

**APPLICATION FOR DOCK WAIVER OF DISTANCE LIMITATIONS**

**MULTIMO LLC  
3012 NE 20 COURT  
FORT LAUDERDALE 33305**



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**EXHIBIT 1**

**MARINE ADVISORY BOARD  
APPLICATION**

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 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: Gilles Blondeau / Multimo LLC

TELEPHONE NO: 954-561-5482 (home) 954-854-3157 (business) FAX NO. \_\_\_\_\_

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

SAME

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:

Request waiver For mooring piles. sec 47-19.3 paragraph d

4. SITE ADDRESS:

3012 NE 20CT Fort Lauderdale

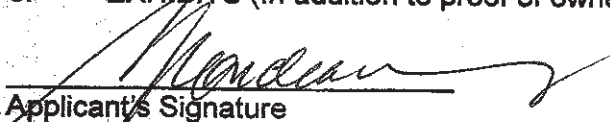
ZONING:

RS-8

LEGAL DESCRIPTION:

LOT-12 Block 4 Lauderdale Beach Ext.

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

  
Applicant's Signature

January 23<sup>rd</sup>, 2013  
Date

The sum of \$ \_\_\_\_\_ was paid by the above-named applicant on the \_\_\_\_\_ of \_\_\_\_\_, 2012 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 \_\_\_\_\_

(2)

**EXHIBIT 2**  
**WARRANTY DEED**

Y

THIS INSTRUMENT WAS PREPARED BY:

Barthe & Leigh, LLP  
Galleria Corporate Centre  
2455 E. Sunrise Blvd – Suite 602  
Fort Lauderdale, FL 33304

[Space Above This Line for Recording Data]

**Warranty Deed**

(Statutory Form – FS 689.02)

**This Indenture**, Made this 15<sup>th</sup> day of January, 2009 between **David Aello and Sharon Ann Aello**, husband and wife, First Party, whose post office address is: **30 North Drive, Etobicoke, ON M9A 4P9, Canada**, and **Multimo LLC, a Florida Limited Liability Company**, the Second Party, whose post office address is: 3012 N.E. 20<sup>th</sup> Court, Fort Lauderdale, Florida 33305.

(Whenever used herein, the terms “First Party” and “Second Party” shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporation, wherever the context so admits or requires.)

**Witnesseth:** That said First Party, for and in consideration of the sum of \$10.00 and other good valuable consideration receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Second Party, all that certain land situated in Broward County, Florida, to wit:

**THIS IS NOT A**  
**OFFICIAL COPY**  
Lot 12, Block 4 of LAUDERDALE BEACH EXTENSION, according to the Plat thereof, as recorded in Plat Book 27, Page 48 of the Public Records of Broward County, Florida.

(For Information Only: Property Appraiser’s Parcel Identification Number is: 19330-02-02700).

Subject to: Conditions, restrictions, reservations, limitations and easements of records, if any (provided, however, that this reference shall not operate to reimpose the same), applicable zoning regulations and taxes for the current and subsequent years.

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

And the First Party hereby covenants with said Second Party that the First Party is lawfully seized of said land in fee simple; that the First Party has good right and lawful authority to sell and convey said land; that the First Party 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.

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 the presence of:

[Signature]  
Witness

[Signature]  
David Aello

Vincent R Rossino  
Witness (print name)

2

[Signature]  
Witness

Tom Kotter  
Witness (print name)

[Signature]  
Witness

VINCENT R ROSSIGNOL  
Witness (print name)

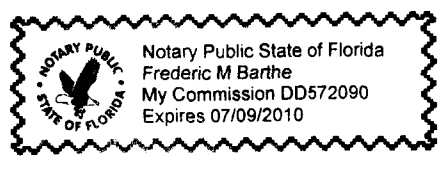
[Signature]  
Witness

Tom Kotter  
Witness (print name)

[Signature]  
Sharon Anne Aello

STATE OF FLORIDA )  
COUNTY OF BROWARD ) §

The foregoing instrument was acknowledged before me this 15 day of January, 2009 by **David Aello and Sharon Ann Aello**, husband and wife, who ( ) is/are personally known to me (X) and/or produced Canadian Passport as identification.

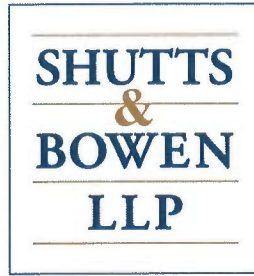


[Signature]  
Notary Public - State of Florida

Frederic Barthe  
Print Name

**EXHIBIT 3**  
**PROJECT NARRATIVE**





*Founded 1910*

STEPHEN K. TILBROOK  
PARTNER  
Member Florida Bar  
(954) 847-3830 Direct Telephone  
(954) 888-3076 Direct Facsimile

E-MAIL ADDRESS:  
stilbrook@shutts.com

April 22, 2013

**VIA: HAND DELIVERY**

Mr. Andrew Cuba, Marine Facilities Supervisor  
City of Fort Lauderdale  
100 N. Andrews Avenue  
Fort Lauderdale, FL 33301

**Re: Waiver of Distance Limitations Application (“Application”)  
3012 NE 20<sup>th</sup> Court, Fort Lauderdale, FL (“Property”)  
Marine Advisory Board #13-0386**

Dear Mr. Cuba,

Our firm represents Mulitmo, LLC and Gilles Blondeau, Principal, (“Applicant”) on an application for a waiver of distance limitations for the property located at 3012 NE 20<sup>th</sup> Court, Fort Lauderdale, Florida (“Subject Property”). The Applicant is seeking approval to install two mooring piling clusters extending into the Lake Crevalle Waterway. Pursuant to Section 47-19.3.d of the City of Fort Lauderdale Unified Land Development Regulations (ULDR), mooring or dolphin piles may extend into a waterway not more than thirty (30) percent of the width of the waterway, or twenty-five (25) feet beyond the property line, whichever is less. Pursuant to Section 47-14.3.e the City Commission may grant a waiver of the distance limitations. This narrative shall provide a summary of the background and extraordinary conditions that warrant and justify the requested wavier.

