

ITEM VII

MEMORANDUM ME NO. 17-04

DATE: March 8, 2017

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: June 1, 2017 MAB – Application - Dock Waiver of Distance Limitations
– Walter Cassel / 333 Sunset Drive

Attached for your review is an application from Walter Cassel, 333 Sunset Drive (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for installation of thirteen (13) 30' long x 4' wide finger piers, one (1) 30' long x 8' wide finger pier, one (1) 347 square foot floating dock and eighteen (18) mooring piles requiring a Dock Waiver of Distance Limitations for the proposed structures. These structures extend a maximum distance of +/-64.8' from the property line into Sunset Lake as shown in the project plans in the application package and summarized in Table 1:

TABLE 1

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Finger Pier #1	+/- 41.8'	25'	+/- 16.8'
Finger Pier #2	+/- 42.1'	25'	+/- 17.1'
Finger Pier #3	+/- 42.4'	25'	+/- 17.4'
Finger Pier #4	+/- 42.6'	25'	+/-17.6'
Finger Pier #5	+/- 43.0'	25'	+/- 18.0'
Finger Pier #6	+/- 43.4'	25'	+/- 18.4'
Finger Pier #7	+/- 43.7'	25'	+/- 18.7'
Mooring Pile #15	+/- 41.4'	25'	+/- 16.4'
Mooring Pile #16	+/- 41.3'	25'	+/- 16.3'
Mooring Pile #17	+/- 41.6'	25'	+/- 16.6'
Mooring Pile #18	+/- 41.9'	25'	+/- 16.9'
Mooring Pile #19	+/- 42.3'	25'	+/- 17.3'
Mooring Pile #20	+/- 42.7'	25'	+/- 17.7'
Mooring Pile #21	+/- 43.0'	25'	+/- 18.0'
Finger Pier #8	+/- 44.0'	25'	+/- 19.0'
Finger Pier #9	+/- 44.3'	25'	+/- 19.3'
Finger Pier #10	+/- 44.6'	25'	+/- 19.6'

Finger Pier #11	+/- 45.2'	25'	+/- 20.2'
Finger Pier #12	+/- 43.9'	25'	+/- 18.9'
Finger Pier #13	+/- 40.7'	25'	+/- 15.7'
Finger Pier #14	+/- 39.1'	25'	+/- 14.1'
Floating Dock	+/- 43.1'	25'	+/- 18.1'
Mooring Pile #22	+/- 43.2'	25'	+/- 18.2'
Mooring Pile #23	+/- 44.0'	25'	+/- 19.0'
Mooring Pile #24	+/- 44.1'	25'	+/- 19.1'
Mooring Pile #25	+/- 44.2'	25'	+/-19.2'
Mooring Pile #26	+/- 64.4'	25'	+/- 39.4'
Mooring Pile #27	+/- 44.8'	25'	+/- 19.8'
Mooring Pile #28	+/- 64.8'	25'	+/- 39.8'
Mooring Pile #29	+/- 41.9'	25'	+/- 16.9'
Mooring Pile #30	+/- 61.7'	25'	+/- 36.7'
Mooring Pile #31	+/- 37.5'	25'	+/- 12.5'
Mooring Pile #32	+/- 57.0'	25'	+/- 32.0'

The City’s Unified Land and Development Regulations (UDLR), Section 47-19.3.C limits the maximum distance of finger piers to 25’ or 25%, whichever is less, and mooring piles to 30’ or 25%, whichever is less. Section 47.19.3.E authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances.

The applicant’s summary description specifies that the finger piers and mooring piles are necessary to safely moor resident’s vessels, especially during high winter events and severe weather.

PROPERTY LOCATION AND ZONING

The property is located within the Riviera Isles RMM-25 Residential Mid Rise Multifamily / Medium High Density Zoning District.

RECOMMENDATIONS

Should the Marine Advisory Board consider approval of the application, the resolution under consideration for approval by the City Commission should include at least the following:

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 and the U.S. Army Corps of Engineers

Marine Advisory Board

June 1, 2017

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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 the appropriate City staff with copies of "As Built" drawings from a certified and licensed contractor, and verification of receipt of all applicable Federal and State permits.
3. The applicant is required to install and affix reflector tape to the mooring pilings in accord with Section 47.19.3.E of the Unified Land and Development Regulations (ULDR).

AC

Attachment

cc: Enrique Sanchez, Deputy Director of Parks and Recreation
Jonathan Luscomb, Supervisor of Marine Facilities

EXHIBIT I
APPLICATION FOR WATERWAY WAIVER

**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: The Four Seasons Condominium Association, Inc., President Walter Cassel

TELEPHONE NO: (954) 463-0644 (home) FAX NO. (954) 463-4896
(business)

- 2. APPLICANT'S ADDRESS (if different than the site address):
- 3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: The applicant requests a waiver for the proposed construction of thirteen (13) finger piers and fifteen (15) mooring piles, beyond 25 feet from the property line.

SITE ADDRESS: 333 Sunset Drive, Fort Lauderdale Florida 33301

- 4. ZONING: RMM-25

LEGAL DESCRIPTION: THE FOUR SEASONS CONDO UNIT 102 PER CDO BK 3520 PG 280

- 5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).
Warranty Deed, Project Plans, Site Photographs, Survey, Aerial Exhibit

Walter Cassel, President, 8/9/17
Applicant's Signature Date

The sum of \$ _____ was paid by the above-named applicant on the _____ of _____, 2017 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 _____

EXHIBIT II
TABLE OF CONTENTS

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**EXHIBIT III
WARRANTY DEED**



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

Detail by Entity Name

Florida Not For Profit Corporation
THE FOUR SEASONS CONDOMINIUM ASSOCIATION, INC.

