

# ITEM VI

## MEMORANDUM MF NO. 22-08

DATE: May 11, 2022

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities Manager

RE: June 2, 2022 MAB Meeting – Application for Dock Permit – Robert & Jena Atlas / 1009 Cordova Road

Attached for your review is an application from Robert & Jena Atlas / 1009 Cordova Road (see **Exhibit 1**).

### APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for the usage of a 40' long x 10' wide floating dock and access ramps extending a maximum distance of +/- 12' from the wetface of the seawall on public property abutting the waterway adjacent to 1009 Cordova Road. City Code Section 8-144 (**Exhibit 1**) authorizes the construction and use of docks on public property, and allows for the permit to be issued provided the permit holder agrees to maintain the improvements and seawall.

### PROPERTY LOCATION AND ZONING

The property is located within the Rio Vista Isles RS-8 Residential Low Density Zoning District. The dock area is directly adjacent to the Rio Cordova canal with direct access to the Intracoastal Waterway.

### ENGINEERING REVIEW REQUIREMENT

As a requirement of City Code Section 8-144, approval of the application is contingent upon all improvements to the property being maintained in accord with City Engineering standards and in full compliance with building and zoning regulations including construction permits required for any future electrical and water feeds to the property.

The granting of this Permit is subject to all of the provisions of City Code Section 8-144 as well as the following terms and conditions, violation of any of which shall be grounds for revocation of the Permit:

1. The permit to use the docks shall expire upon the: (i) abandonment of the use of the dock; or (ii) recordation of the deed of conveyance transferring title to the upland parcel; or (iii) termination, expiration or revocation of the dock permit by the City Commission, whichever (i),(ii), or (iii) shall first occur.
2. Upon expiration of the permit to use the dock, the permit holder shall be obligated to remove the dock and all appurtenances thereto no later than three (3) months after the termination, revocation, or expiration of the permit to use the dock.
3. Signage such as "private dock" may be placed on the dock within the dock area, but not upon or within the public swale area.
4. Only vessels owned by the permit holder and registered with the City as part of the dock permit application may be moored at the permitted dock.

5. During the term of the dock permit, the permit holder shall be required to repair, replace, reconstruct or maintain the dock or adjacent seawall or both to meet the requirements of City Code 8-144 (7) and ULDR section 47-19.3 (f.) (4.). The public swale area shall be landscaped in accordance with the established landscape plan for the area in question adopted by the Department of Sustainable Development.
6. All improvements such as docks, seawalls and the like which are placed upon the public dock area or within the dock permit parcel or within the dock area and public swale area by a private person shall be constructed with appropriate permits from all applicable agencies. Maintenance and repairs shall be performed according to City Engineering standards and all applicable regulatory codes.
7. The public swale area shall be kept open at all times as means of reasonable ingress and egress to the public, but the permit holder shall have the right to exclude the public from the dock area.
8. Vessels berthed within the Dock Area must not encroach into the northerly or southerly extension of the 5' set-back required for the RS-8 zoning district for Applicant's (Permit Holder's) Property.
9. All installed docks must be either (i) floating docks that can adapt to sea level rise over their useful life span; or (ii) fixed docks installed at a minimum height consistent with the requirements of section 47-19.3(f); or (iii) fixed docks the height of which are even with the City's seawall, whichever (ii) or (iii) is the greater.
10. Except as to a tender, there shall be no rafting of vessels from the moored vessel.
11. The permit shall guarantee from the permit holder to the city to indemnify and hold the city harmless for any damage or injury to any person using such facilities.
12. Per 8-144 (6), penetration of the City's seawall to support the dock of attach improvements is prohibited, barring specified considerations
13. The Applicant has the responsibility to execute and deliver a Declaration of Covenants Running With the Land Respecting A City Issued Dock Permit to the City Attorney's Office no later than ten (10) days prior to the Commission meeting date.
14. The violation of any provisions of Code Section 8-144 or violations of any of the terms or conditions relative to the granting or renewal of a dock permit shall be unlawful and may constitute cause for revocation of the permit.

AC

Attachment

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

**APPLICATION FOR DOCK PERMIT**

**Applicant Name:** Robert and Jena Atlas

**Address:** 1009 Cordova Road  
Fort Lauderdale, FL 33316

**Type of Agreement:** New Permit with Existing Dock and Landscape Plan

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**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: **ROBERT S ATLASS AND JENA RISSMAN ATLASS, HUSBAND AND WIFE**

TELEPHONE NO: (954) 439-5625      (305) 542-1619 (Jena)      EMAIL: jena@atlassadr.com  
(home/cellular)      (business)

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

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: **Dock Permit**

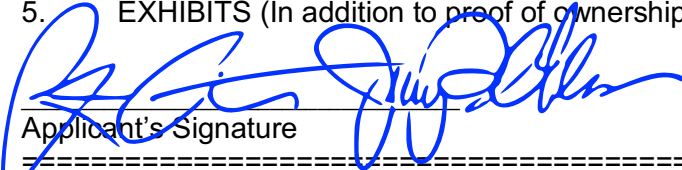
4. SITE ADDRESS: **1009 CORDOVA ROAD, FORT LAUDERDALE, FL 33316**      ZONING: **Residential**

LEGAL DESCRIPTION AND FOLIO NUMBER:

**LOT 29, BLOCK 22, RIO VISTA ISLES UNIT 3, according to the Plat thereof, recorded in Plat Book 7, Page 47, of the Public Records of Broward County, Florida.**

**Property ID#: 5042 11 18 1890**

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



Applicant's Signature

5/10/2022

Date

The sum of \$ \_\_\_\_\_ was paid by the above-named applicant on the \_\_\_\_\_ of \_\_\_\_\_, 20\_\_ 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 \_\_\_\_\_

Marine Advisory Board,

My wife and I recently purchased the property at 1009 Cordova Rd from Gex and Jamie Richardson. Prior to our purchase, the Richardsons were issued a permit by the Board (Resolution No. 21-122) and a Building Permit by the City of Fort Lauderdale (BLD-BDSP-22010015). The construction of the Dock was completed by the Richardsons and we intend to retain the dock as constructed, together with the landscape plan as approved by the Board, in accordance with both the MAB Dock Permit and the Building Permit. See copies of the pictures of the completed Dock included with our Application.

We are requesting that a Permit be issued to us by the Board. We are occupying the subject property as our primary residence and intend to dock our boat at the subject dock.

Respectfully,

Robert & Jena Atlass

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Prepared by:

**Thomas T. Coon, Jr., Esq.**  
**Capstone Title Partners, LLC**  
**888 S. Andrews Avenue, Suite 204**  
**Fort Lauderdale, FL 33316**  
**954-467-9899**

Return to:

**Craig D. Savage, P.A.**  
**18851 NE 29th Avenue, Suite 303**  
**Aventura, FL 33180**

File Number: **22-040**

Will Call No.:

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this 5<sup>th</sup> day of **May, 2022** between **Gex F. Richardson and Jamie G. Richardson, husband and wife**, whose post office address is **401 SE 25th Avenue #302, Fort Lauderdale, FL 33301**, grantor, and **Robert S. Atlass and Jena Rissman Atlass, husband and wife**, whose post office address is **1009 Cordova Road, Fort Lauderdale, FL 33316**, grantee:

(Whenever 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, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Broward County, Florida** to-wit:

**Lot 29, Block 22, RIO VISTA ISLES UNIT 3, according to the Plat thereof, recorded in Plat Book 7, Page 47, of the Public Records of Broward County, Florida.**

**Parcel Identification Number: 504211-18-1890**

**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 is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor 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, 2021**.

2

[Click here to display your 2021 TRIM Notice.](#)

<b>Site Address</b>	1009 CORDOVA ROAD, FORT LAUDERDALE FL 33316-1449	<b>ID #</b>	5042 11 18 1890
<b>Property Owner</b>	ATLASS, ROBERT S ATLASS, JENA RISSMAN	<b>Millage</b>	0312
<b>Mailing Address</b>	1009 CORDOVA RD FORT LAUDERDALE FL 33316-1449	<b>Use</b>	01-01
<b>Abbreviated Legal Description</b>	RIO VISTA ISLES UNIT 3 7-47 B LOT 29 BLK 22		

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\(8\)](#).

**! IT'S IMPORTANT THAT YOU KNOW:**  
 The 2022 values currently shown are considered "working values" and are subject to change. These numbers will change frequently online as we make various adjustments until they are finalized.

**Property Assessment Values**  
[Click here to see 2021 Exemptions and Taxable Values as reflected on the Nov. 1, 2021 tax bill.](#)

Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2022	\$250,000	\$1,261,350	\$1,511,350	\$1,207,300	
2021	\$250,000	\$922,140	\$1,172,140	\$1,172,140	\$21,544.04
2020	\$250,000	\$869,500	\$1,119,500	\$1,119,500	\$21,223.93

2022 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
<b>Just Value</b>	\$1,511,350	\$1,511,350	\$1,511,350	\$1,511,350
<b>Portability</b>	0	0	0	0
<b>Assessed/SOH 21</b>	\$1,207,300	\$1,207,300	\$1,207,300	\$1,207,300
<b>Homestead 100%</b>	\$25,000	\$25,000	\$25,000	\$25,000
<b>Add. Homestead</b>	\$25,000	0	\$25,000	\$25,000
<b>Wid/Vet/Dis</b>	0	0	0	0
<b>Senior</b>	0	0	0	0
<b>Exempt Type</b>	0	0	0	0
<b>Taxable</b>	\$1,157,300	\$1,182,300	\$1,157,300	\$1,157,300

Sales History -- Search Subdivision Sales			
Date	Type	Price	Book/Page or CIN
5/5/2022	WD-Q	\$2,875,000	118128149
10/20/2020	QCD-D	\$531,000	117002728
2/4/2014	WD-T	\$100	112080221
6/18/2012	QCD-D	\$5,000	48855 / 1633
4/21/2006	WD	\$3,300,000	42199 / 1389

Land Calculations		
Price	Factor	Type
\$40.00	6,250	SF
<b>Adj. Bldg. S.F. (Card, Sketch)</b>		3899
<b>Units/Beds/Baths</b>		1/4/3
<b>Eff./Act. Year Built: 1991/1990</b>		

[Special Assessments](#)



**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: Thomas T Coon Jr

Lynne Coon

Witness Name: Lynne Coon

Witness Name: Thomas T Coon Jr

Lynne Coon

Witness Name: Lynne Coon

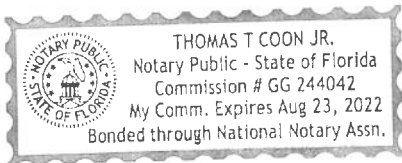
Gex F. Richardson (Seal)  
Gex F. Richardson