**BACKGROUND**

The Application was first submitted to the Marine Advisory Board (MAB) on February 7, 2013. At that time the Applicant was requesting an after-the-fact approval for the two triple pile

clusters. The MAB unanimously recommended approval of the Application at February 7, 2013 meeting. The item was presented to City Commission on March 19, 2013 and several neighbors voiced concern about the Application. The Applicant requested a continuance to allow adequate time to prepare a marine survey and a site plan showing the location of the proposed mooring pilings and how the vessel may be legally docked at the Subject Property.

Following the City Commission meeting, the Applicant removed the pilings. Therefore, the Applicant is no longer requesting an after-the-fact approval. In addition, the Applicant has prepared a marine survey and site plan as part of this Application package.

### **EXISTING CONDITIONS AND EXTRAORDINARY CIRCUMSTANCES**

The Subject Property is an 11,875 sq. ft. point lot facing southeast on the Lake Crevalle Waterway, and bounded on the west by the Intracoastal Waterway. Please find attached as **Exhibit A** a marine survey of the Lake Crevalle Waterway, which also describes the Subject Property and adjacent properties and includes a depiction of the riparian rights of the upland property owners. The south dock of the Subject Property is 123.29 feet in length, and this dock provides a legal mooring location for the Applicant's vessel. Please note that the Lake Crevalle Waterway is 200 feet in width, and pursuant to Sec. 47-19.6.E. of the ULDR, the Applicant's vessel may be legally docked extending up to 30% or 60 feet into the Waterway.

The Applicant's vessel is a 1996 Crescent Kapalua Motor Yacht with a length of 115 feet and a beam of 25 feet. For full specifications of the Applicant's vessel, please see **Exhibit B**. The Applicant purchased the Subject Property in January 2009 as a safe and legal mooring location for the vessel. Please see **Exhibit C** which is a scale Dockage Plan that demonstrates how and where the vessel may be legally docked at the Subject Property. The Applicant intends to dock the vessel parallel to the dock at the western limit of the riparian line on Lake Crevalle Waterway, and outside of the eastern setback. Please note that the vessel may be legally docked at the Subject property, according to the Dockage Plan, whether or not a waiver is granted.

However, to safely dock the vessel at the Subject Property, mooring pilings are necessary on the south side of the vessel, in order to protect the vessel and the dock from damage resulting from the excessive wake of the Intracoastal Waterway and the prevailing winds during storm conditions. Please see **Exhibit D** which shows the proposed location of the mooring pilings, and the dimensions for the proposed waiver. The Application seeks approval for two sets of mooring pilings located not more than 44.2 feet south of the Applicant's property line. According to testimony from the Captain of the vessel, these mooring pilings are necessary to safely dock the vessel and the proposed waiver is the minimum waiver required for the vessel.

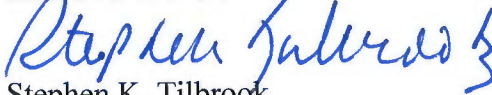
The proposed waiver is warranted by a set of extraordinary conditions including the damaging effects of the excessive wake on this section of the Intracoastal Waterway; the need for dolphin pilings to keep the vessel from being tossed against the dock due to the prevailing southeast winds conditions, particularly during extreme weather events; and the extraordinary width of the Lake Crevalle Waterway. The vessel will be docked parallel to the dock and separated from the dock by a series of pilings and fenders. Due to the extraordinary wake of vessels on the Intracoastal Waterway and the prevailing southeast winds, a set of mooring pilings is necessary on the south side of the vessel in order to keep the vessel away from the dock and to enable the vessel and dock to withstand the changing conditions attributable to tides, wave action and wind. Without the mooring pilings and dock lines, the 320,000 pound vessel would be tossed against the dock by the wake and winds with such force that the dock would be crushed and the vessel would sustain significant damage. Accordingly, the wind, wake and extensive weather conditions constitute extraordinary circumstances that necessitate the proposed mooring pilings.

In addition to the extraordinary conditions as set forth above, the 200 ft. width of the Lake Crevalle Waterway provides for an extensive channel of over 40 feet. Based upon the extraordinary width of the channel and the short distance of the Waterway, the vessel captain and the Marine Advisory Board have previously testified and determined that the proposed waiver will not create a navigational hazard in the Lake Crevalle Waterway.

Based upon the evidence submitted in the Application and the justification set forth herein, this Application meets the criteria for waiver of distance limitations as set forth in Sec. 47-19.3.e of the ULDR. Accordingly, we respectfully request a positive recommendation and grant of the requested waiver.

Thank you for your consideration of this request, and please contact me with any questions or comments on this application.

Yours very truly,  
SHUTTS & BOWEN LLP

  
Stephen K. Tilbrook  
Partner

Enclosures  
FTLDOCS 6186382 5

**EXHIBIT 3A**  
**MARINE SURVEY**



# RIPARIAN RIGHTS LINE SURVEY FOR LOT 12, BLOCK 4, LAUDERDALE BEACH EXTENSION



INTRACOASTAL WATERWAY  
 CUT \* 300' RIGHT-OF-WAY  
 CUT - B W - 31

WEST EDGE OF CHANNEL  
 CENTERLINE OF CHANNEL  
 EAST EDGE OF CHANNEL

CUT BW-32  
 N 662335.94(Y)  
 E 793219.25(X)

CUT BW-31  
 N 664265.41(Y)  
 E 793526.75(X)