Filing Information

Document Number	713401
FEI/EIN Number	59-1196724
Date Filed	09/29/1967
State	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	02/22/2007

Principal Address

333 SUNSET DRIVE
FORT LAUDERDALE, FL 33301

Changed: 03/11/2009

Mailing Address

333 SUNSET DRIVE
FORT LAUDERDALE, FL 33301

Changed: 03/11/2009

Registered Agent Name & Address

BECKER/POLIAKOFF
625 N. FLAGLER DR, 7TH FLOOR
WEST PALM BEACH, FL 33401

Name Changed: 08/04/2003

Address Changed: 10/24/2011

Officer/Director Detail

Name & Address

Title President

CASSEL, WALTER
333 SUNSET DRIVE #903
FORT LAUDERDALE, FL 33301

Title Secretary

Wood, James
333 SUNSET DRIVE #206
FORT LAUDERDALE, FL 33301

Title Director

Ayers, Daniel
333 SUNSET DRIVE #907
FORT LAUDERDALE, FL 33301

Title Treasurer

Whetstone, Lorraine
333 SUNSET DRIVE #902
FORT LAUDERDALE, FL 33301

Title VP

Weitzman, Norman
333 Sunset Drive #1006
Fort Lauderdale, FL 33301

Title Director

Rudman, Christopher
333 Sunset Drive
#502
Fort Lauderdale, FL 33301

Title Director

Roth, Patricia
333 Sunset Drive
#302
Fort Lauderdale, FL 33301

Annual Reports

Report Year	Filed Date
2014	03/14/2014
2015	04/06/2015
2016	03/15/2016

Document Images

03/15/2016 -- ANNUAL REPORT	View image in PDF format
04/06/2015 -- ANNUAL REPORT	View image in PDF format
03/14/2014 -- ANNUAL REPORT	View image in PDF format
10/17/2013 -- AMENDED ANNUAL REPORT	View image in PDF format
04/10/2013 -- ANNUAL REPORT	View image in PDF format
03/14/2012 -- ANNUAL REPORT	View image in PDF format
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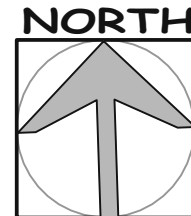
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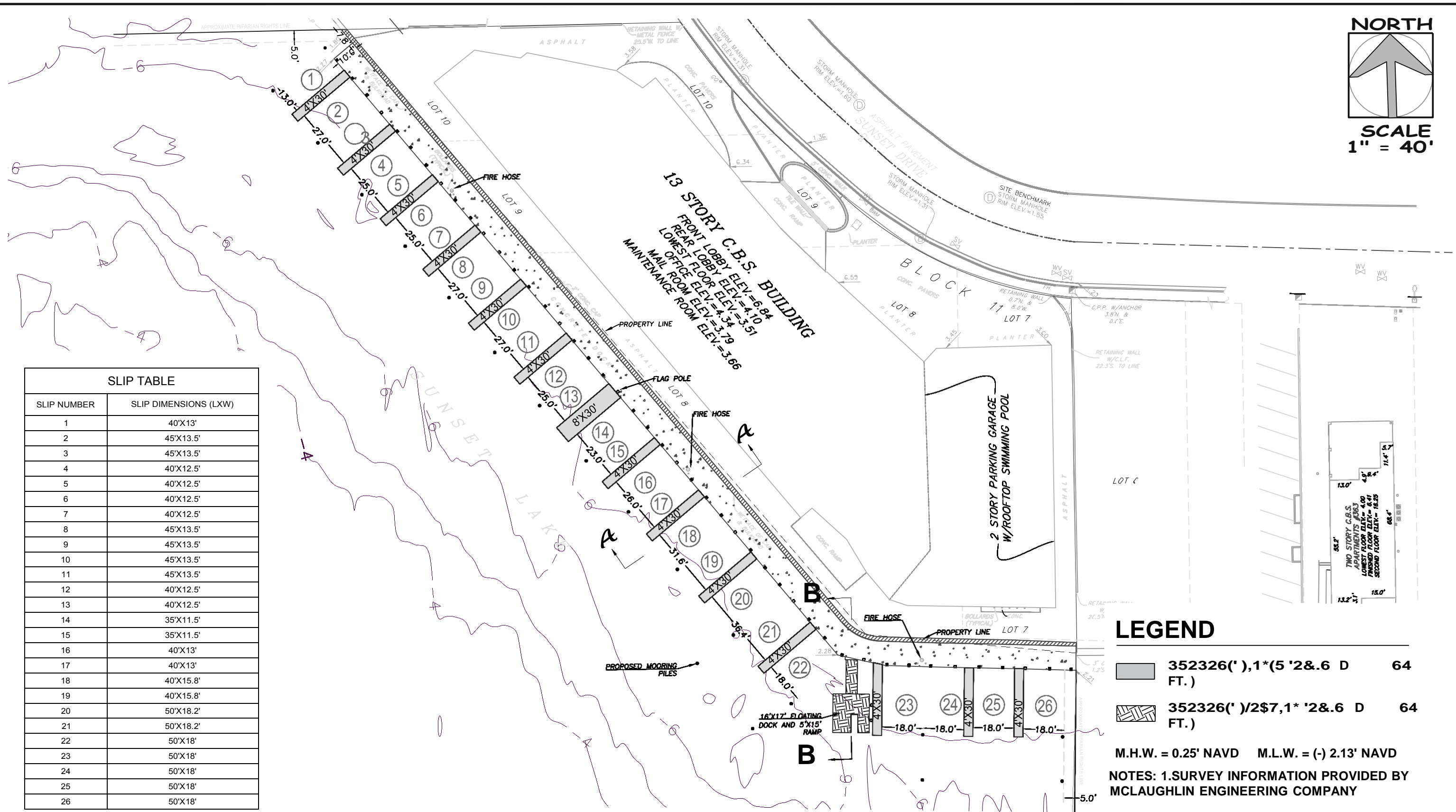
[06/23 /19 95 -- ANNUAL REPORT](#)

