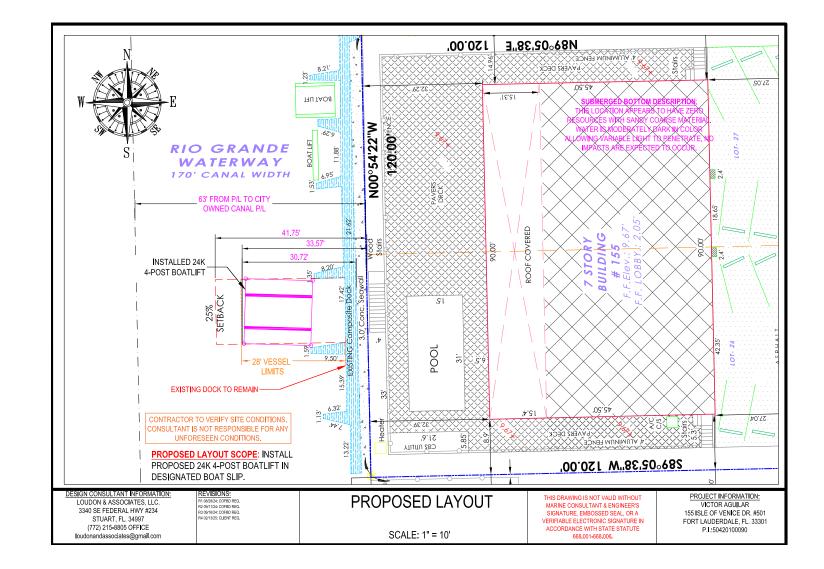


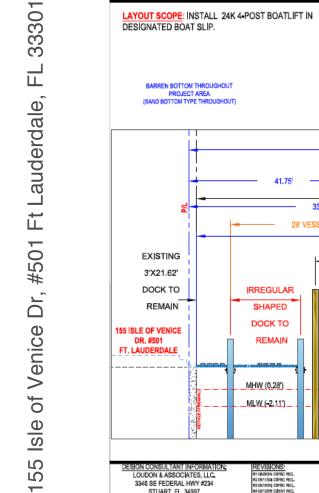
Boat Lift front view from canal

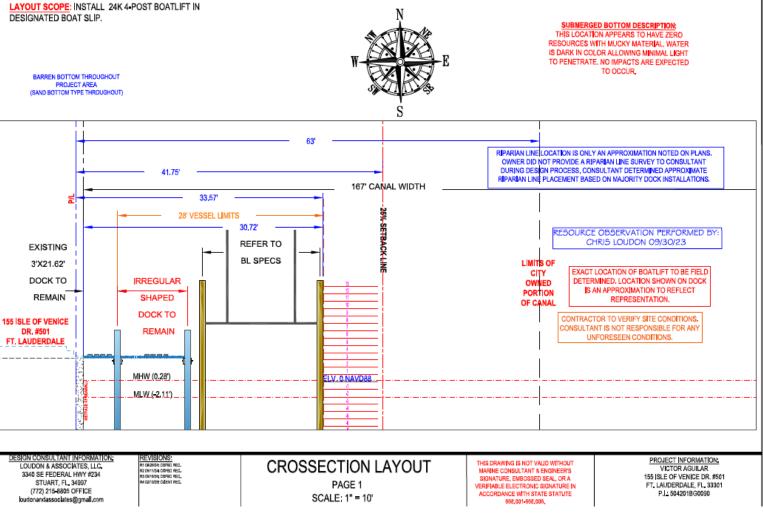
### **PROJECT PLANS**

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155 Isle of Venice Dr, #501 Ft Lauderdale, FL 33301







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#### HURRICANE BOAT LIFTS CATEGORY-5 VERTICAL LIFTS ENGINEERING SPECIFICATIONS

CERTIFICATION OF BOAT LIFT TO EXISTING STRUCTURE AND ALL ELECTRICAL OR MECHANICAL CERTIFICATIONS ARE BY OTHERS; ENGINEER SEAL CERTIFIES ASSEMBLY OF LIFT ONLY. THIS DETAIL IS PREPARED AS A GENERAL NON-SITE SPECIFIC MASTER PLAN SHEET DETAIL. TYPICAL FIELD CONDITIONS ARE ASSUMED IN THE DESIGN. WOOD PILES SHALL BE SEASONED WOOD WITH G=0.55 OR BETTER. SHOULD ANY SPECIFIC LOCATION DIFFER FROM THAT SPECIFIED HEREIN, OR STANDARD FIELD CONDITIONS, ADDITIONAL SPECIFIC ENGINEERING MAY BE REQUIRED AS DETERMINED BY THE BUILDING INSPECTOR AND PERMITTING CONTRACTOR. CARE SHALL BE TAKEN BY CONTRACTOR IN ALL APPLICATIONS OF THIS DETAIL. AS THIS IS NOT A SITE SPECIFIC DRAWING, IT IS THE RESPONSIBILITY OF OTHERS TO ENSURE THE INTEGRITY OF INSTALLATION TO THE HOST STRUCTURE.

#### ALUMINUM

#### MATERIAL: 6061 T6 ALUMINUM

ALL WELDS ARE MIN. 1/4" FULL FILLET WELD USING 5556 FILLER ALLOY. ALL WELDING MUST CONFORM TO AISC STEEL CONSTRUCTION MANUAL 13TH ED AS INSPECTED AND VERIFIED BY OTHERS. THE CONTRACTOR IS RESPONSIBLE TO INSULATE ALUMINUM MEMBERS FROM DISSIMILAR METALS TO PREVENT ELECTROLYSIS.