Jamie G. Richardson (Seal)  
Jamie G. Richardson

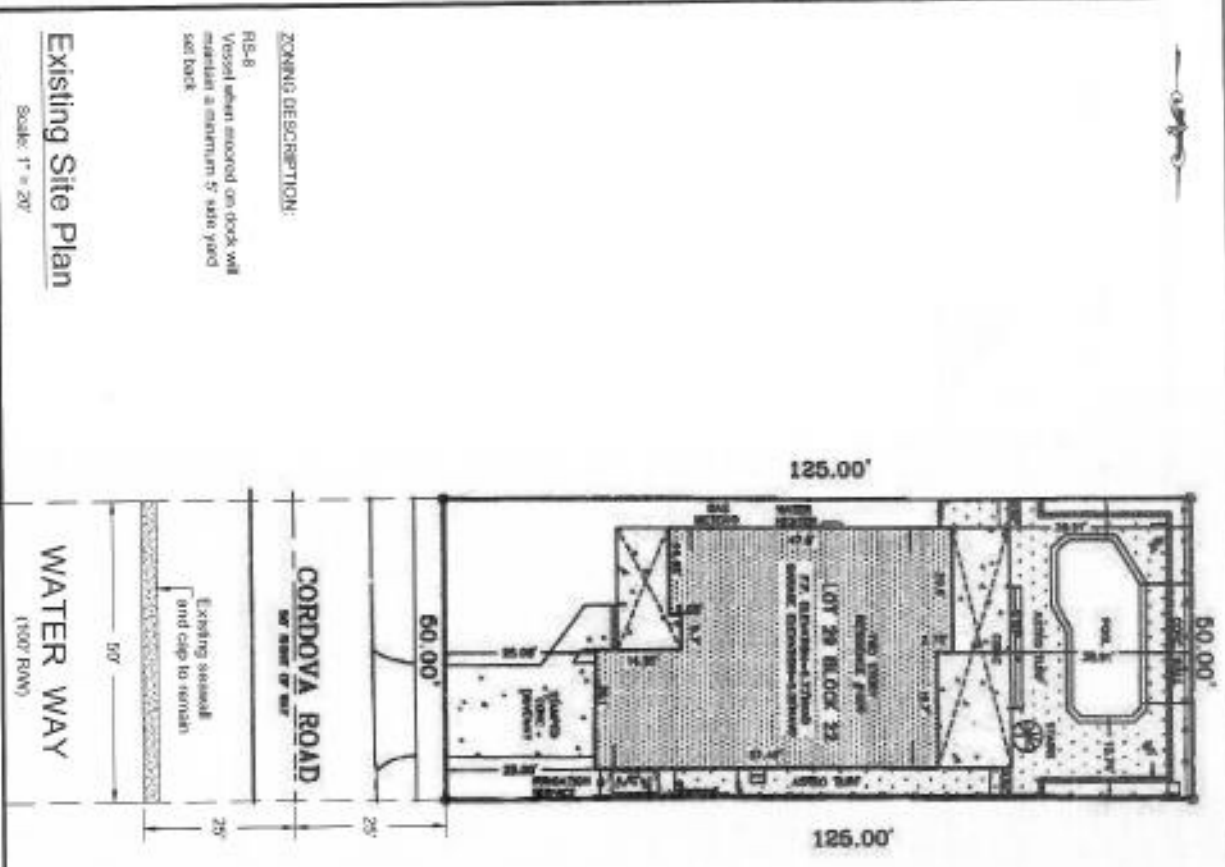
State of Florida  
County of Broward

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 5<sup>th</sup> day of May, 2022 by Gex F. Richardson and Jamie G. Richardson, who  are personally known or  have produced a driver's license as identification.

[Notary Seal]



[Signature]  
Notary Public  
Printed Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



ZONING DESCRIPTION:  
RS-8

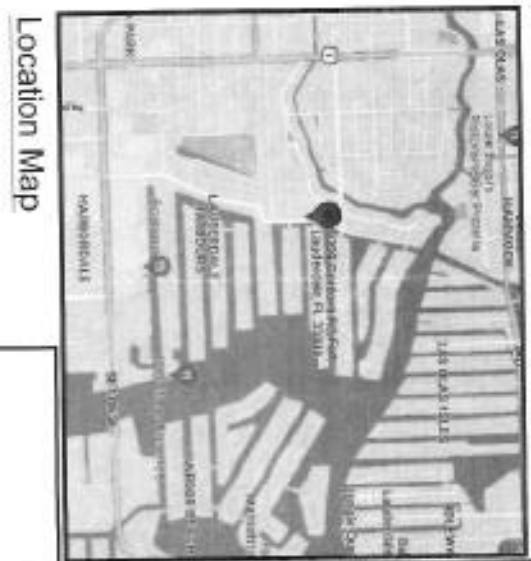
Vessels when moored on docks will maintain a minimum 5' side yard set back.

**Existing Site Plan**

Scale: 1" = 20'

See attached survey supplied by owner for exact property information.

NO. SECTION	1000 CORDOVA ROAD, FORT LAUDERDALE, FL 33301	CD #	1004-11-00-0000
PROPERTY OWNER	PRINCE BAY LUXURY HOMES, LLC	DATE	03/22/20
MAILING ADDRESS	1009 CORDOVA ROAD, FORT LAUDERDALE, FL 33301-1409	FILE	01
OWNER LEGAL	1000 CORDOVA ROAD, LOT 2, 1/4 SEC 11, T29N, R20W, S20		
DESCRIPTION			



Location Map

PRINCE BAY LUXURY HOMES  
517 Coconut Isle Drive  
Fort Lauderdale, Florida 33301  
(954) 651-2185

Project:  
Proposed Dock  
Gex & Jamie Richardson  
1009 Cordova Road  
Fort Lauderdale, Florida 33301

Sheet 1 of 5

MARK E. MYERS, P.E.  
LICENSED SURVEYOR, FLA. 00002  
MARK E. MYERS & ASSOCIATES, INC.  
202 W. CHAMBERS ST.  
FORT LAUDERDALE, FL 33301  
WWW.MEASURINGSURVEYING.COM











## VESSEL INFORMATION

Manufacturer: Jupiter  
Model: 29 Open Fisherman  
Length: 29 ft 6 in  
Beam: 9 ft 4 in  
Owner: Robert Atlass  
Boat Name: Unhinged





# FLORIDA VESSEL REGISTRATION

FL/DO # **FL8066NH**    DECAL **09417825**    Expires **Midnight Sat 5/27/2023**

YR/AR **2007/MEV**    BODY **VS**

HIN **MEV29114H607**

HULL **FRGLSS**    PROPUL **OUTBRD**

USE **PLSRE**    TYPE **OPEN**

DL/FEED **A342777591876**

Date Issued **5/4/2022**

CO/AGY	10 / 11	TR	1645571699
		B#	5628825
Reg Tax		Class Code	100
Int Reg		Tax Months	12
County Fee	38.63	Back Tax Mon	0
Mail Fee	0.85	Credit Class	0
Sales Tax		Credit Months	0
Voluntary Fees			
Grand Total	123.48		

**ROBERT STUART ATLASS**  
**1009 CORDOVA RD**  
**FORT LAUDERDALE, FL 33318**

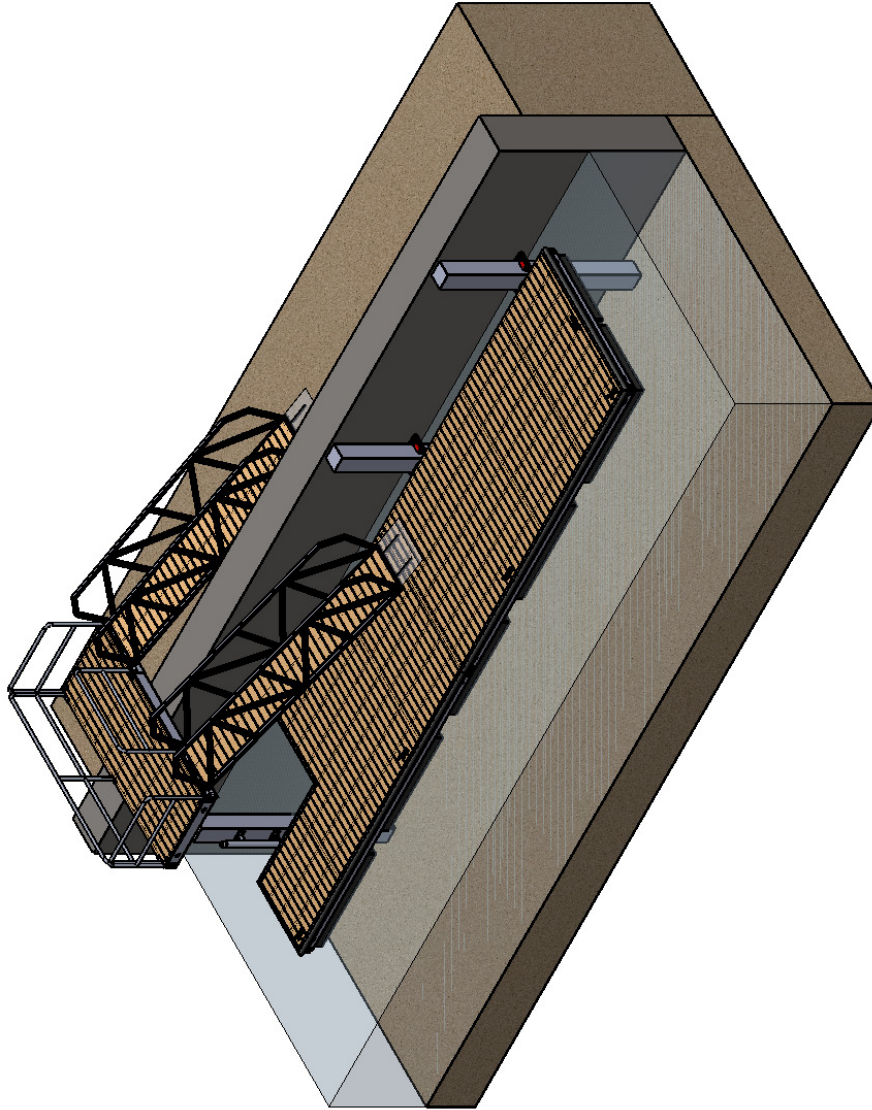
### IMPORTANT INFORMATION

1. Your registration must be updated to your new address within 30 days of moving.
2. Registration renewals are the responsibility of the registrant and shall occur during the 30-day period prior to the expiration date shown on this registration. Renewal notices are provided as a courtesy and are not required for renewal purposes.