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**EXHIBIT IV
PROJECT PLANS**



SCALE
1" = 40'



SLIP TABLE	
SLIP NUMBER	SLIP DIMENSIONS (LXW)
1	40'X13'
2	45'X13.5'
3	45'X13.5'
4	40'X12.5'
5	40'X12.5'
6	40'X12.5'
7	40'X12.5'
8	45'X13.5'
9	45'X13.5'
10	45'X13.5'
11	45'X13.5'
12	40'X12.5'
13	40'X12.5'
14	35'X11.5'
15	35'X11.5'
16	40'X13'
17	40'X13'
18	40'X15.8'
19	40'X15.8'
20	50'X18.2'
21	50'X18.2'
22	50'X18'
23	50'X18'
24	50'X18'
25	50'X18'
26	50'X18'

LEGEND

- 352326('), 1*(5'2&.6 D 64 FT.)
- 352326(')/2\$7,1* '2&.6 D 64 FT.)

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

NOTES: 1.SURVEY INFORMATION PROVIDED BY MCLAUGHLIN ENGINEERING COMPANY

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714 East McNab Road
www.thechappellgroup.com
fax. 954.782.1108

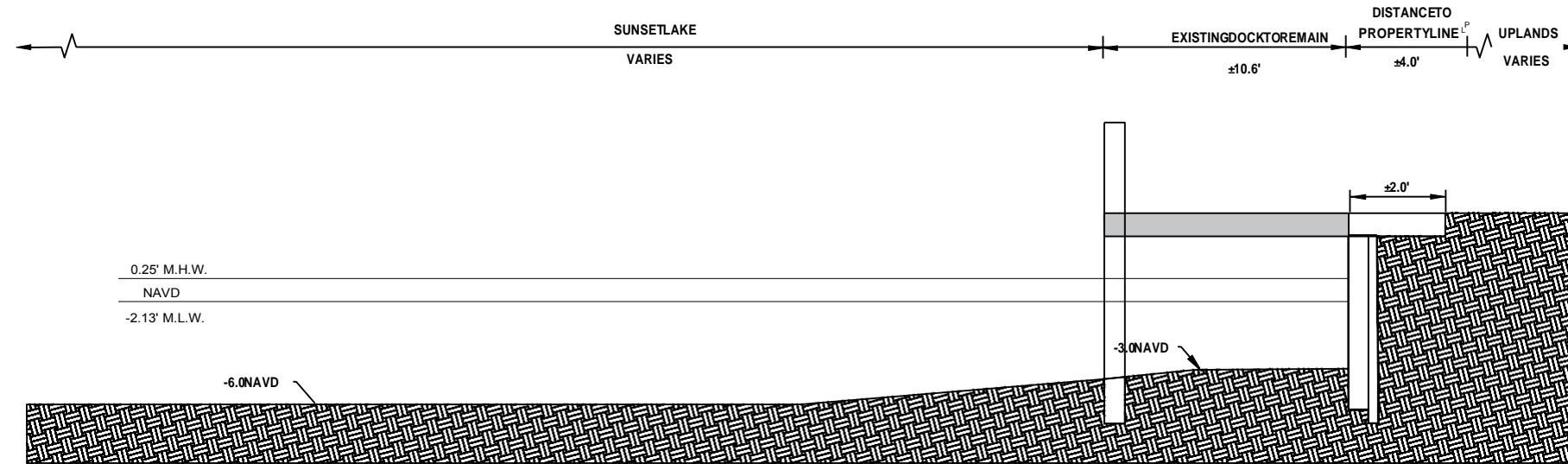
- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys

333 SUNSET DRIVE

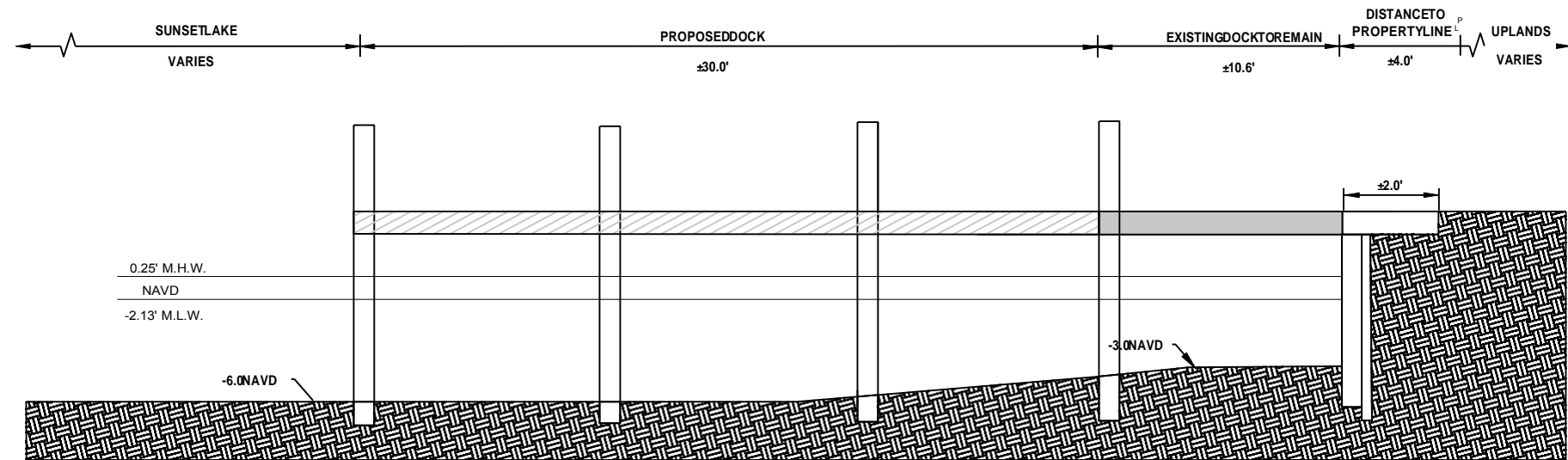
PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

