

ITEM V

MEMORANDUM MF NO. 14-14

DATE: October 10, 2014
TO: Marine Advisory Board
FROM: Andrew Cuba, Manager of Marine Facilities
RE: February 5, 2015 MAB - Dock Waiver of Distance Limitations
–1524 Land LLC / 1524 S. Ocean Drive

Attached for your review is an application from 1524 Land LLC / 1524 S. Ocean Drive (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting a recommendation for approval for the construction of a wood marginal dock, wood “L” dock, and the installation of a boat lift extending a maximum distance of +/-36’ from the property line into Mayan Lake. The distance that the proposed boat lift would extend from the property line into Mayan Lake is shown in the survey in **Exhibit 1** and summarized in Table1 below:

TABLE 1

PROPOSED STRUCTURE	STRUCTURE MAXIMUM DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING WAIVER
Boat Lift	+/-36’	25’	+/-11’

Section 47.19.3.C. limits the distance that mooring structures can extend to no more than twenty five (25) percent of the width of the waterway, or twenty-five (25) feet beyond the property line, whichever is less. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has indicated that the boat lift is necessary to properly moor the proposed vessel in adequate depths, as dredging is not an option due to sea grass.

PROPERTY LOCATION AND ZONING

The property is located within the RMH-25 Residential Multi Family / High Rise / Medium High Density Zoning District. It is situated on Mayan Lake, which are tidal waters, where the overall average width between property lines from shoreline to shoreline is approximately 230 feet, according to the survey provided in **Exhibit 1**.

DOCK PLAN AND BOATING SAFETY

Records reflect that there have been nine (9) waivers of docking distance limitations approved by the City Commission in relative proximity since 1984. A comparison of these

as shown in Table 2 including the maximum distances of all mooring structures extending into their adjacent waterways:

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
1984	27 Isla Bahia Drive	30'
1988	2430 Laguna Drive	50'
1992	2412 Laguna drive	49'
2002	2418 Laguna Drive	43'
2009	540 Lido Drive	45'6"
2009	209 Grand Birch, Slip 4	45'6"
2011	215 N. Birch Road	47.5'
2013	209 Grand Birch, Slip 3	39.3'
2014	321 N. Birch Road	75'

RECOMMENDATIONS

Should the Marine Advisory consider approval of the application, the Resolution under consideration for approval 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.
2. The applicant is required to provide guide poles on any portion of the mooring device that is capable of being submerged in accord with Code Section 8-91(d).
3. 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 City's Supervisor of Marine Facilities with copies of "As Built" drawings from a certified and licensed contractor.

AC
Attachment

cc: Carl Williams, Deputy Director of Parks and Recreation
Jon 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: 1524 Land LLC c/o Mr. Victor Doudine, Manager
TELEPHONE NO: 954-6165329 (home) FAX NO: 210-855-3789

2. APPLICANT'S ADDRESS (if different than the site address): 1524 S Ocean Drive, Fort Lauderdale Florida 33305

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: The applicant requests a waiver for the proposed installation of elevator boatlift beyond 25 feet from the property line.

SITE ADDRESS: 1524 S Ocean Drive, Fort Lauderdale Florida 33305
ZONING: RMH-25

LEGAL DESCRIPTION: HARBOR BEACH UNIT 2 21-18 B LOT 4 BLK 9

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

Victor Doudine
Applicant's Signature Date 10/7/14

The sum of \$ _____ was paid by the above-named applicant on the _____ of _____, 2014 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
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**EXHIBIT III
WARRANTY DEED**

RECORDED AND RETURNED

This Document Prepared By:
PATRICK G. KELLEY, ESQ.
PATRICK G. KELLEY, P.A.
1401 E. Broward Blvd., #206
Ft. Lauderdale, FL 33301
W.C. Lee Security

Parcel ID Number: 504213-03-0610

Warranty Deed

This Indenture, Made this _____ day of _____, 2013 A.D., Between

VICTOR DOUDINE, a single man
of the County of Broward, State of Florida, grantor, and

1524 LAND, LLC, a Florida limited liability company
whose address is: 3308 NE 16th Place, Fort Lauderdale, FL 33305

of the County of Broward, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of

----- DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of Broward, State of Florida, to wit:
Lot 4, Block 9, HARBOR BEACH UNIT TWO, according to the plat thereof, as recorded in Plat Book 21, Page 18, of the Public Records of Broward County, Florida.