4 3 2 1

**GEX RICHARDSON**  
ISOMETRIC VIEW - OVERALL

ZONE	REV.	DESCRIPTION	DATE	APPROVED



B

A

B

A

Tolerances are 1/16" unless specified otherwise



Your First Choice for Floating Dock Solutions

DRAWN:	D. Rebolbar
CHECKED:	N. Graham
DATE:	9/27/2021

REV	SCALE: 1:20
SHEET 1 OF 9	

INVOICE #:	8302
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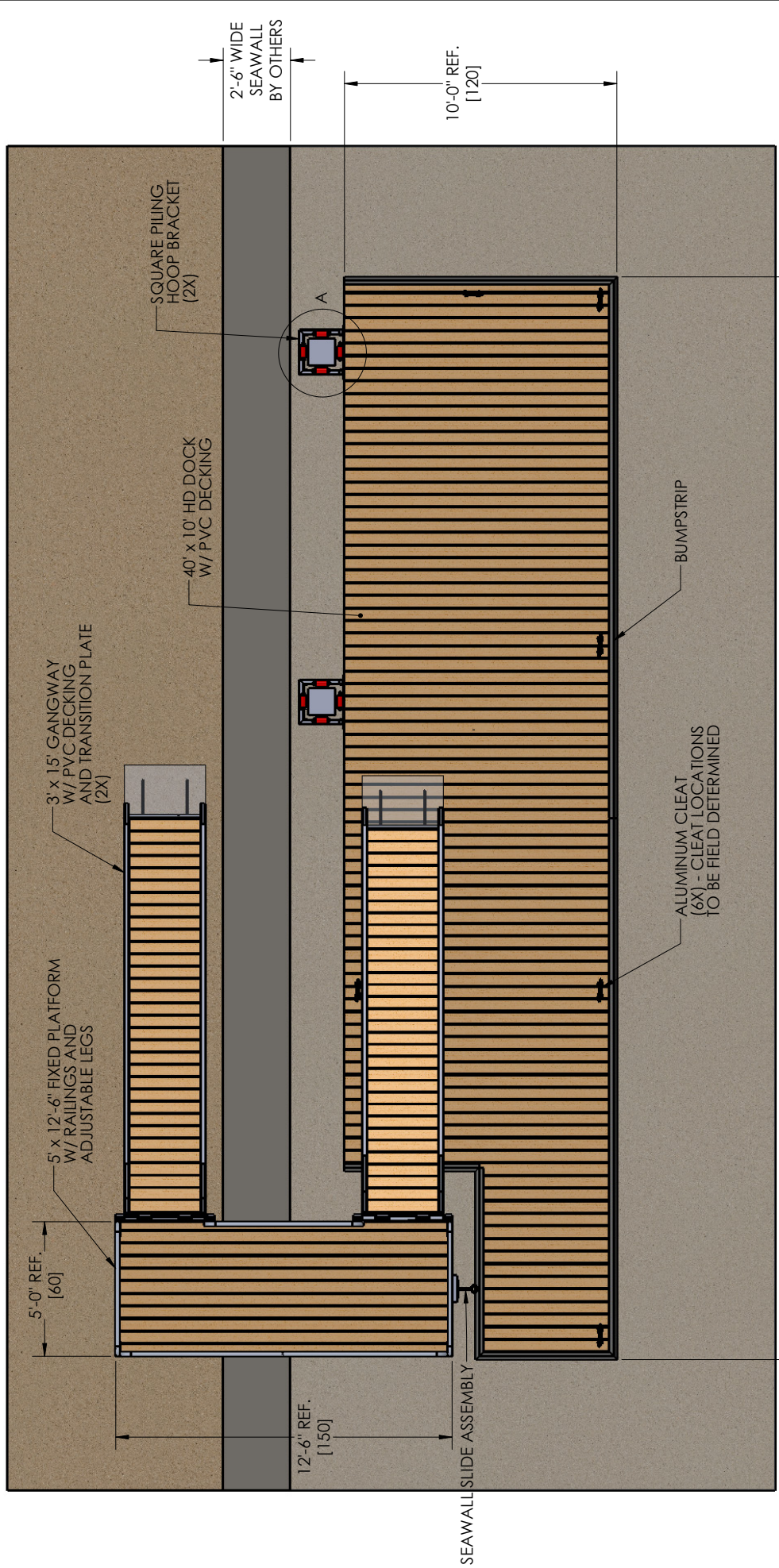
REF #:	Gex Richardson
--------	----------------

PART:	10' X 40' Dock Layout
-------	-----------------------

1 2 3 4

4 3 2 1

**GEX RICHARDSON**  
PLAN VIEW - WITH CALL-OUTS



Tolerances are 1/16" unless specified otherwise

Accudock  
Your First Choice for Floating Dock Solutions

REV	SCALE: 1:96	DRAWN: D. Rebolbar
SHEET 2 OF 9		CHECKED: N. Graham
		DATE: 9/27/2021

INVOICE #:	8302
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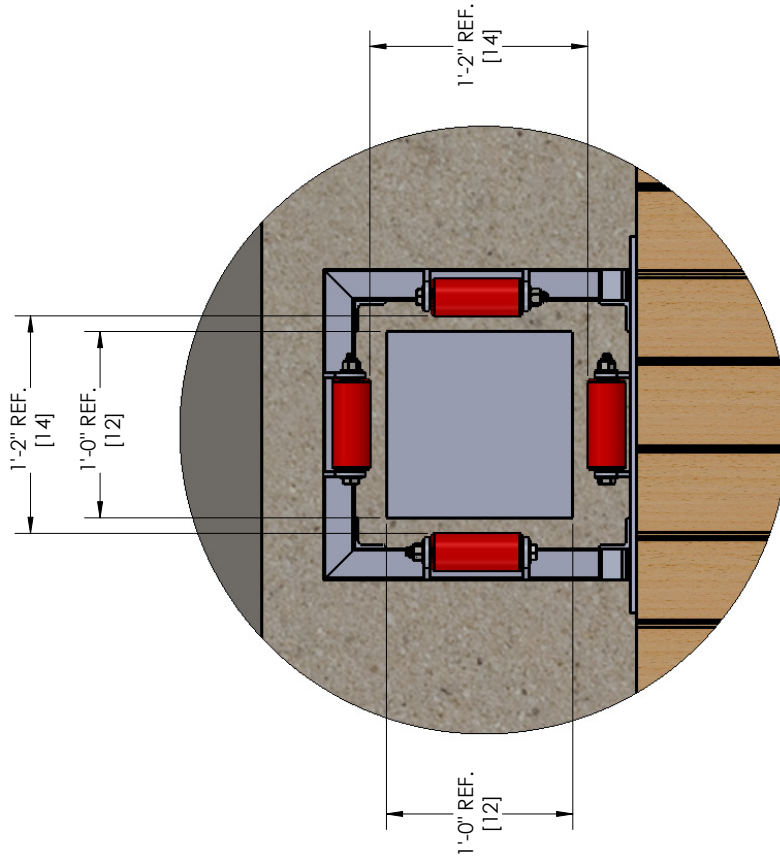
REF #:	Gex Richardson
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PART:	10' X 40' Dock Layout
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4 3 2 1

4 3 2 1

**GEX RICHARDSON**  
 PILING BRACKET DETAIL VIEW - WITH DIMENSIONS



**DETAIL A**  
 SCALE 1 : 8

B

A

B

A

Tolerances are 1/16" unless specified otherwise

Your First Choice for Floating Dock Solutions

DRAWN:	D. Rebolbar
CHECKED:	N. Graham
DATE:	9/27/2021

REV	SCALE: 1:128
SHEET 3 OF 9	

INVOICE #:	8302
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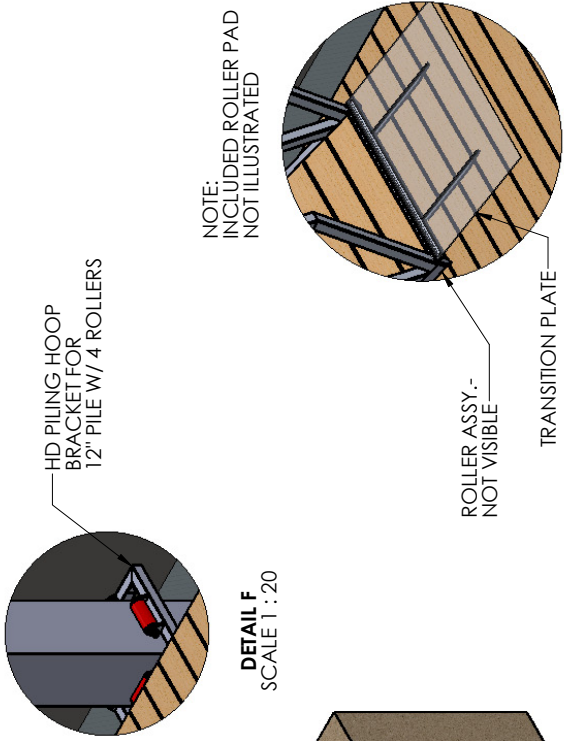
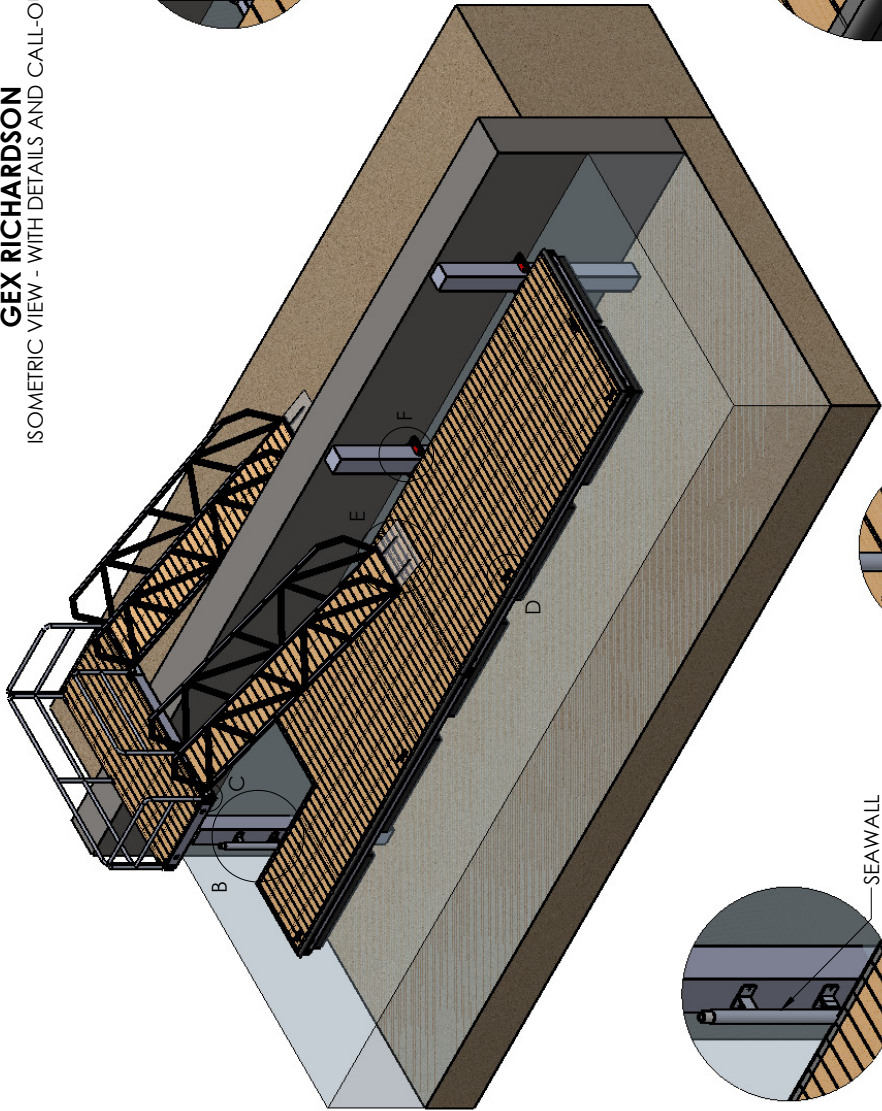
REF #:	Gex Richardson
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PART:	10' X 40' Dock Layout
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1 2 3 4