PROPOSED CONDITIONS		
Date: 2/22/17	Sheet : 2	of : 5
Proj No.: 16-0052		

EXISTINGSECTION "A-A"
(TYPICAL)
N.T.S.



PROPOSEDSECTION "A-A"
(TYPICAL)
N.T.S.



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333 SUNSET DRIVE

PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

SECTIONS

Date: 2/22/2017	Sheet : 3	of : 5
Proj No.: 16-0052		

D THE CHAPPELL GROUP, INC. 2017

WRITTEN CONSENT OF THE CHAPPELL GROUP, INC.

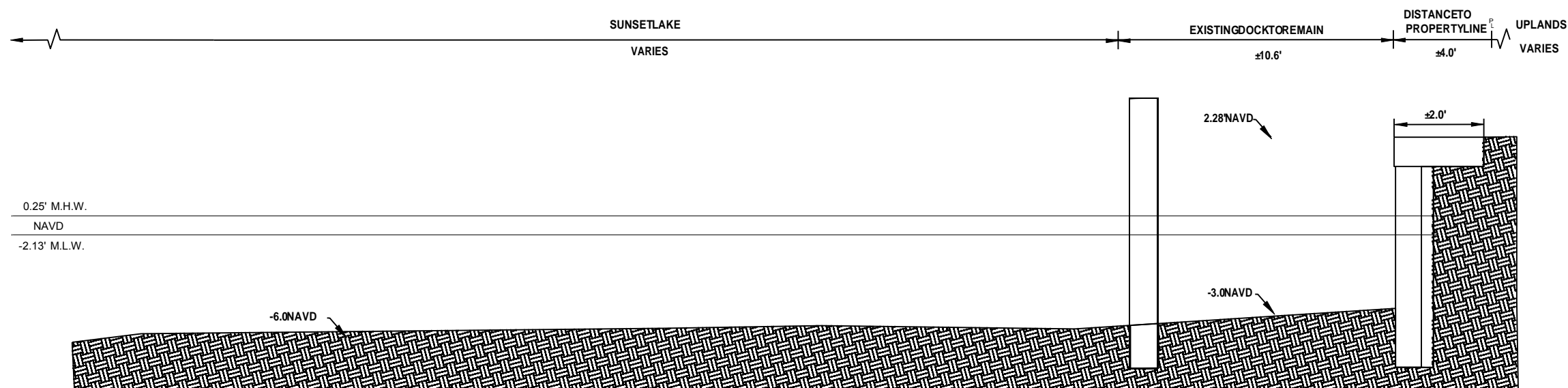
Pompano Beach, Florida 33060
tel. 954.782.1908

Phase I ESAs

CAM 17-0888
Exhibit 1
Page 16 of 32

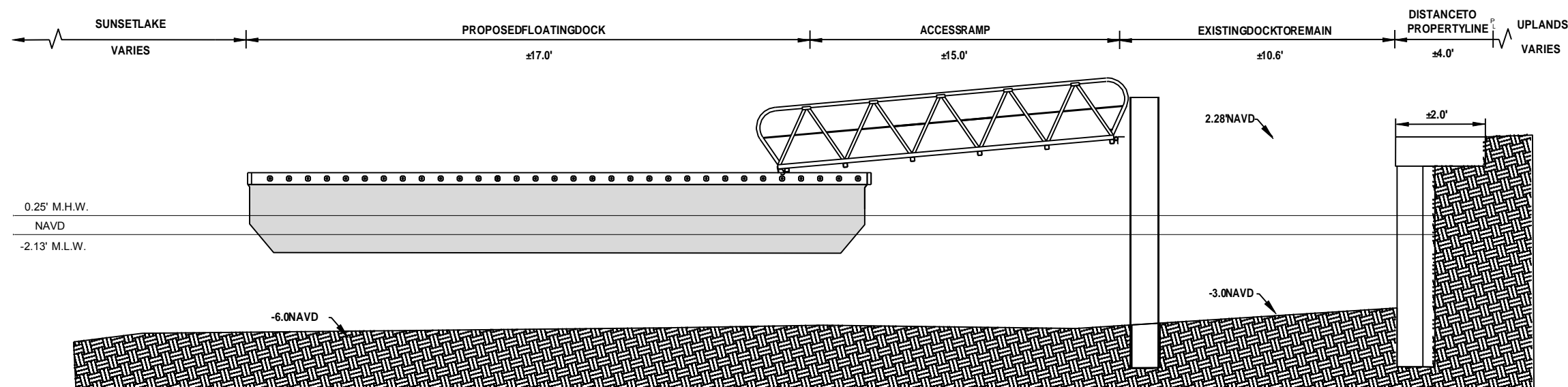
EXISTINGSECTION "B-B"

(TYPICAL)
N.T.S.



PROPOSEDSECTION "B-B"

(TYPICAL)
N.T.S.