SURVEYORS INTERPRETATION OF RIPARIAN RIGHTS LINE,  
 WEST EXTENSION OF THE NORTH LINE OF LOT 12

LOT 1  
 BLOCK 5

N.E. 20th COURT

LOT 12  
 BLOCK 4  
 INTERIOR IMPROVEMENTS  
 NOT LOCATED

LOT 11

LOT 10

LOT 9

LOT 8

LOT 7

LOT 6

LOT 5

LOT 4

LOT 3

LOT 2  
 BLOCK 4

**LEGEND**

- |   |                                      |
|---|--------------------------------------|
| Δ = CENTRAL ANGLE (DELTA)                       | ELEV. = ELEVATION                    |
| R = RADIUS                                      | O/S = OFFSET                         |
| A OR L = ARC LENGTH                             | A/C = AIR CONDITIONING               |
| CH.BRG. = CHORD BEARING                         | CL = CENTERLINE OF RIGHT-OF-WAY      |
| TAN.BRG. = TANGENT BEARING                      | F.P.L. = FLORIDA POWER AND LIGHT CO. |
| P.O.C. = POINT OF COMMENCEMENT                  | S.B.T. = SOUTHERN BELL TELEPHONE     |
| P.O.B. = POINT OF BEGINNING                     | B.C.R. = BROWARD COUNTY RECORDS      |
| W/MCL CAP = WITH McLAUGHLIN ENGINEERING CO. CAP | D.C.R. = DADE COUNTY RECORDS         |
| P.R.M. = PERMANENT REFERENCE MONUMENT           | P.B.R. = PALM BEACH COUNTY RECORDS   |
| CONC. = CONCRETE                                | O.R. = OFFICIAL RECORDS BOOK         |
| C.B.S. = CONCRETE, BLOCK AND STUCCO             | PG. = PAGE                           |
| I.C.V. = IRRIGATION CONTROL VALVE               | R/W = RIGHT-OF-WAY                   |
| W.M. = WATER METER                              | C.O. = CLEAN OUT                     |
| B.F.P. = BACK FLOW PREVENTOR                    | C.L.F. = CHAIN LINK FENCE            |

**GRAPHIC SCALE**



( IN FEET )  
 1 inch = 30 ft.

**Legal Description**

Lot 12, Block 4, LAUDERDALE BEACH EXTENSION according to the plat thereof, as recorded in Plat Book 27, Page 48, of the public records of Broward County, Florida.

Said land situate, lying and being in the City of Fort Lauderdale, Broward County, Florida.

**CERTIFICATION**

We hereby certify that this survey meets the minimum technical standards 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.

Dated at Fort Lauderdale, Florida, this 15th day of April, 2013.

**McLAUGHLIN ENGINEERING COMPANY**

JERALD A. McLAUGHLIN  
 Registered Land Surveyor No. 5269  
 State of Florida.

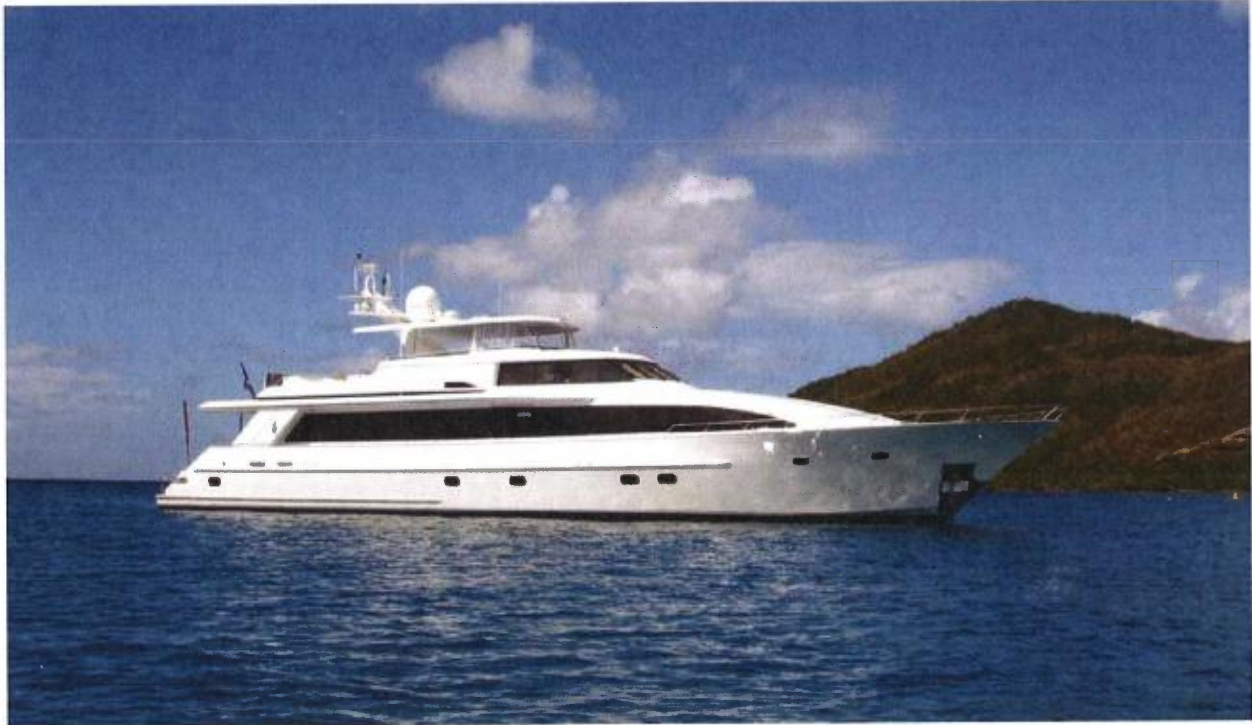
**NOTES:**

- 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.
- Underground improvements if any not located.
- This drawing is not valid unless sealed with an embossed surveyors seal.
- Boundary information does not infer Title or Ownership.
- Bearings and coordinates shown refer to U.S. ARMY CORPS OF ENGINEERS 10ft Project Control Map, File 8B-24,25B, Sheet 16 of 20.
- The coordinates and dimensions as shown on this drawing meet or exceed the one (1) foot tolerance requirements of the Corps of Engineers.