4 3 2 1

**GEX RICHARDSON**  
ISOMETRIC VIEW - WITH DETAILS AND CALL-OUTS



NOTE:  
INCLUDED ROLLER PAD  
NOT ILLUSTRATED

**DETAIL E**  
SCALE 1 : 20

**DETAIL D**  
SCALE 1 : 12

**DETAIL C**  
SCALE 1 : 12

**DETAIL B**  
SCALE 1 : 32



REV	DRAWN: D. Rebolkar
SCALE: 1:128	CHECKED: N. Graham
SHEET 4 OF 9	DATE: 9/27/2021

INVOICE #: 8302

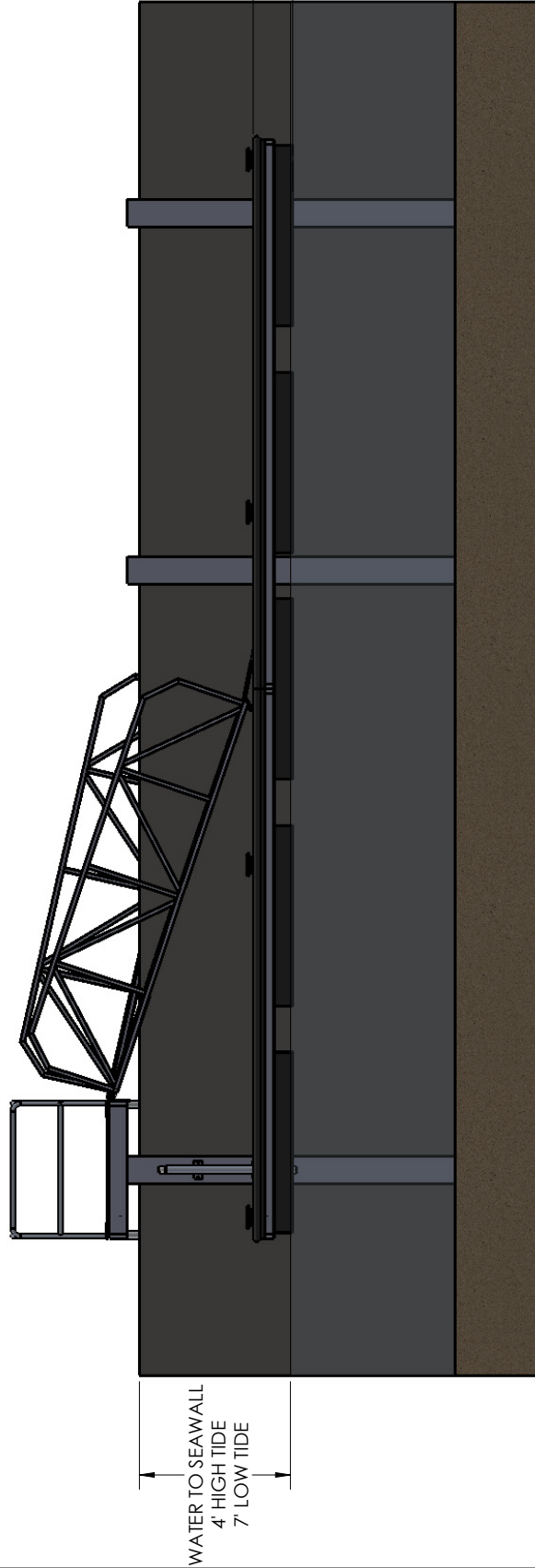
REF #: Gex Richardson

PART: 10' X 40' Dock Layout

1 2 3 4

4 3 2 1

**GEX RICHARDSON**  
 FRONT VIEW - WITH DIMENSIONS  
 AND CALL-OUTS



1'-4" REF. [16]  
 APPROX. FREE-BOARD  
 1" REF. [1]  
 APPROX. DRAFT

B

A

B

A

4 3 2 1

Tolerances are 1/16" unless specified otherwise

Your First Choice for Floating Dock Solutions

REV	DRAWN: D. Rebolbar
SCALE: 1:96	CHECKED: N. Graham
SHEET 5 OF 9	DATE: 9/27/2021

INVOICE #: 8302

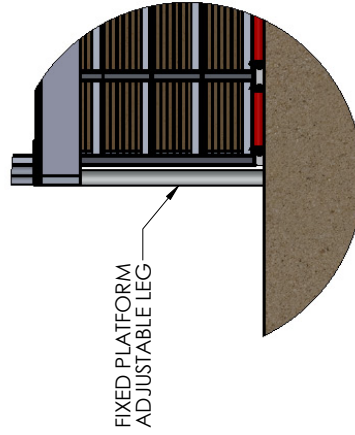
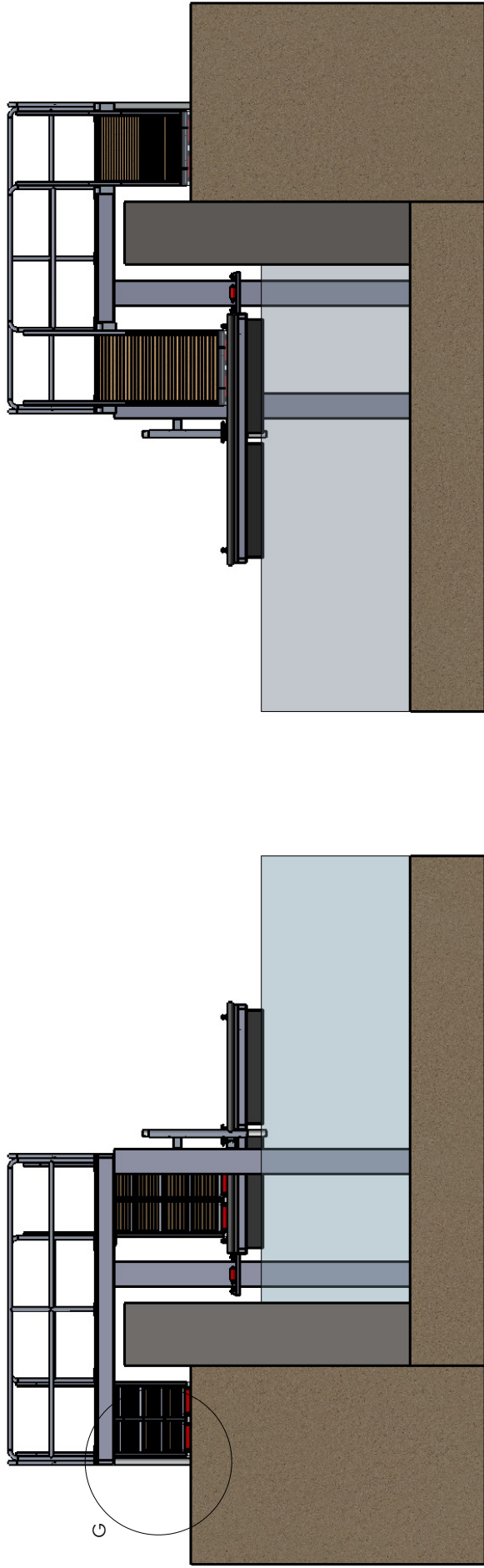
REF #: Gex Richardson

PART: 10' X 40' Dock Layout

CAM 22-0619

4 3 2 1

**GEX RICHARDSON**  
SIDE VIEWS - WITH DETAILS AND CALL-OUTS



**DETAIL G**  
SCALE 1 : 25

Tolerances are 1/16" unless specified otherwise

Your First Choice for Floating Dock Solutions

REV	DRAWN: D. Rebolbar
SCALE: 1:96	CHECKED: N. Graham
SHEET 6 OF 9	DATE: 9/27/2021