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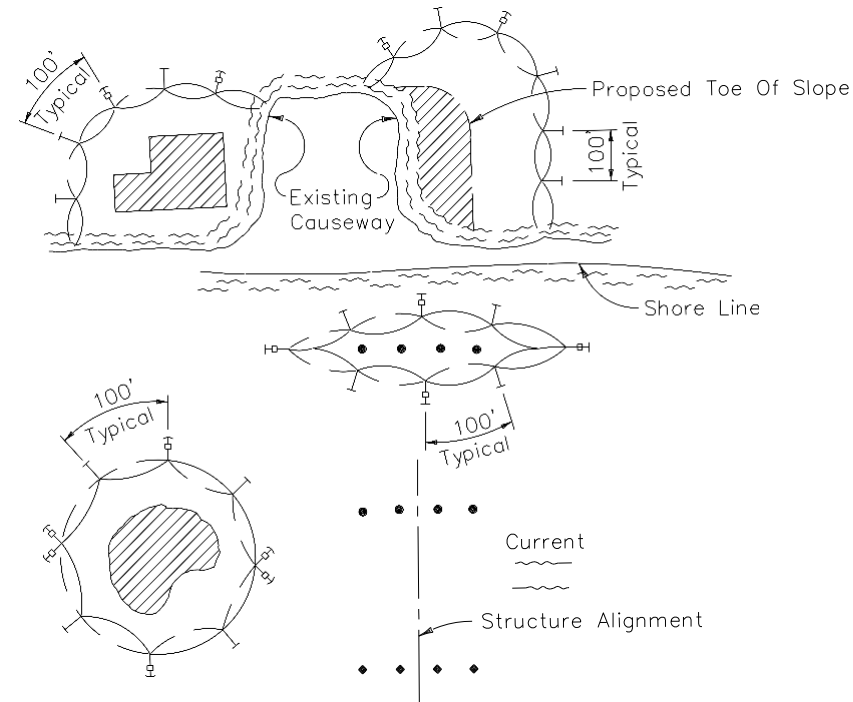
- Environmental Consultants
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- Mitigation Design & Monitoring
- T&E Species Surveys

333 SUNSET DRIVE
PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

SECTIONS

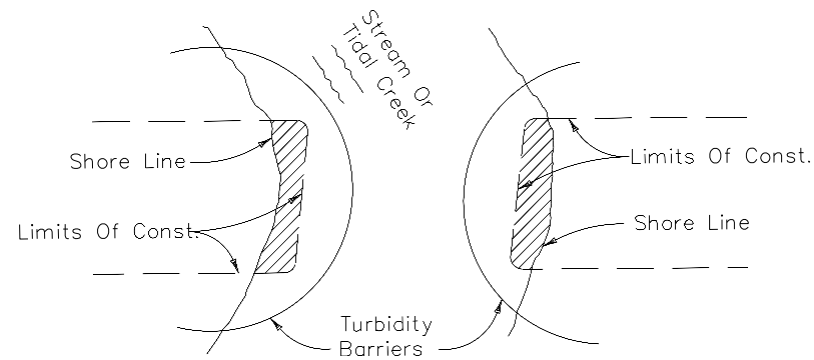
Date: 2/22/2017	Sheet : 4	of : 5
Proj No.: 16-0052		

CONSTRUCTION BARGE (TYP.)



LEGEND

- ◆ Pile Locations
- ▨ Dredge Or Fill Area
- Mooring Buoy w/Anchor
- Anchor
- Barrier Movement Due To Current Action

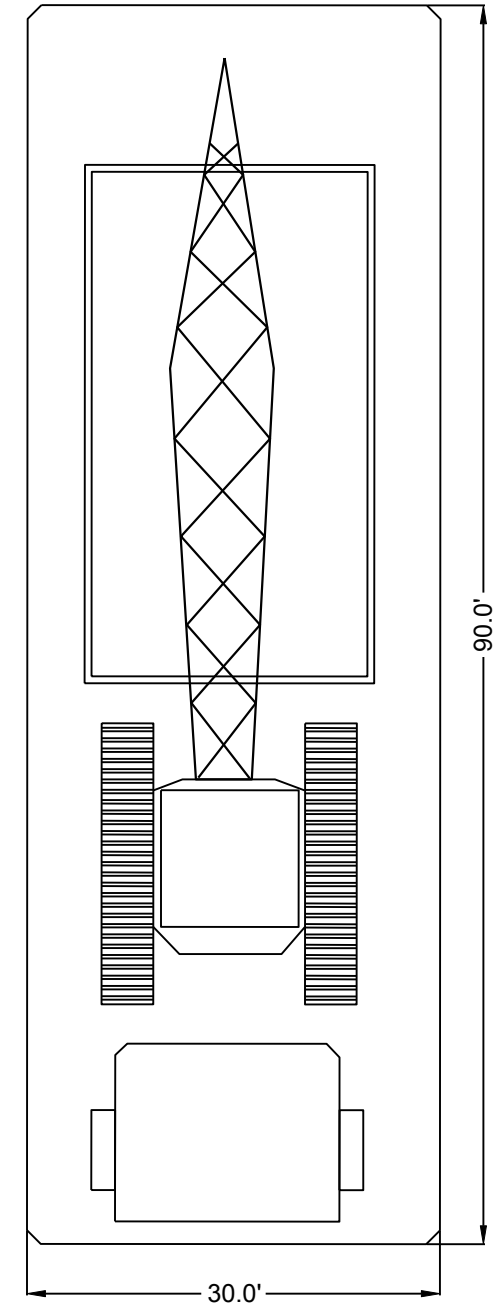


Note:
Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractors option unless otherwise specified in the plans, however payment will be under the pay item(s) established in the plans for Floating Turbidity Barrier and/or Staked Turbidity Barrier. Posts in staked turbidity barriers to be installed in vertical position unless otherwise directed by the Engineer.