**EXHIBIT 3B**  
**VESSEL SPECIFICATIONS**

# WESTPORT

## KAPALUA



### 115' (35.1 m) CRESCENT

**LOA:** 115' (35.1 m)  
**Beam:** 25' (7.6 m)  
**Draft:** Min 6'2" (1.9 m)  
**Speed:** 17 knots / 20 knots

**Year:** Mfg-1996 Model-1996  
Refit-2010  
**Mfg:** CRESCENT  
**Type:** Motor Yacht  
**Price:** 3,600,000 USD

**Location:** Fort Lauderdale, FL, United States

---

Westport  
2957 State Road 84  
Ft. Lauderdale, Florida 33312  
United States

Contact: Andrew Miles  
Phone: 954-316-6364  
Cellular: 561-262-4222  
Fax: 954-316-6365  
Email: [amiles@westportyachtsales.com](mailto:amiles@westportyachtsales.com)  
URL: <http://www.westportyachtsales.com>

5/18/2012

KAPALUA

Page 1

## Additional Specifications For KAPALUA:

<b>LOA:</b>	115' (35.1 m)	<b>Year:</b>	Mfg-1996 Model-1996 Refit-2010
<b>Mfg. Length:</b>		<b>Mfg:</b>	CRESCENT
<b>Beam:</b>	25' (7.6 m)	<b>Model:</b>	Raised pilothouse
<b>Draft:</b>	Min 6'2" (1.9 m)	<b>Type:</b>	Motor Yacht
<b>Hull Mtrl:</b>	Fiberglass Sandwich	<b>Top:</b>	With Flybridge Bimini Top
<b>Hull Cnfg.:</b>	Semi-Displacement	<b>Speed:</b>	17 knots / 20 knots
<b>Hull Designer:</b>	Jack Sarin	<b>Engines:</b>	2xCaterpillar C 32 1900 HP , 200hrs
<b>Deck Mtrl:</b>		<b>Engines Year:</b>	2010
<b>Disp:</b>	274300 lb (124422 kg)	<b>Staterooms:</b>	4
<b>Range:</b>	1200	<b>Sleeps:</b>	8
<b>Int Designer:</b>		<b>Heads:</b>	
<b>Ext Designer:</b>		<b>Crew Quarters:</b>	3
<b>Fuel Cap:</b>	7400 g (28009 l)	<b>Crew Berths:</b>	6
<b>Water Cap:</b>	1000 g (3785 l)	<b>Captain Cabin:</b>	Yes
<b>Holding Tank:</b>	350 g (1325 l)	<b>Classifications:</b>	Unknown
<b>Flag:</b>	Marshall Islands	<b>Class Type:</b>	
<b>Location:</b>	Fort Lauderdale, FL, United States	<b>MCA:</b>	
		<b>ISM:</b>	
		<b>Price:</b>	3,600,000 USD

### Overview

KAPALUA has recently gone through a series of refits that has brought her up to new yacht standards. This included the installation of brand new CAT 32 diesels, all new hoses, and reconfiguring her hydraulic systems so that her windlass, aft windlass, boat crane, and stabilizers all work together, but can be isolated if need be. Generators were replaced in 2007. The entire boat was repainted in 2007, and décor and all fabrics were replaced in 2007-2010. These are the major items, but literally hundreds of other items were replaced or upgraded including a new teak swim platform, new dinghy and new sewer treatment system. Here is a partial list:

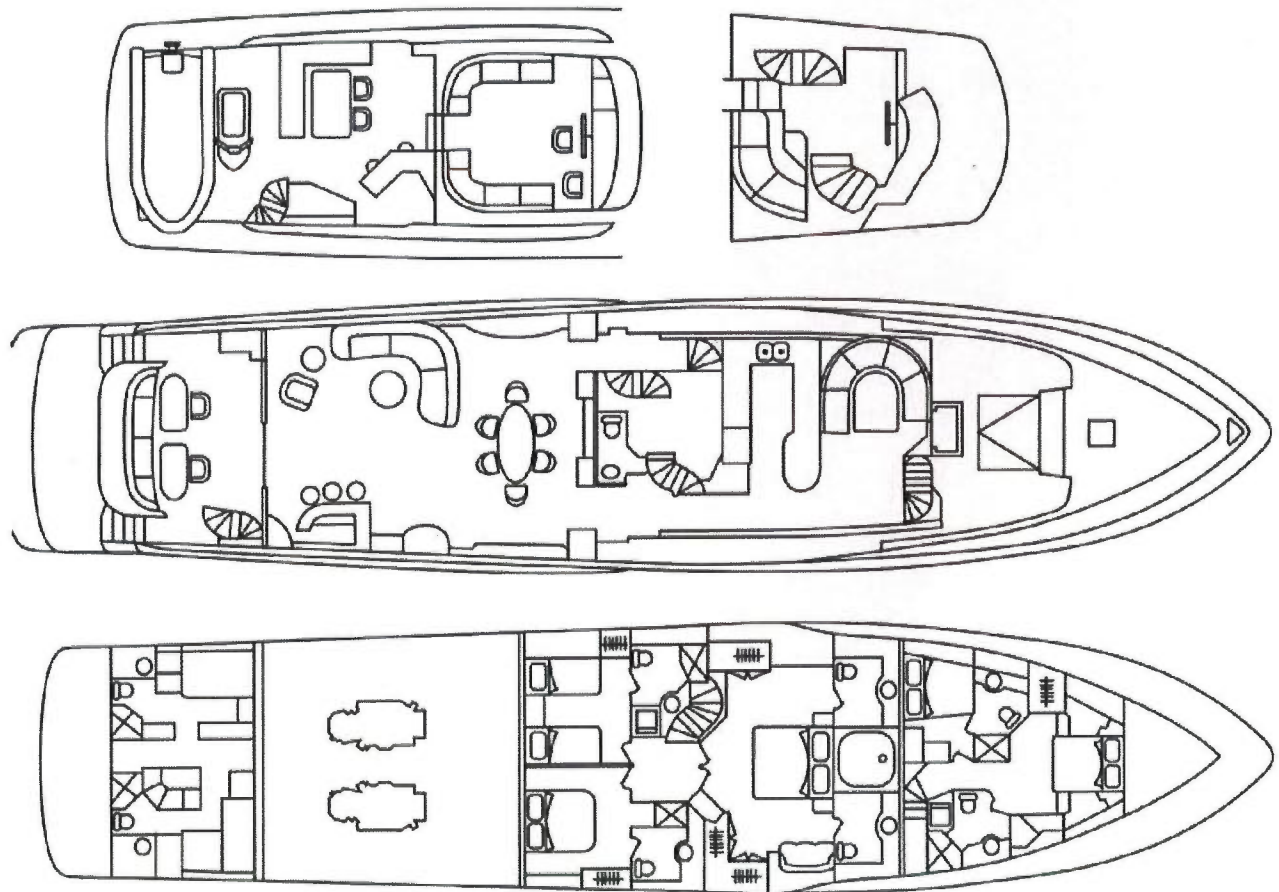
- Updated electronics featuring five multifunction flat screen displays
- New anchor chain
- Updated galley appliances
- Chilled wine storage for 100+ bottles
- Battery replacement