INVOICE #: 8302

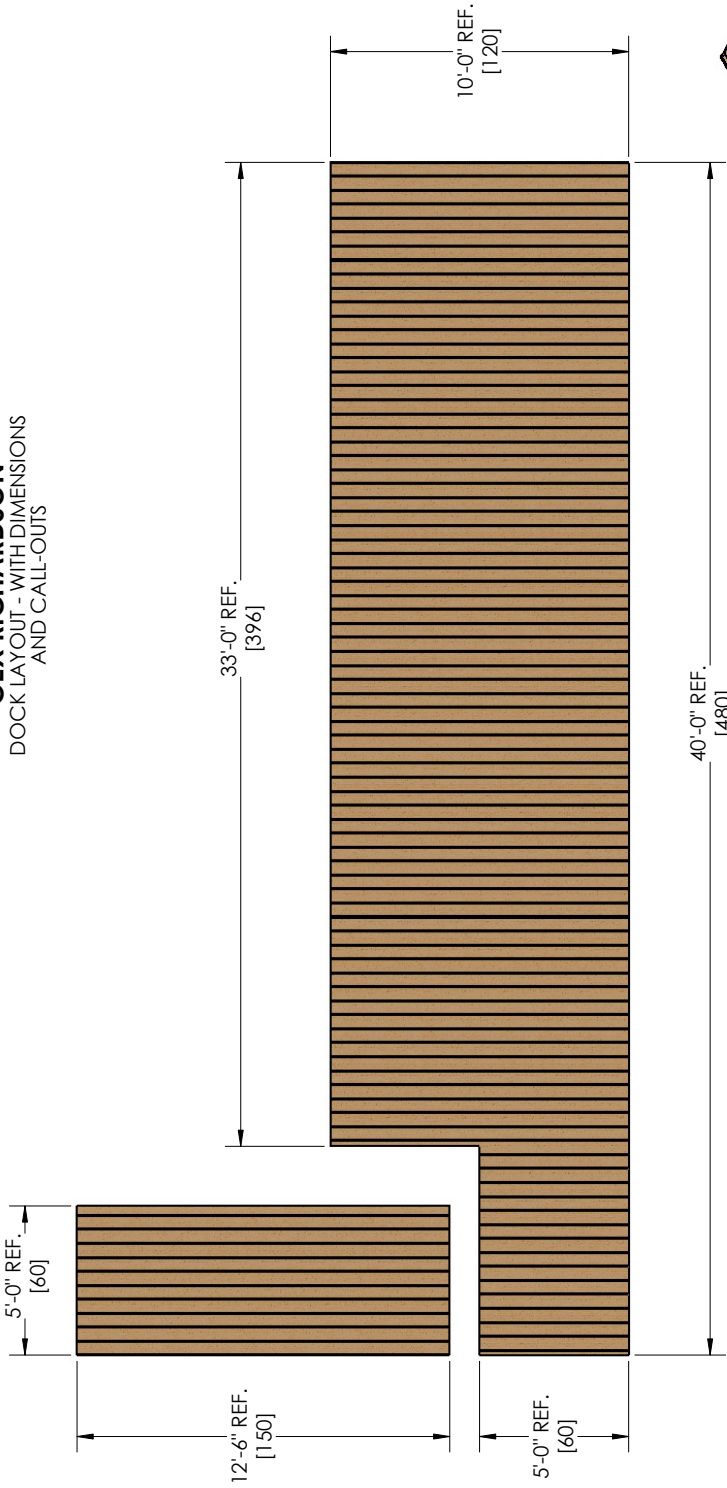
REF #: Gex Richardson

PART: 10' X 40' Dock Layout

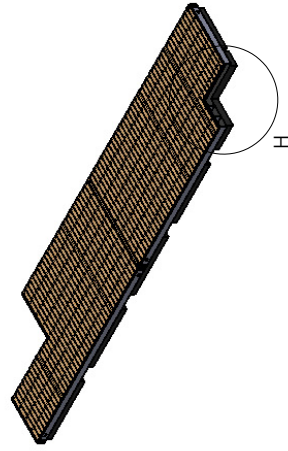
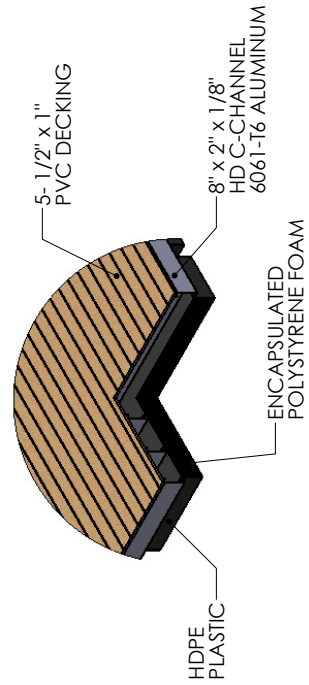
4 3 2 1

4 3 2 1

**GEX RICHARDSON**  
DOCK LAYOUT - WITH DIMENSIONS  
AND CALL-OUTS



**DETAIL H**  
SCALE 1 : 40



Tolerances are 1/16\"/>  
unless specified otherwise

Your First Choice for Floating Dock Solutions

REV	DRAWN: D. Rebolbar
SCALE: 1:96	CHECKED: N. Graham
SHEET 7 OF 9	DATE: 9/27/2021

INVOICE #: 8302

REF #: Gex Richardson

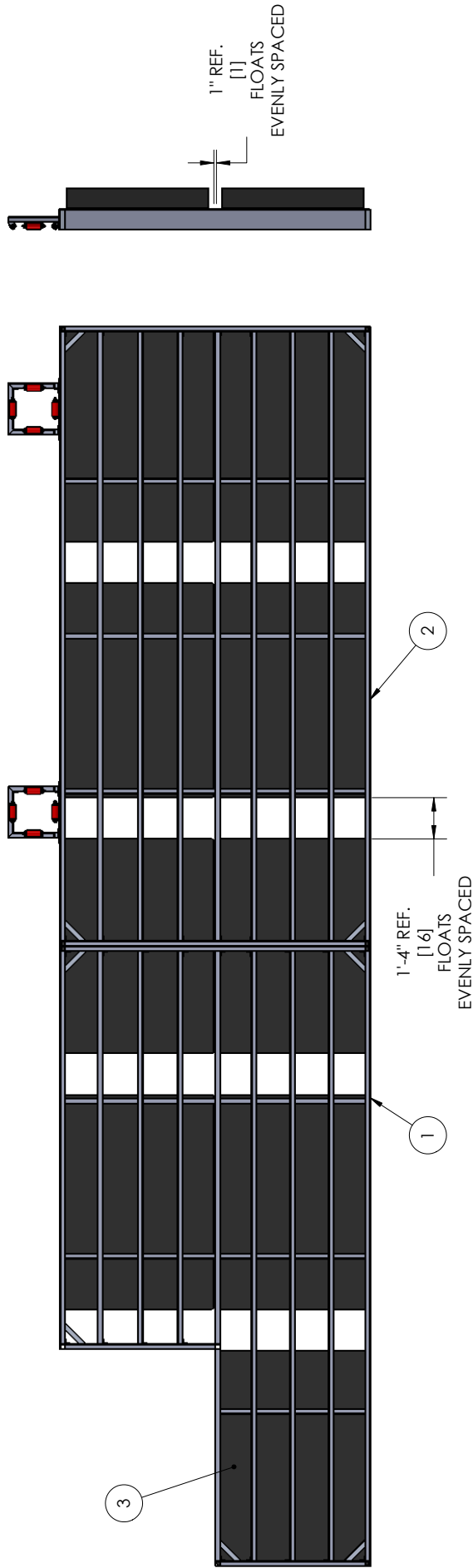
PART: 10' X 40' Dock Layout

4 3 2 1



4 3 2 1

**GEX RICHARDSON**  
 PLAN VIEW - HD FRAME AND  
 FLOAT LAYOUT



B

A

CAM 22-0619  
 Exhibit 1  
 Page 25 of 38

PART: 10' X 40' Dock Layout	REF #: Gex Richardson	INVOICE #: 8302	REV	DRAWN: D. Rebolbar
			SCALE: 1:96	CHECKED: N. Graham
			SHEET 8 OF 9	DATE: 9/27/2021

Tolerances are 1/16"  
 unless specified otherwise

Your First Choice for Floating Dock Solutions

4 3 2 1

4 | 3 | 2 | 1

ITEM NO.	DESCRIPTION	QTY.	PROJECT QTY.	NOTES
1	10' x 20' x 8" HD Frame - with 5' x 7' cutout section	1	1	
2	10' x 20' x 8" HD Frame	1	1	
3	5' x 7' x 8" Black Float	9	9	

B

B

A

A



REV  
SCALE: 1:96  
SHEET 9 OF 9

INVOICE #: 8302

REF #: Gex Richardson

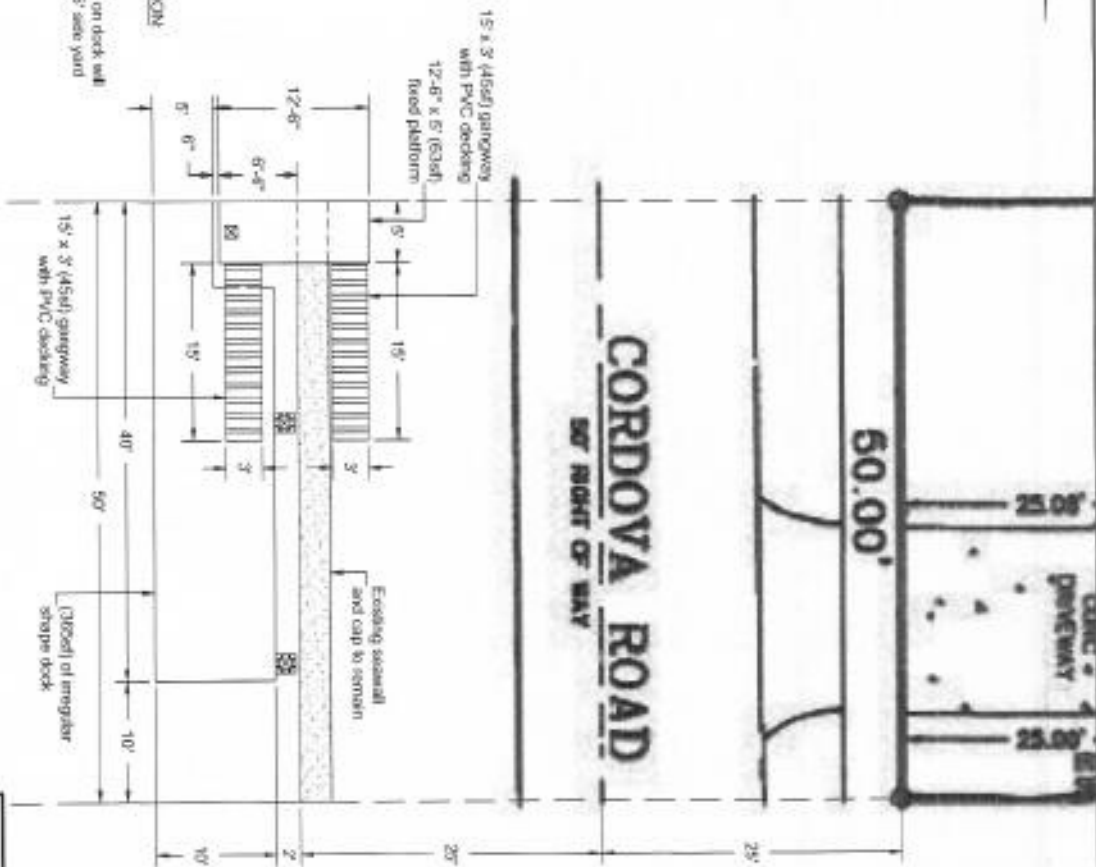
PART: 10' X 40' Dock Layout

Drawn: D. Rebolbar  
Checked: N. Graham  
Date: 9/27/2021

4 | 3 | 2 | 1

See attached survey supplied by owner for exact property information.