NOTES:

1. Turbidity barriers are to be used in all permanent bodies of water regardless of water depth.
2. Number and spacing of anchors dependent on current velocities.
3. Deployment of barrier around pile locations may vary to accommodate construction operations.
4. Navigation may require segmenting barrier during construction operations.
5. For additional information see Section 104 of the Standard Specifications.

TURBIDITY BARRIER APPLICATIONS



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333 SUNSET DRIVE

PREPARED FOR:

DETAILS

Date: 2/22/2017	Sheet : 5	of : 5
Proj No.: 16-0052		

**EXHIBIT V
ZONING AERIAL**



LEGEND

-  300 FT BUFFER
-  PROPERTY LOCATION

N
W —+— E
S

0 50 100 200 Feet
1 inch = 200 feet



CITY OF FORT LAUDERDALE

333 SUNSET DR.

GIS

Fort Lauderdale

Date: 2/8/2017
CAM 17-0888

Exhibit 1
Page 22 of 32

Path: J:\PKR\GIS\DOCKMASTER_14_DriveMap\DOCKMASTER_300FT_BUFFER_MASTER FORM 2017.mxd

**EXHIBIT VI
SUMMARY DESCRIPTION**

Summary Description
333 Sunset Drive
TCG Project No. 16-0052

The project site is located along Sunset Lake at 333 Sunset Drive, in Section 12, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida

The property is located along Sunset Lake, which is a tidal water. The nearest direct connection to the Atlantic Ocean is 1.7 miles to the south at the Port Everglades Inlet. As the project site is located along Sunset Lake, the incoming tidal waters (flood) at the site move to the north and the outgoing waters (ebb) move to the south.

The project site consists of an existing $\pm 4,700$ sq. ft. marginal concrete dock. The proposed project includes the construction of thirteen (13) 4'x30' finger piers, one (1) 8'x30' finger pier, one (1) 347 sq. ft. floating dock, and the installation of eighteen (18) mooring piles into Sunset Lake. As measured from the property line, the proposed structures encroach more than 25' from the property line into Sunset Lake. As these distances are over the allowable 25' distance into the waterway from the property line, the proposed finger piers, floating dock and mooring piles will require a variance waiver.

The proposed structures are being applied for concurrently with the Broward County Environmental Protection & Growth Management Department, Florida Department of Environmental Protection, and US Army Corps of Engineers.

The following four (4) matters provide justification for this waiver request:

1. All structures and piles will not exceed 30% of the width of the waterway.
2. Due to the extraordinary width of the waterway at this location to the closest structure ($\pm 295'$), the proposed project will not impede navigation within Sunset Lake.
3. The finger piers and mooring piles are necessary for safely mooring resident's vessels, especially during high wind events and severe weather.
4. The proposed structures are consistent with the adjacent neighbors and do not exceed the neighbor's finger pier at 38.0'.

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

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Finger Pier #1	± 41.8'	25'	±16.8'
Finger Pier #2	±42.1'	25'	±17.1'
Finger Pier #3	±42.4'	25'	±17.4'
Finger Pier #4	±42.6'	25'	±17.6'
Finger Pier #5	±43.0'	25'	±18.0'
Finger Pier #6	±43.4'	25'	±18.4'
Finger Pier #7	±43.7'	25'	±18.7'
Mooring Pile #15	±41.4'	25'	±16.4'
Mooring Pile #16	±41.3'	25'	±16.3'
Mooring Pile #17	±41.6'	25'	±16.6'
Mooring Pile #18	±41.9'	25'	±16.9'
Mooring Pile #19	±42.3'	25'	±17.3'
Mooring Pile #20	±42.7'	25'	±17.7'
Mooring Pile #21	±43.0'	25'	±18.0'

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Finger Pier #7	±43.7'	25'	±18.7'
Finger Pier #8	±44.0'	25'	±19.0'
Finger Pier #9	±44.3'	25'	±19.3'
Finger Pier #10	±44.6'	25'	±19.6'
Finger Pier #11	±45.2'	25'	±20.2'
Finger Pier #12	±43.9'	25'	±18.9'
Finger Pier #13	±40.7'	25'	±15.7'
Finger Pier #14	±39.1'	25'	±14.1'
Floating Dock	±43.1'	25'	±18.1'
Mooring Pile #22	±43.2'	25'	±18.2'
Mooring Pile #23	±44.0'	25'	±19.0'
Mooring Pile #24	±44.1'	25'	±19.1'
Mooring Pile #25	±44.2'	25'	±19.2'
Mooring Pile #26	±64.4'	25'	±39.4'
Mooring Pile #27	±44.8'	25'	±19.8'
Mooring Pile #28	±64.8'	25'	±39.8'
Mooring Pile #29	±41.9'	25'	±16.9'
Mooring Pile #30	±61.7'	25'	±36.7'
Mooring Pile #31	±37.5'	25'	±12.5'
Mooring Pile #32	±57.0'	25'	±32'