Westport  
2957 State Road 84  
Ft. Lauderdale, Florida 33312  
United States

Contact: Andrew Miles  
Phone: 954-316-6364  
Cellular: 561-262-4222  
Fax: 954-316-6365  
Email: [amiles@westportyachtsales.com](mailto:amiles@westportyachtsales.com)  
URL: <http://www.westportyachtsales.com>



## Layout



---

Westport  
2957 State Road 84  
Ft. Lauderdale, Florida 33312  
United States

Contact: Andrew Miles  
Phone: 954-316-6364  
Cellular: 561-262-4222  
Fax: 954-316-6365  
Email: [amiles@westportyachtsales.com](mailto:amiles@westportyachtsales.com)  
URL: <http://www.westportyachtsales.com>

5/18/2012

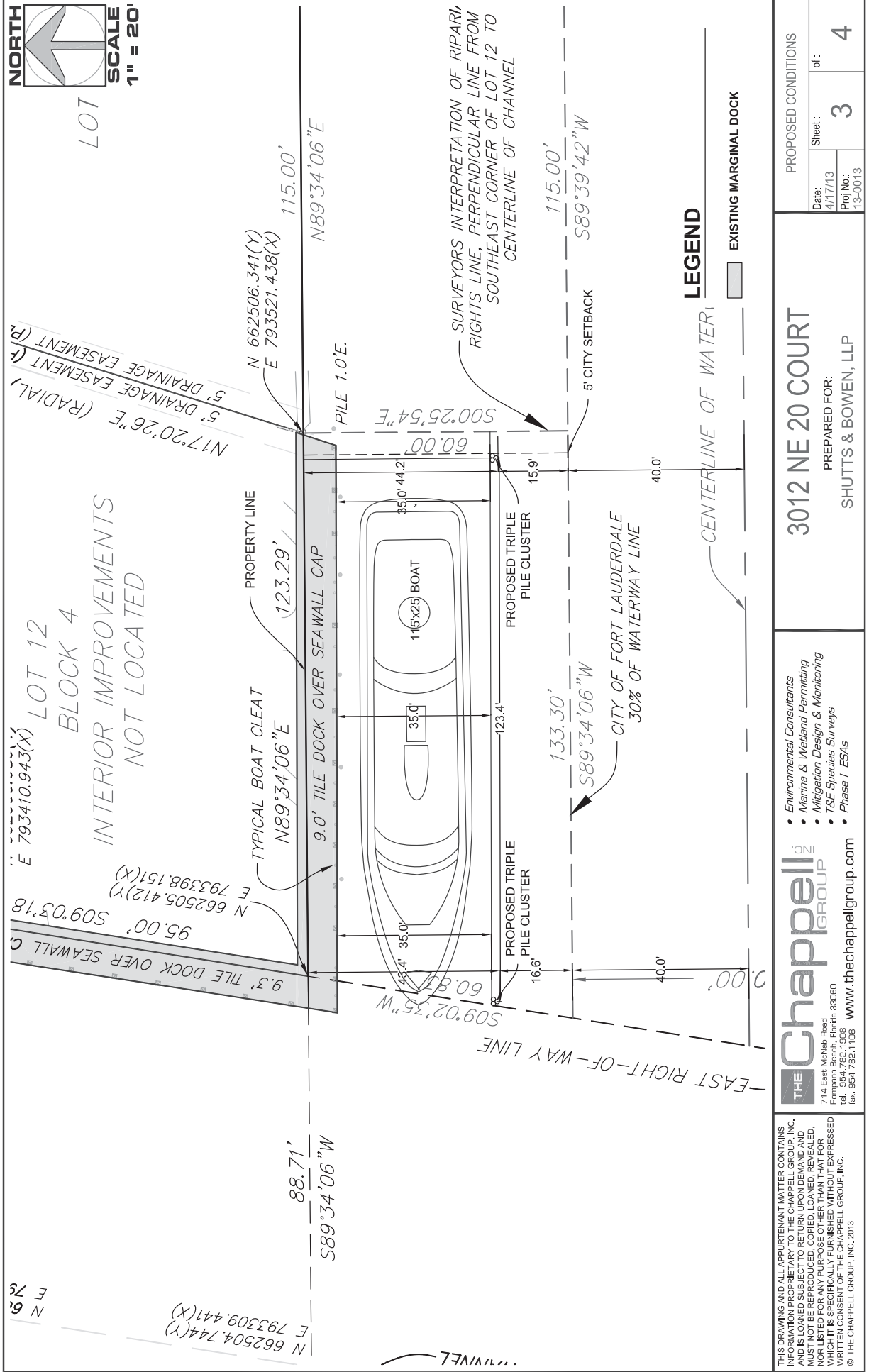
**KAPALUA**

Page 26

**EXHIBIT 3C**  
**DOCKAGE PLAN**



LOT



PROPOSED CONDITIONS	
Date: 4/17/13	Sheet: 3 of: 4
Proj No.: 13-0013	

3012 NE 20 COURT  
PREPARED FOR:  
SHUTTS & BOWEN, LLP

- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- TSE Species Surveys
- Phase I ESAs