Site Address	151 S CORDOVA ROAD, FORT LAUDERDALE, FL 33301	PLAT	11-18-1000
Property Owner	200 WOODS BLVD, SUITE 200, FORT LAUDERDALE, FL 33301	DATE	03/12
Working Address	151 S CORDOVA ROAD, FORT LAUDERDALE, FL 33301	DATE	01
Client Name	200 WOODS BLVD, SUITE 200, FORT LAUDERDALE, FL 33301	DATE	01
Drawn by			



**ZONING DESCRIPTION**

RS-4  
Vocals when moored on dock will maintain a minimum 5' side yard set back

**Proposed Site Plan**

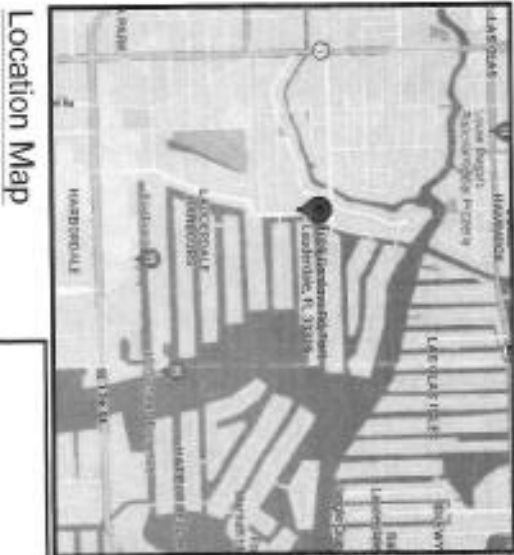
Scale: 1" = 20'

**WATER WAY**  
(1150' ROW)

PRINCE BAY ARCHITECTURAL & DESIGN  
GROUP PRINCE BAY LUXURY HOMES  
517 Coconut Isle Drive  
Fort Lauderdale, Florida 33301  
(954) 421-1700

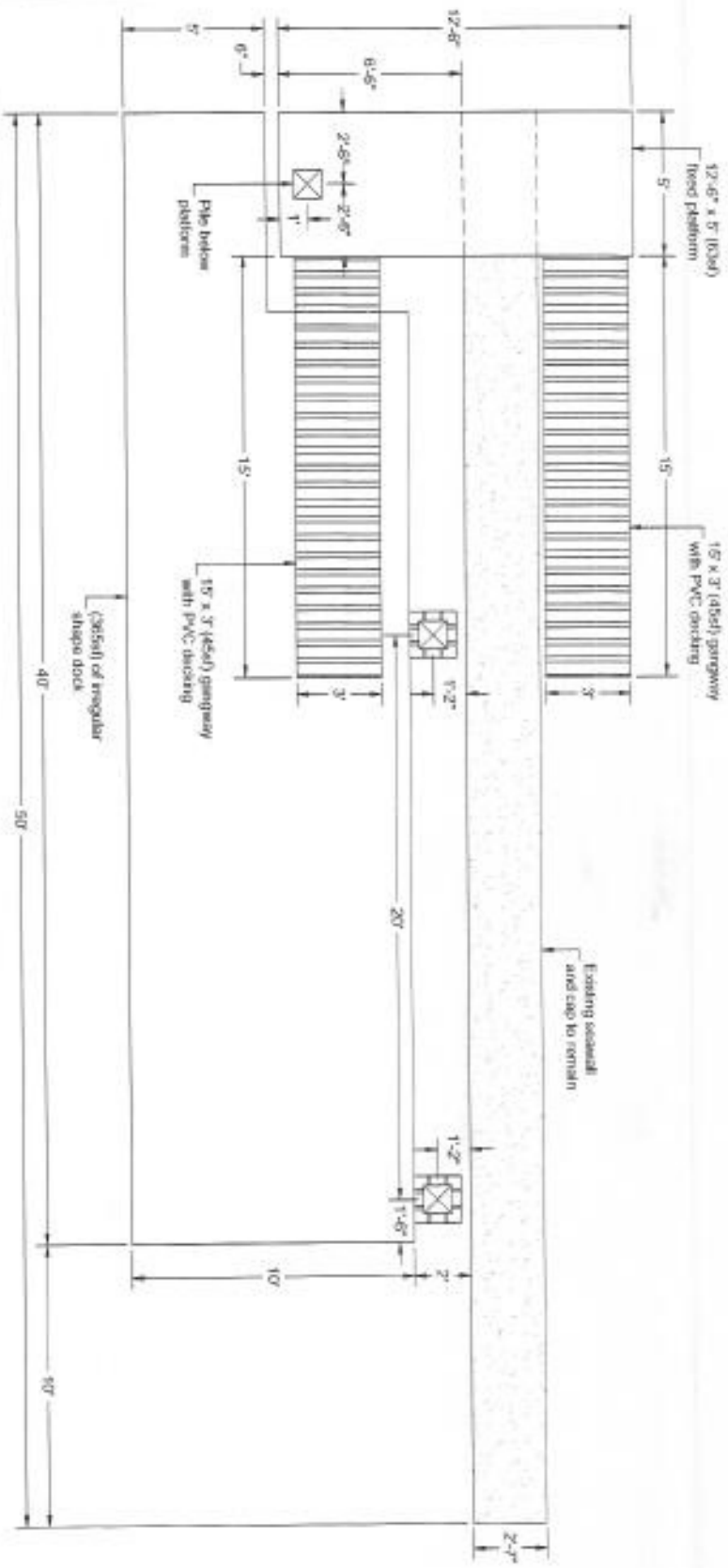
Project:  
Proposed Dock  
Geis & Jamie Richardson  
1009 Cordova Road  
Fort Lauderdale, Florida 33301

DATE: 11/20/10  
LICENSE: 65980 ICA 8009  
NO. 1009333001, 02  
1009333001, 02  
1009333001, 02  
1009333001, 02  
1009333001, 02



Location Map

Sheet 2 of 5



**Overall Plan View**

Scale 1/4" = 1'-0"

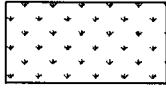
PRINCE BAY ARCHITECTURAL & DESIGN  
 GROUP PRINCE BAY LUXURY HOMES  
 517 Cooper Lake Drive  
 Fort Lauderdale, Florida 33301  
 (954) 421-1700

Project:  
 Proposed Dock  
 Gen & Jamie Richardson  
 1009 Cardova Road  
 Fort Lauderdale, Florida 33301

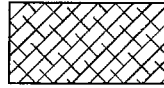
Sheet 3 of 5

DATE: 02/28/2017  
 1:00PM  
 PROJECT: PROPOSED DOCK  
 1009 CARDOVA ROAD  
 FORT LAUDERDALE, FL 33301  
 DRAWN BY: J. RICHARDSON  
 CHECKED BY: J. RICHARDSON  
 APPROVED BY: J. RICHARDSON

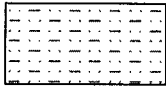
## LEGEND



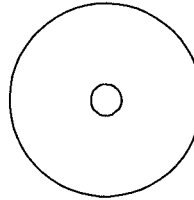
ST. AUGUSTINE SOD,  
TIGHT SEAMS, FULL COVERAGE



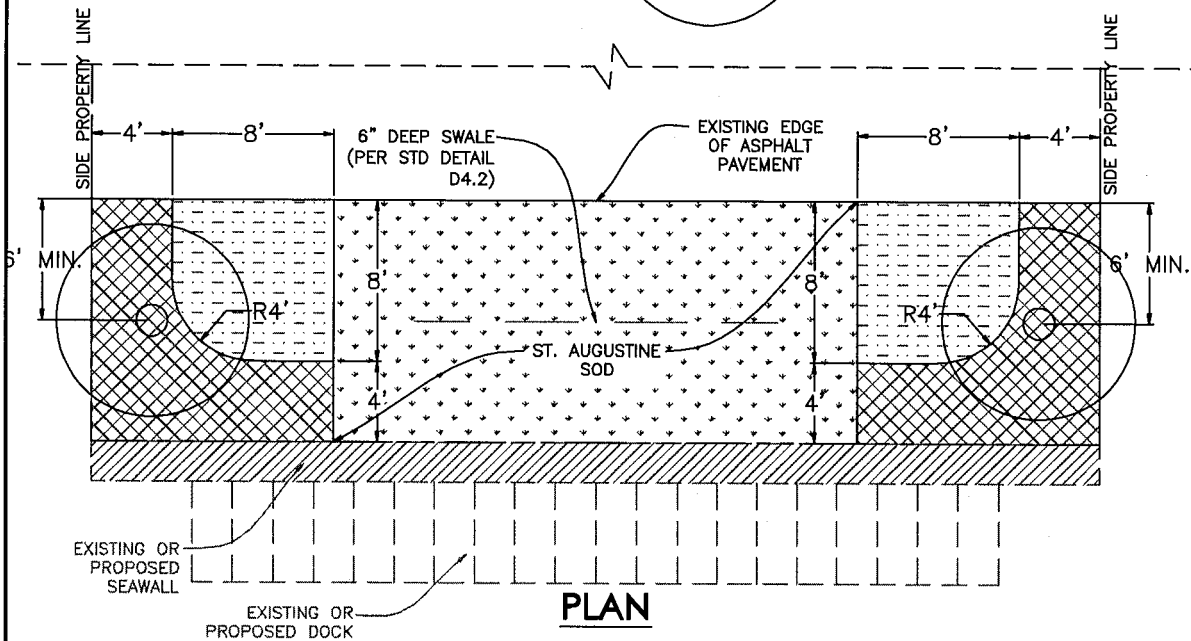
MUHLY GRASS:  
18" - 24" TALL  
18" - 24" ON CENTER



INDIAN HAWTHORN:  
12" - 18" TALL  
12" - 18" ON CENTER



12' SILVER BUTTONWOOD TREE,  
MULTI



## GENERAL NOTES:

1. ALL IRRIGATION & PLANT MATERIAL SHALL BE INSTALLED & MAINTAINED BY APPLICANT.
2. ALL PLANT MATERIAL SHALL BE FLORIDA #1 GRADE OR BETTER.
3. ALL PLANT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH INDUSTRY BEST MANAGEMENT PRACTICES.
4. ALL AREAS TO RECEIVE AUTOMATIC IRRIGATION FROM A PERMANENT WATER SOURCE PROVIDING 100% COVERAGE AND A RAIN SENSOR SHUT OFF.
5. ALL PLANT MATERIAL SUBSTITUTIONS SHALL BE FLORIDA-FRIENDLY LANDSCAPING (FFL) EQUIVALENT.