**EXHIBIT VII
SITE PHOTOGRAPHS**



1. East corner of the subject site, facing west.



2. Central portion of the subject site, facing southeast.

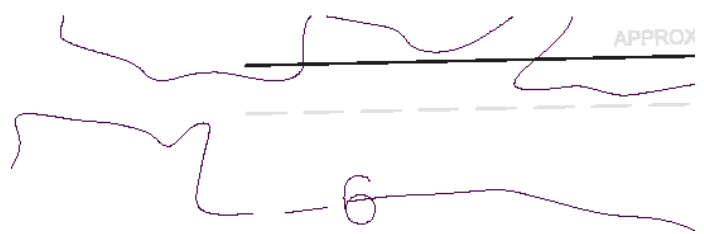


3. Central portion of the subject site, facing north.

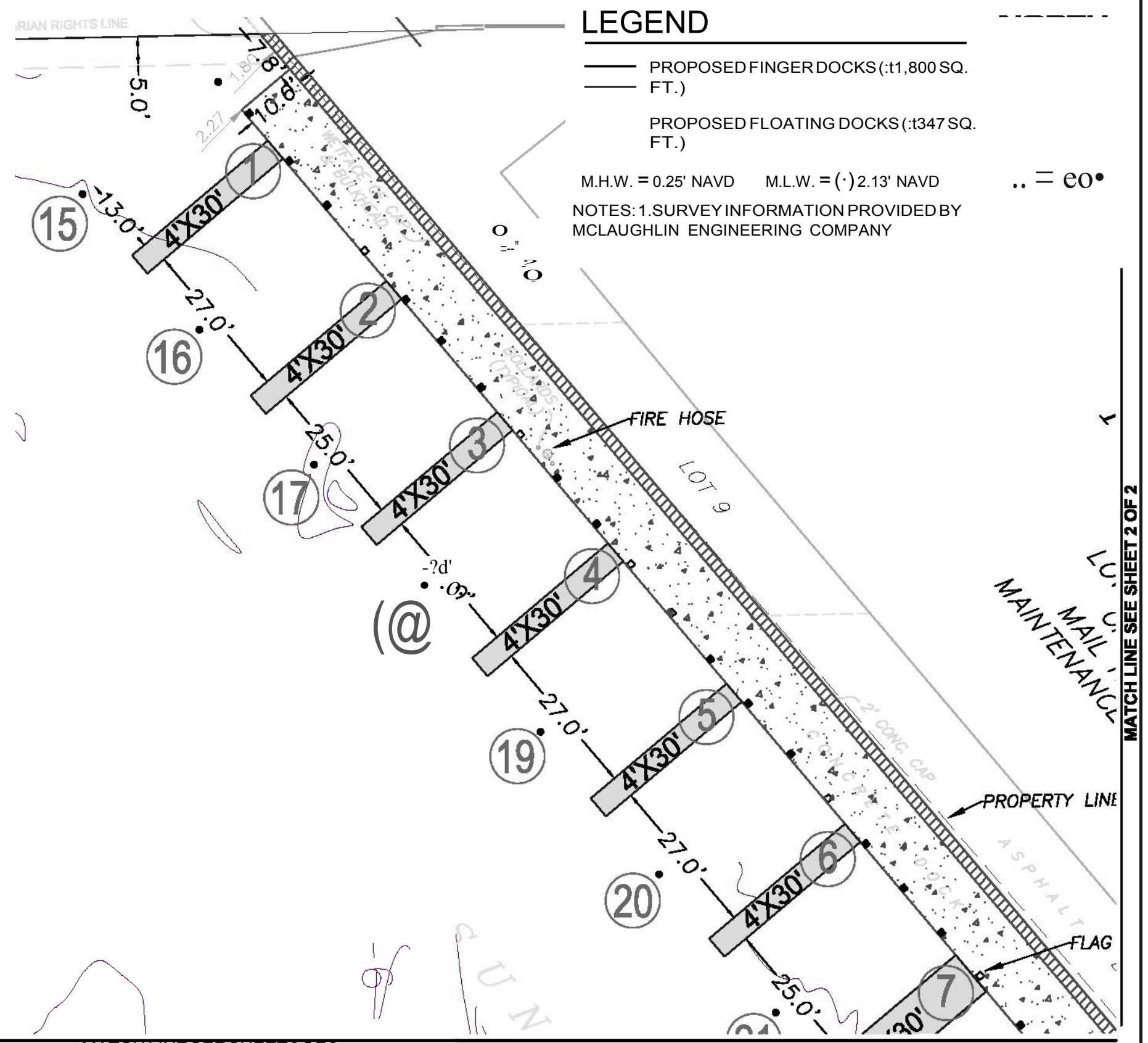


4. North corner of the subject site, facing south.

**EXHIBIT VIII
DISTANCE EXHIBIT**



PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Finger Pier #1	± 418'	25'	±168'
Finger Pier #2	±42.1'	25'	±17.1'
Finger Pier #3	±42.4'	25'	±174'
Finger Pier #4	±426'	25'	±176'
Finger Pier #5	±43.0'	25'	±180'
Finger Pier #6	±434'	25'	±184'
Finger Pier #7	±43.7'	25'	±187'
Mooring Pile #15	±414'	25'	±164'
Mooring Pile #16	±41.3'	25'	±16.3'
Mooring Pile #17	±416'	25'	±166'
Mooring Pile #18	±41.9'	25'	±169'
Mooring Pile #19	±423'	25'	±173'
Mooring Pile #20	±42.7'	25'	±17.7'
Mooring Pile #21	±43.0'	25'	±18.0'



LEGEND

— PROPOSED FINGER DOCKS (:t1,800 SQ. FT.)
 — PROPOSED FLOATING DOCKS (:t347 SQ. FT.)
 M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD .. = eo°
 NOTES: 1. SURVEY INFORMATION PROVIDED BY MCLAUGHLIN ENGINEERING COMPANY

MATCHLINE SEE SHEET 2 OF 2

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- EnvironmentBI Consultants
- Marins & Wetland Pstmitting
- Mitigation Design & Monif: Dring
- T&E Species Surveys
- Phsss I ESAs

333 SUNSET DRIVE
 PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

DISTANCE EXHIBIT		
Date: 2/22117 Proj No.: 16-0052	Sheet: 1	of: 2

MATCH LINE SEE SHEET 1 OF 1

LEGEND

352326('), 1*(5' 2&.6 D 64

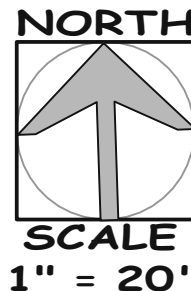
FT.)