#### FASTENERS

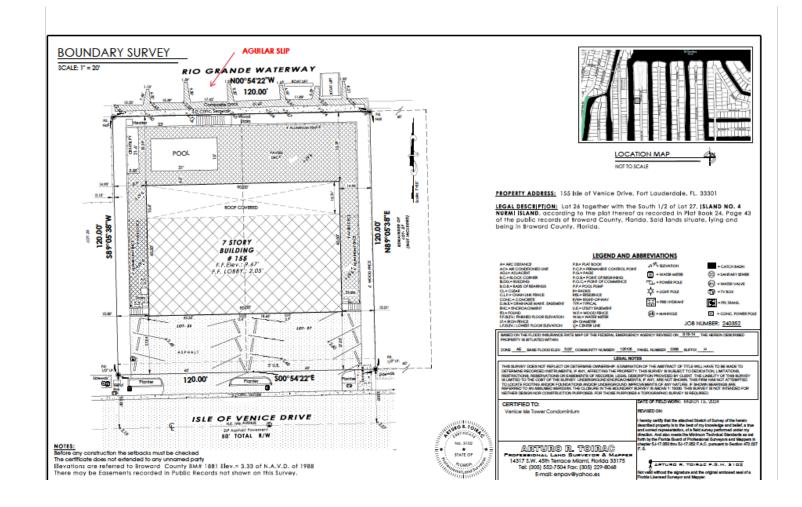
ALL ANCHORS TO BE HILTI BRAND OR MFR EQUIVALENT. ALL BOLTS SHALL BE HOT DIPPED GALVANIZED, OR STAINLESS STEEL & MEET THE REQUIREMENTS OF ASTM A304 WITH HARDENED WASHERS AND HEX NUTS. WASHERS SHALL BE USED BETWEEN WOOD & BOLT HEAD & BETWEEN WOOD & NUT. WHERE GENERIC FASTENERS ARE LABELED IN DETAILS, CAPACITIES SHALL BE EQUAL TO OR GREATER THAN HILTI KWIK BOLT II OR RED HEAD THRU BOLTS. EMBEDMENT DEPTHS SPECIFIED HEREIN ARE DEPTHS INTO SOLID SUBSTRATE AND DO NOT INCLUDE THICKNESS OF STUCCO OR OTHER FINISHES.

ALUMINUM MEMBERS IN CONTACT WITH CONCRETE AND WOOD SHALL BE PROTECTED BY HDPE (HIGH DENSITY POLYETHYLENE) BARRIER WRAP OR POLYETHYLENE TAPE UHMW (ULTRA HIGH MOLECULAR WEIGHT) 11.7 mils (0.30 mm) MIN. TOTAL THICKNESS IN ACCORDANCE WITH CURRENT FLORIDA BUILDING CODE. ALL WELDS PER FLORIDA BUILDING CODE.

B&B ENGINEERS HAS NOT VISITED THIS JOBSITE. INFORMATION CONTAINED HEREIN IS BASED ON CONTRACTOR SUPPLIED DATA AND MEASUREMENTS. B&B ENGINEERS SHALL NOT BE HELD RESPONSIBLE OR LIABLE IN ANY WAY FOR ERRONEOUS OR INACCURATE DATA OR MEASUREMENTS. WORK SHALL BE VERIFIED PRIOR TO CONSTRUCTION. B&B ENGINEERS SHALL BE NOTIFIED AND GIVEN AN OPPORTUNITY TO REEVALUATE OUR WORK UPON DISCOVERY OF ANY INACCURATE INFORMATION PRIOR TO MODIFICATION OF EXISTING FIELD CONDITIONS AND FABRICATION AND INSTALLATION OF MATERIALS.

ENGINEERING SEAL AFFIXED HERETO VALIDATES STRUCTURAL DESIGN AS SHOWN ONLY. USE OF THIS SPECIFICATION BY CONTRACTOR, et. al. INDEMNIFIES & SAVES HARMLESS THIS ENGINEER FOR ALL COSTS & DAMAGES INCLUDING LEGAL FEES & APPELLATE FEES RESULTING FROM MATERIAL FABRICATION, SYSTEM ERECTION & CONSTRUCTION PRACTICES BEYOND THAT WHICH IS CALLED FOR BY LOCAL, STATE, & FEDERAL CODES & FORM DEVIATIONS OF THIS PLAN, EXCEPT AS EXPRESSLY PROVIDED IN HEREIN, NO CERTIFICATION OR AFFIRMATIONS ARE INTENDED.

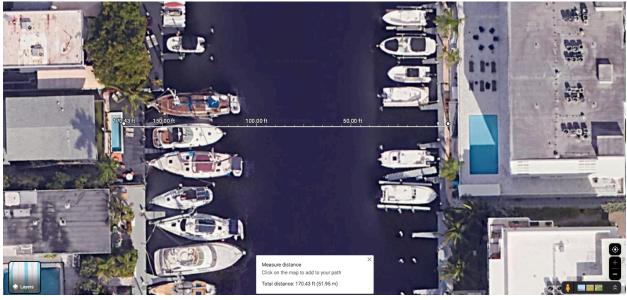
Į	MOTOR	SPECIFIC	CATIONS
	H/P	VOLTS	AMPS
	3/4	115/230	9.8/4.9
	1	115/230	13.6/6.8
	1/2	115/230	19.2/9.8
ſ	2	115/230	24.8/12.4



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## **DISTANCE EXHIBIT**

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# WIDTH OF CANAL 170' FROM PROPERTY LINES

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# **BOAT LIFT LOCATION**

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### **FINAL SURVEY**

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