ISSUED:  
2/2015



CITY OF FORT LAUDERDALE  
DEPT. OF SUSTAINABLE DEVELOPMENT

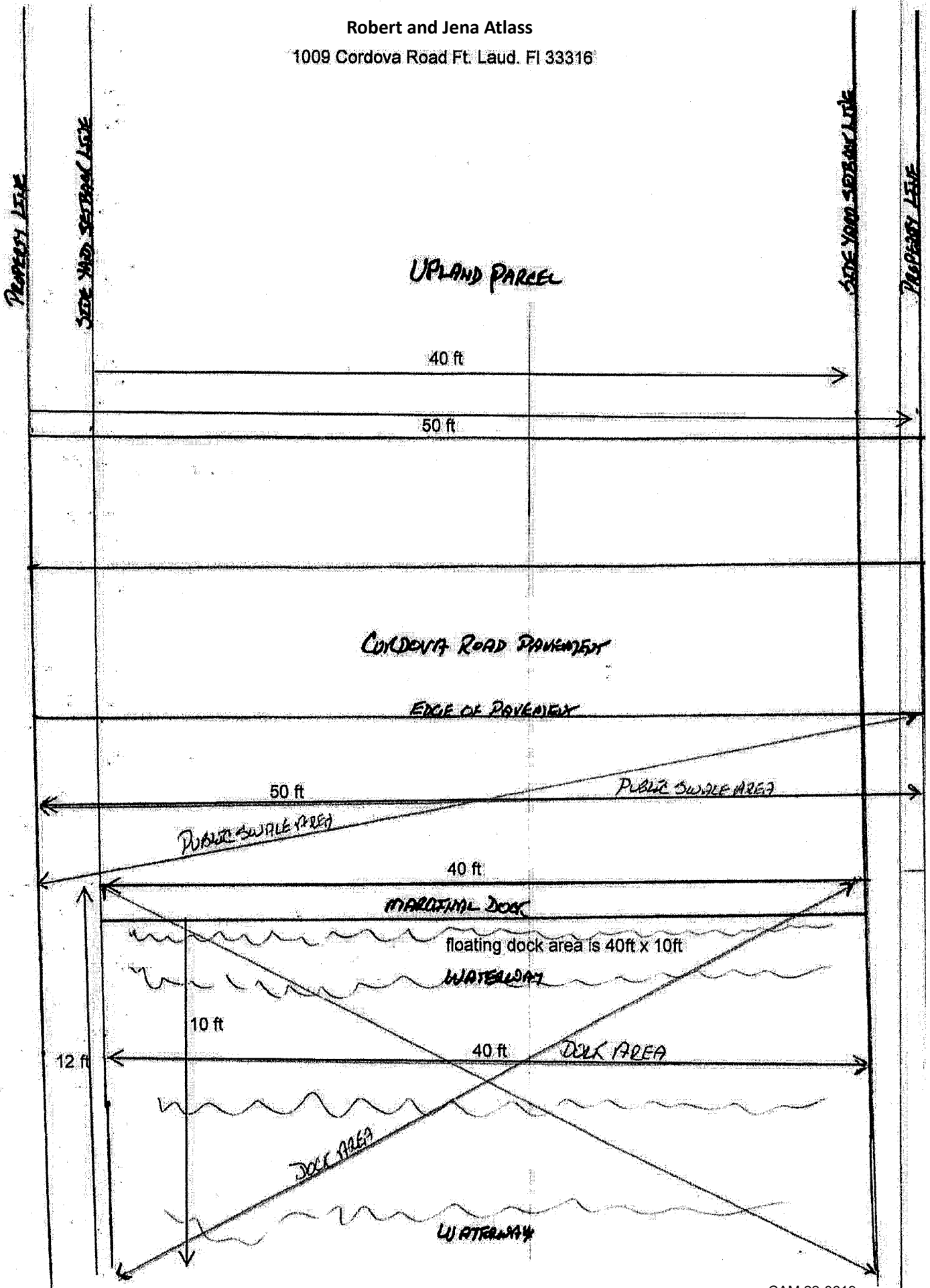
REVISED:

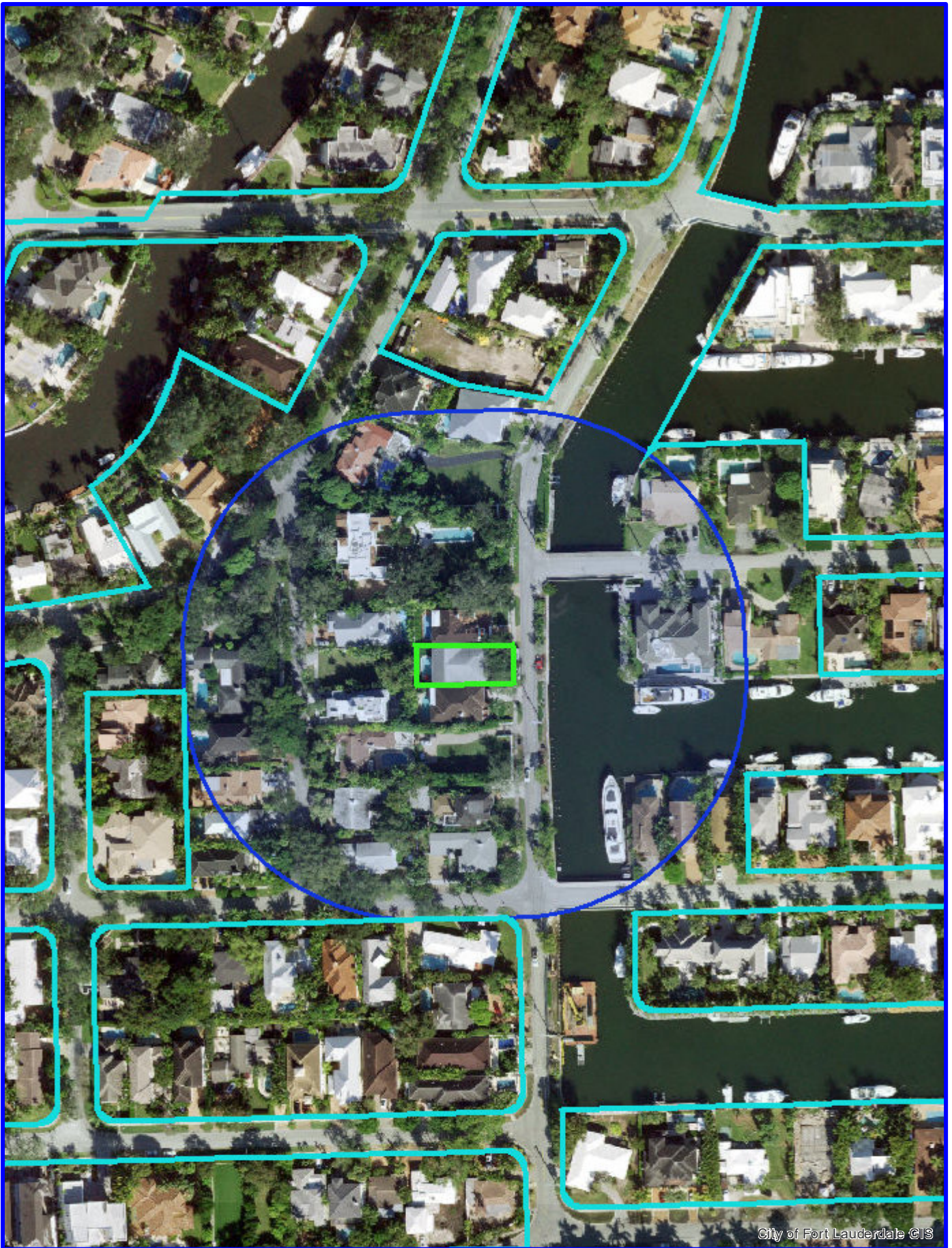
URBAN DESIGN & PLANNING  
ENGINEERING DIVISION

LANDSCAPING PLAN (ROW)

SCALE:  
1"=10'

Robert and Jena Atlas  
1009 Cordova Road Ft. Laud. Fl 33316





City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

1009 Cordova Road



0 90 180 Feet

**GIS**  
Fort Lauderdale

Sec. 8-144. - Private use of public property abutting waterways.

The city commission, by resolution duly adopted, may grant a dock permit for the use by private persons of certain public property abutting or touching a waterway, including some public property described in section 8-143 as set forth herein, except: (i) areas being utilized as municipal docks for which docking fees are being charged and collected and those areas under license by the city; (ii) street ends as more particularly defined herein; (iii) city parks; (iv) subject to certain conditions set forth in subsection (17) hereof. Upland parcels with property lines that abut or are contiguous to a navigable waterway independent of that described in section 8-143(a), and (v), certain upland parcels falling within the ambit of the Florida Supreme Court case of *Burkart v. City of Fort Lauderdale*, 168 So. 2d 65 (Fla. 1964) and more particularly defined below in subsection (18) hereof, said dock permits may be granted under the following conditions and restrictions, to-wit:

- (1) Application for a dock permit under this section shall be accompanied by an administrative fee, the amount of which shall be reflective of the cost of administering the application, review and adoption of resolution granting a permit for the use by private persons of public property abutting or touching a waterway and shall be established from time to time by the city commission by duly adopted resolution. As to upland parcels, the application shall also be accompanied by a survey of the upland parcel and adjacent waterway qualifying for the dock permit with the side property lines and side yard setback lines extended into the abutting waterway. The application shall further be accompanied by a sketch and description illustrating the specific location and dimensions of the dock area and public swale area, as more particularly defined below, to be reviewed and recommended for approval to the city commission. An application for a dock permit may be filed by contract vendee prior to obtaining fee simple title to the upland parcel, provided, however, the granting of a dock permit will not be effective until such time as the conveyance of fee simple title of the upland parcel to the applicant has been recorded in the Public Records of Broward County, Florida.
  - (a) Ten (10) days prior to adoption of the resolution granting a dock permit, the applicant shall: (i) execute a covenant running with the land, in a form and content acceptable to the city attorney, binding the obligation of maintenance, repair, and reconstruction and timely removal of the dock and appurtenant seawall to the applicant/permit holder and qualifying upland parcel and providing for a claim of lien to be recorded against the qualifying upland parcel for costs expended by the city in maintaining, repairing, or reconstructing the permitted dock upon the failure permit holder's obligations relative thereto and removal of the permitted dock upon failure of the dock permit holder to remove the dock within the time specified in subsection 4(c) hereof, which such covenant shall be recorded by the city in the Public Records of Broward County, Florida, at the permit holder's



expense. In the event a claim of lien is recorded against the upland parcel and the city is thereafter reimbursed for the costs underlying the claim of lien, the city shall record a release, discharge or satisfaction of the claim of lien. In the event the dock and all appurtenances are timely removed, the covenant running with the land shall be released and discharged by the city, executed by the city manager or deputy city manager and such release or discharge shall be recorded by the city in the Public Records of Broward County, Florida, at the expense of the permit holder.

(2) The dock permit granted herein shall not be effective until such time as: (i) a certified copy of the resolution granting the dock permit has been recorded in the Public Records of Broward County, Florida by the city at the expense of the applicant/permit holder; (ii) together with a recorded copy of the covenant running with the land as referenced in subsection 1(a) above; and (iii) a copy of the recorded resolution and covenant running with the land is filed with the city's office of marine facilities. In order to optimize and preserve the existing character of the surrounding neighborhood, applicants for a permit under this section are limited to owners of upland parcels as hereinafter defined.