352326(') / 2\$7, 1* '2&.6 D 64

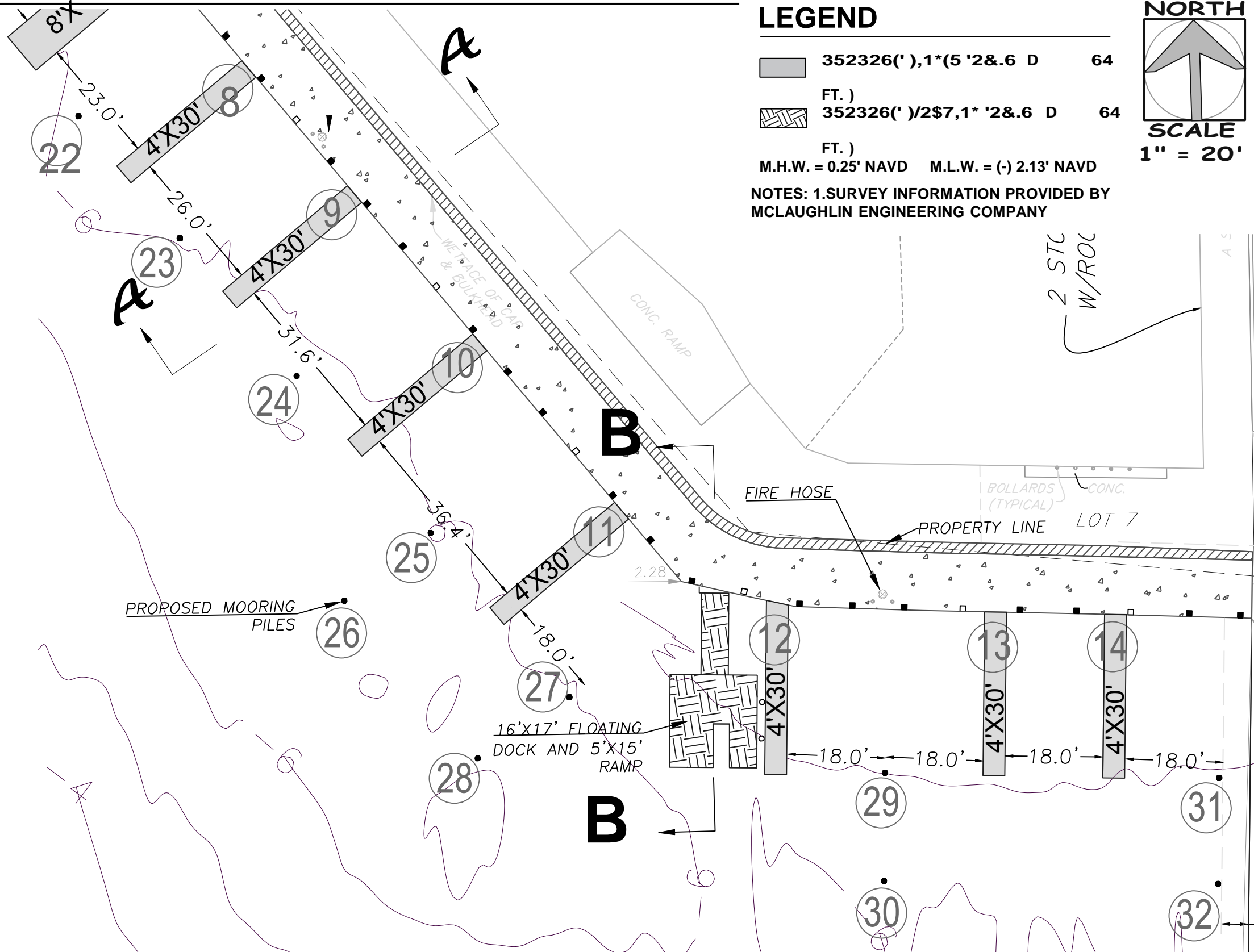
FT.)

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

NOTES: 1. SURVEY INFORMATION PROVIDED BY MCLAUGHLIN ENGINEERING COMPANY



PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Finger Pier #7	±43.7'	25'	±18.7'
Finger Pier #8	±44.0'	25'	±19.0'
Finger Pier #9	±44.3'	25'	±19.3'
Finger Pier #10	±44.6'	25'	±19.6'
Finger Pier #11	±45.2'	25'	±20.2'
Finger Pier #12	±43.9'	25'	±18.9'
Finger Pier #13	±40.7'	25'	±15.7'
Finger Pier #14	±39.1'	25'	±14.1'
Floating Dock	±43.1'	25'	±18.1'
Mooring Pile #22	±43.2'	25'	±18.2'
Mooring Pile #23	±44.0'	25'	±19.0'
Mooring Pile #24	±44.1'	25'	±19.1'
Mooring Pile #25	±44.2'	25'	±19.2'
Mooring Pile #26	±64.4'	25'	±39.4'
Mooring Pile #27	±44.8'	25'	±19.8'
Mooring Pile #28	±64.8'	25'	±39.8'
Mooring Pile #29	±41.9'	25'	±16.9'
Mooring Pile #30	±61.7'	25'	±36.7'
Mooring Pile #31	±37.5'	25'	±12.5'
Mooring Pile #32	±57.0'	25'	±32'



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Date: 2/22/17	Sheet : 2	of : 2
Proj No.: 16-0052		