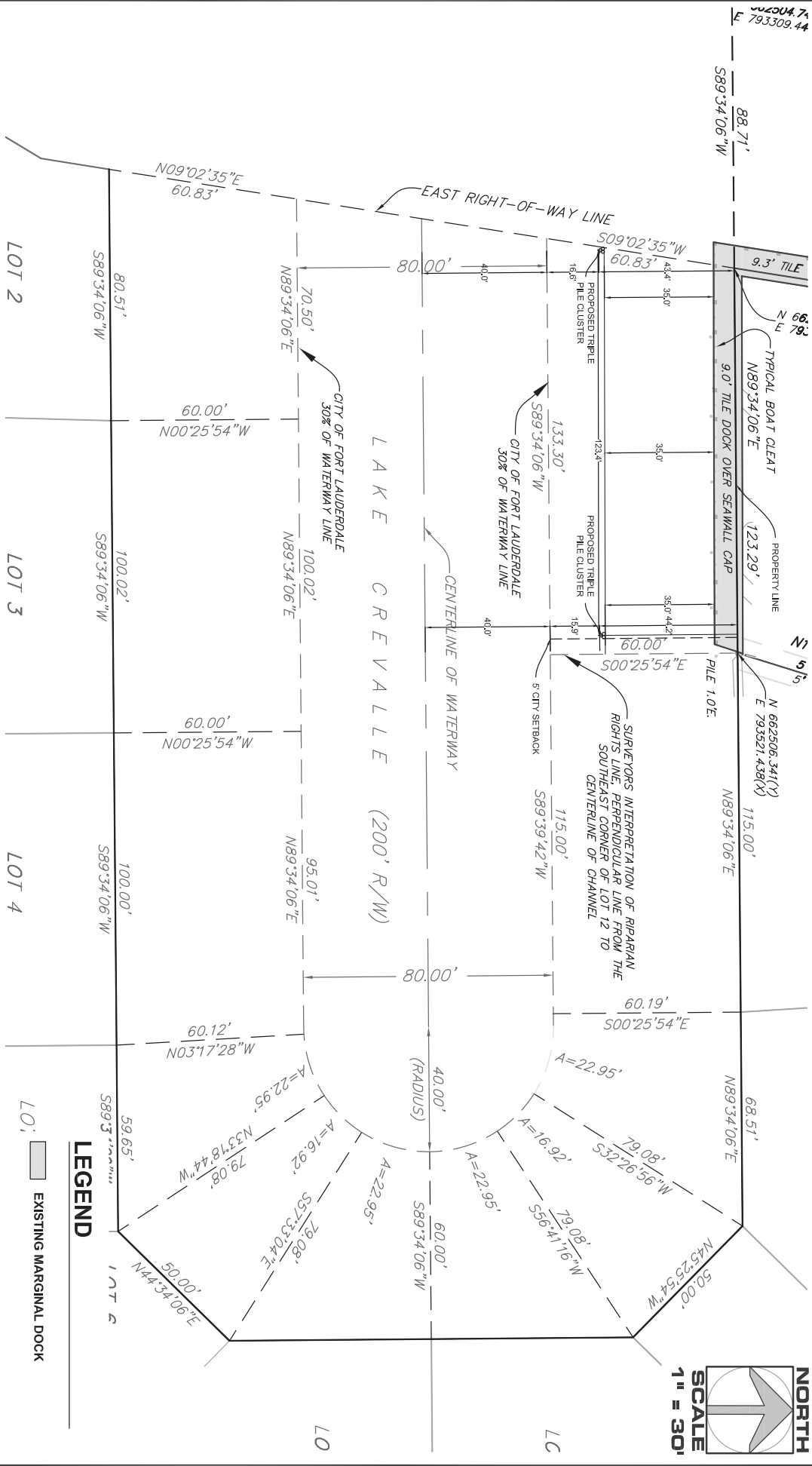
**THE Chappell GROUP**  
INC.

714 East McNab Road  
Pompano Beach, Florida 33060  
Tel: 954.785.1108  
www.thechappellgroup.com

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**EXHIBIT 3D**  
**MOORING PILINGS PLAN**

JUL 2014, 7A  
E 793309.44



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Tel. 954.785.1108  
www.thechappellgroup.com

- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Phase I ESAs

**3012 NE 20 COURT**  
PREPARED FOR:  
SHUTTS & BOWEN, LLP

PROPOSED CONDITIONS	
Date: 4/17/13	Sheet: 1
Proj No: 13-0013	of: 4



**LEGEND**  
EXISTING MARGINAL DOCK

**EXHIBIT 4**  
**SITE AND AERIAL PHOTOGRAPHS**





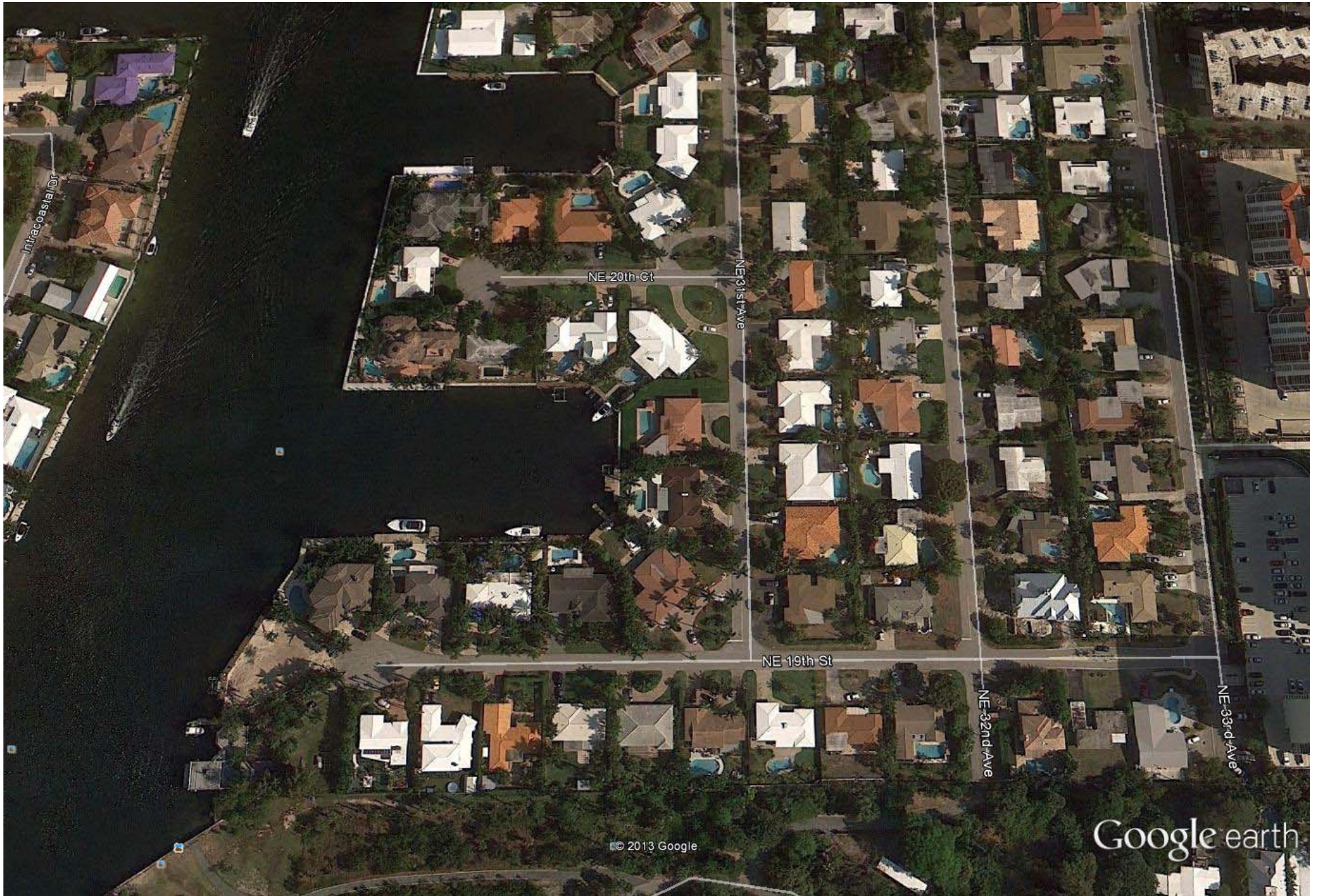












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Google earth

feet  
meters

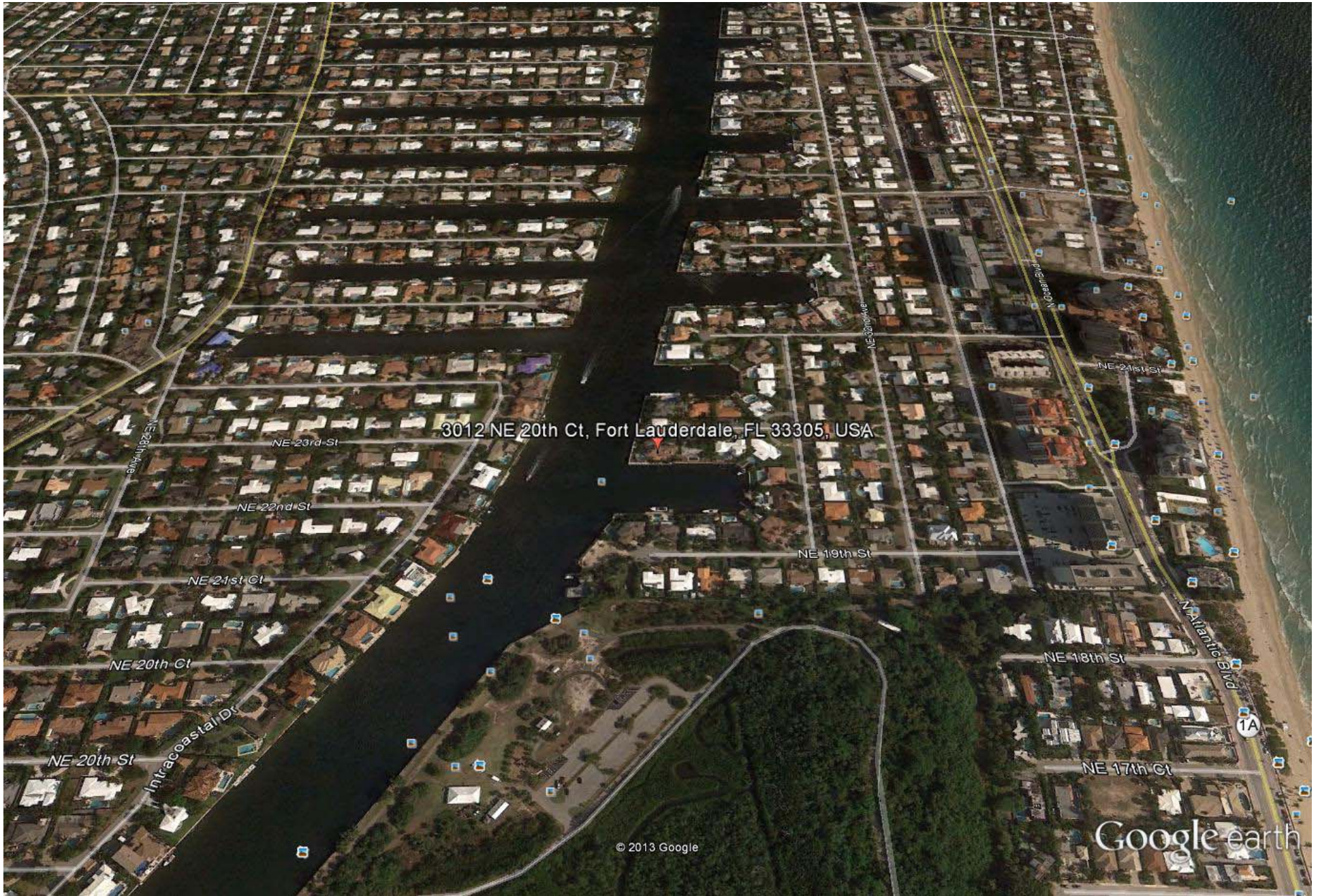