(a) An "upland parcel" is a parcel of land that by extending the side property lines thereof to perpendicularly intersect with the boundary lines of the adjacent waterway defined in section 8-143, where the upland parcel lies directly across the street from the public property abutting or touching a waterway identified in city code section 8-143, for which one may qualify for applying for a dock permit ("Public Dock Permit Parcel"). To qualify as an upland parcel, a principal building must be situated thereon. The owner(s) of the upland parcel, including contract vendees thereof, shall be the only person(s) eligible to apply for a dock permit for the public dock permit parcel across the street from the upland parcel.

(b) For a public dock permit parcel for an upland parcel where there is a curvature to the boundaries of the waterway, the office of marine facilities shall make recommendations to the marine advisory board with respect to criteria: (i) the length of the dock; (ii) the size and dimensions of the envelope within which a vessel may be berthed; (iii) dock area and public swale area as defined below. In its review, the marine advisory board shall make recommendations to the city commission as to: (i), (ii) and (iii) above, as well as other relevant terms and conditions. Applicants for a dock permit under this subsection 2(b) shall be limited to owners of upland parcels for which side property lines intersect in a non-perpendicular manner with the boundary lines of the adjacent waterway as defined in section 8-143.

(3) To allow the general public's access to the waterway abutting the public dock permit

parcel, the permitted length of a marginal permitted dock shall not exceed the width of the corresponding upland parcel as measured from the extension into the waterway of the side yard setbacks for the principal building on the upland parcel. The permitted length of a marginal permitted dock under subsection 2(b) above shall be determined by the city commission upon review of the marine advisory board recommendations. No vessel may be berthed in such a manner that it encroaches into the area proscribed under section 47-19.3(h). The permitted berthing envelope for a vessel shall be determined by the city commission upon review of the marine advisory board recommendations for public dock permit parcels described in subsection 2(b) above. The berthing of a vessel in such a manner that encroaches into the area proscribed under section 47-19.3(h) or exceeds the permitted berthing envelope as determined by the city commission for public dock permit parcels described in section 2(b) hereof shall be unlawful and a violation of this Code as set forth in section 1-6.

- (4) (a) During the term of the dock permit, the permit holder shall be required to repair, replace, reconstruct or maintain the dock or adjacent seawall or both to meet the requirements of section 47-19.3(f). "Boat slips, docks, boat davits, hoists and similar mooring structures" of the city's Unified Land Development Code and other relevant terms and conditions imposed by the resolution granting the dock permit. Permit holder shall also be required, during the term of the dock permit, to post and maintain a city-issued sign on the dock indicating the Resolution No. that authorized the permit to use the dock.
- (b) The permit to use the dock shall expire upon the: (i) abandonment of the use of the dock; or (ii) recordation of the deed of conveyance transferring title to the upland parcel; or (iii) termination, expiration or revocation of the dock permit by the city commission, whichever (i), (ii) or (iii)-shall first occur, subject to survivability of the obligation to remove the dock pursuant to subsection 4(c) below and the obligations within the covenant running with the land as set forth in subsection 1(a) hereof.
- (c) Except as set forth in subsection 4(e)(d) below, upon expiration of the permit to use the dock, the permit holder shall be obligated to remove the dock and all appurtenances thereto no later than three (3) months after the termination, revocation or expiration of the permit to use the dock. This provision shall be a continuing obligation that survives expiration of the permit to use the dock.
- (d) In the event a dock permit is granted to a successor applicant for the same public dock permit parcel within the time proscribed in subsection 4(d) hereof, the obligation to remove the dock and all appurtenances thereto shall be discharged as to the former permit holder and a release and discharge of the covenant

running with the upland parcel shall be executed by the city manager or deputy city manager and recorded by the city in the Public Records of Broward County, Florida at the expense of the permit holder.

- (e) The dock permit granted may be revoked by the city commission for good cause shown upon at least ninety (90) days advance notice to the permit holder and an opportunity for the permit holder to be heard.
- (5) All improvements such as docks, seawalls and the like which are made or placed upon the public dock permit parcel or within the dock area and public swale area by a private person shall be constructed with appropriate permits from all applicable regulatory authorities having subject matter jurisdiction regarding such matters. All maintenance and repairs shall be performed according to city engineering standards and all applicable regulatory codes including the city's Unified Land Development Code regulations; Florida Building Code and Broward County Amendments thereto.
- (6) All docks installed pursuant to this section must be either: (i) floating docks that can adapt to sea level rise over their useful life span; or (ii) fixed docks installed at a minimum elevation consistent with the requirements of section 47-19.3(f); or (iii) fixed docks the height of which are even with the city's seawall, whichever (ii) or (iii) is the greater. Penetrating the city seawall to support the dock or permanently attaching improvements, such as cleats, ladders, ramps, mooring whips or similar devices to the city's seawall is prohibited, unless: (a) specifically recommended pursuant to the dock building permit review process; or (b) where the seawall and dock are being constructed by the dock permit holder; or (c) upon demonstration of hardship, as it relates to accommodations under the Americans with Disability Act, as same may be amended from time to time and as authorized in the resolution granting the dock permit.
- (7) The holder of the permit shall be responsible for maintaining improvements within the dock area, as hereinafter defined and for maintaining and beautifying the public swale area, as hereinafter defined. The public swale area shall be landscaped in accordance with: (i) the established landscape plan for the area in question adopted by the department of sustainable development; or (ii) a landscape plan approved by the department of sustainable development and embodied in the resolution adopted by the city commission granting the permit under this section. Failure to do so shall be grounds for revocation of the permit.
  - (a) For the purposes of this section, the term "dock area" shall mean that area bounded by: (i) the upland cap of the seawall abutting the dock; and (ii) extending over the water the length and width of the dock; and (iii) including the area within which the vessel may be berthed and all appurtenances to the dock area. The length of the dock shall not exceed: (1) the distance between the extension into the waterway of the two (2) side yard setbacks for the principal building on the

corresponding upland parcel; nor (2) the boundaries of the dock as set by the city commission pursuant to subsection 2(b) above, whichever (1) or (2) above is applicable.

- (b) For the purposes of this section, the term "public swale area" shall be the area: (1) within the waterward extension of the side property lines of the upland parcel from the edge of the adjacent publicly dedicated right-of-way closest to the waterway to the wet-faced edge of the seawall cap, excluding therefrom the dock; or (2) the boundaries of the dock as set by the city commission pursuant to subsection 2(b) above, whichever (1) or (2) above is applicable.
- (8) Parking in the public swale area, where allowed, is intended to be temporary in nature. Overnight or long-term parking by persons associated with upland property owners under subsection 2(a) or (b) hereof both with and without a dock permit is discouraged. There shall be no fueling of vessels from tank trucks along the adjacent publicly dedicated right-of-way.
- (9) The holder of such dock permit shall not charge or collect any rent or fees from anyone using such dock constructed on the public dock permit parcel. Signage such as "private dock" may be placed on the dock within the dock area. No signage shall be placed upon or within the public swale area. Only vessels owned by the permit holder and registered with the city as part of the dock permit application or amended thereafter may be moored at the permitted dock. Except as to a tender, there shall be no rafting of vessels from the vessel moored at the permitted dock. The berthing of a vessel at a public dock permit parcel that is not authorized pursuant to the city commission granting a dock permit ("Unauthorized Vessel") shall be unlawful and a violation of the Code pursuant to section 1-6.
- (10) A permit granted to a permit holder to construct a dock or authorization to use an existing dock upon the public dock permit parcel and the acceptance and use of same by the permit holder shall constitute a guarantee from the permit holder to the city to indemnify and hold the city harmless for any damage or injury to any person using such facilities.
- (11) The public swale area shall be kept open at all times as means of reasonable ingress and egress to the public, but the permit holder shall have the right to exclude the public from the dock area.
- (12) The violation of any provisions of this section or any regulations relating thereto hereinafter enacted or violations of any of the terms or conditions relative to the granting or renewal of a dock permit shall be unlawful and a violation of this Code pursuant to section 1-6 and may also constitute cause for revocation of the permit.
- (13) The resolution granting the permit or the administrative approval of the permit for a renewal term may specify additional reasonable terms and conditions pertaining to the

use or improvement of the public dock permit parcel.

- (14) Only public lands which are not needed by the city for public docking purposes are available for private use under the terms hereof, and the supervisor of marine facilities shall furnish to the city manager a complete list of all street-ends and other city-owned property abutting waterways which is not needed for dockage purposes from time to time, provided, however, no dock permits shall be issued under subsection (15), (16), (17), and (18), except in compliance with the terms and conditions thereof.
- (15) No dock permits shall be issued for public dock permit parcels where the public right-of-way terminates at the waterway (e.g. "street ends"). For dock permits that were issued for street-ends prior to June 1, 2019, those dock permits shall continue to remain valid, until expiration of their initial term, and, upon renewal such dock permit shall be subject to the terms and conditions set forth in any renewal permits and this section, other than the prohibition against issuance of dock permits for street-ends.
- (16) To preserve the general public's right to intermittently use and have access to city parks located on waterways, no dock permits shall be issued for parcels where the public right-of-way is located within city-owned land that is used for park purposes. For dock permits that were issued for city-owned land that was used for park purposes at the time of issuance, those dock permits shall continue to remain valid, until expiration of their initial term, and, upon renewal such dock permit shall be subject to the terms and conditions set forth in any renewal permits and in this section, other than the prohibition against issuance of dock permits along public rights-of-way within city-owned lands used for park purposes.
- (17) Other than upland parcels referenced in subsection (18) below, subject to exceptions hereinafter set forth, no dock permits shall be issued for upland parcels that abut and are contiguous to a waterway and have riparian rights relative thereto after July 1, 2025 or after such date that the city raises the seawall with municipal funds, whichever is first. For dock permits that were issued prior to June 1, 2019 for upland parcels that abutted and are contiguous to a waterway and to which riparian rights have attached thereto, those dock permits shall continue to remain valid until expiration of their initial term, and, upon renewal such dock permit shall be subject to the terms and conditions set forth in any renewal permits and this section, other than the prohibition against issuance of dock permits for upland parcels that abut a waterway and have riparian rights. Any permits for these upland parcels issued after June 1, 2019 will require the raising of the seawall by the applicant to the current elevation standard as a condition of the dock permit.
- (18) In accordance with the Florida Supreme Court holding in *Burkart v. City of Fort Lauderdale*, 168 So. 2d 65 (Fla. 1964), dock permits shall not be required for the following lots and blocks set forth on the Plat of IDLEWYLD, as recorded in Plat Book 1,

Page 19 of the Public Records of Broward County, Florida: Lots 1—5 and 11—12 Block 1; Lots 1—6 Blocks 2, 3, 4, 5, 6, and 8; Lots 1-7, Block 8; and Lots 1—3 and 27—32, Block 12 thereof.

(Code 1953, § 11-12; Ord. No. C-68-23, § 2, 6-4-68; Ord. No. C-87-95, § 1, 11-17-87; Ord. No. C-17-28, § 20, 9-13-17; Ord. No. C-19-22, § 1, 10-2-19)