200

900







3012 NE 20th Ct, Fort Lauderdale, FL 33305, USA

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Google earth

Google earth

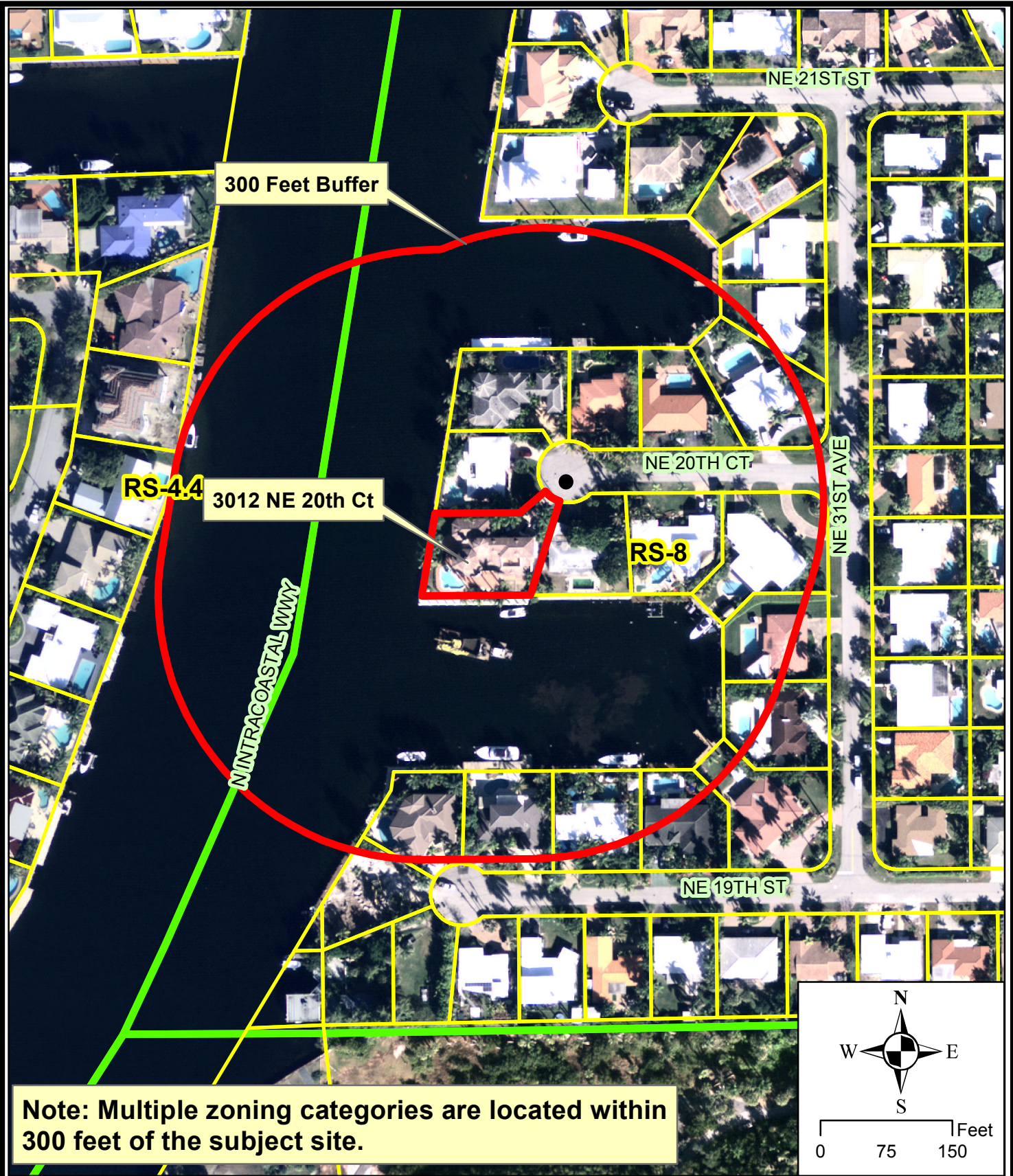
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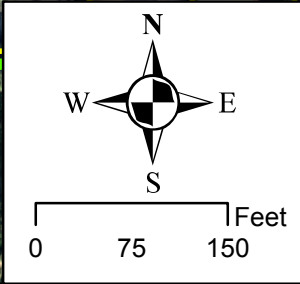


**EXHIBIT 5**

**AERIAL WITH 300 FOOT RADIUS**



Note: Multiple zoning categories are located within 300 feet of the subject site.



# 3012 NE 20th CT