Subject to zoning and/or restrictions and prohibitions imposed by governmental authority; restrictions, easements and other matters appearing on the plat and/or otherwise common to the subdivision and all matters set forth in the Declaration of Condominium; and taxes for the year 2013 and subsequent years.

Conveyance between related parties of unencumbered property, therefore, minimum documentary stamps are affixed. The Grantor is the sole member of the Grantee

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

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

Signed, sealed and delivered in our presence:

Patrick G. Kelley
Printed Name: PATRICK G. KELLEY
Witness

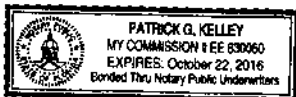
Victor V. Doudine (Seal)
VICTOR DOUDINE
P.O. Address: 3308 NE 16th Place
Fort Lauderdale, FL 33305

Brian Hero
Printed Name: BRIAN HERO
Witness

STATE OF
COUNTY OF

The foregoing instrument was acknowledged before me this 27th day of August, 2013 by

VICTOR DOUDINE
who is personally known to me or who has produced _____ as identification.



Patrick G. Kelley
Printed Name: _____
Notary Public
My Commission Expires: _____



Detail by Entity Name

Florida Limited Liability Company

1524 LAND, LLC

Filing Information

Document Number	L13000073317
FEI/EIN Number	N/A
Date Filed	05/17/2013
State	FL
Status	ACTIVE

Principal Address

3308 NE 16TH PLACE
FT. LAUDERDALE, FL 33305

Mailing Address

3308 NE 16TH PLACE
FT. LAUDERDALE, FL 33305

Registered Agent Name & Address

DOUDINE, VICTOR
3308 NE 16TH PLACE
FT. LAUDERDALE, FL 33305

Authorized Person(s) Detail

Name & Address

Title MGRM

DOUDINE, VICTOR
3308 NE 16TH PLACE
FT. LAUDERDALE, FL 33305

Annual Reports

Report Year	Filed Date
2014	02/14/2014

Document Images

[02/14/2014 -- ANNUAL REPORT](#)

View image in PDF format

**EXHIBIT IV
SUMMARY DESCRIPTION**

Summary Description
1524 S Ocean Drive
TCG Project No. 14-0034

The project site is located along the Mayan Lake at 1524 S Ocean Drive, in Section 13, Township 50, Range 42, in the City of Ft. Lauderdale, Broward County, Florida

The property is located along the Mayan Lake, which are tidal waters. The nearest direct connection to the Atlantic Ocean is 0.7 miles to the south at Port Everglades. As the project site is located along the Mayan Lake, the incoming tidal waters (flood) at the site move to the north and the outgoing waters (ebb) move to the south.

The subject site currently consists of an existing coral rock seawall. The proposed project is the construction of a wood marginal dock, wood "L" dock, and installation of a boat lift. As measured from the property line, the proposed boatlift will encroach more than 25' from the property line into Mayan Lake. As these distances are over the allowable 25' distance into the waterway from the property line, the proposed boatlift will require a variance waiver.

The proposed project has been permitted through the Florida Department of Environmental Protection (06-0328244-001). Application processing with the Broward County Environmental Protection & Growth Management Department (DF14-1136) is complete and license issuance is anticipated in the near future.

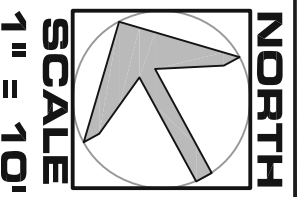
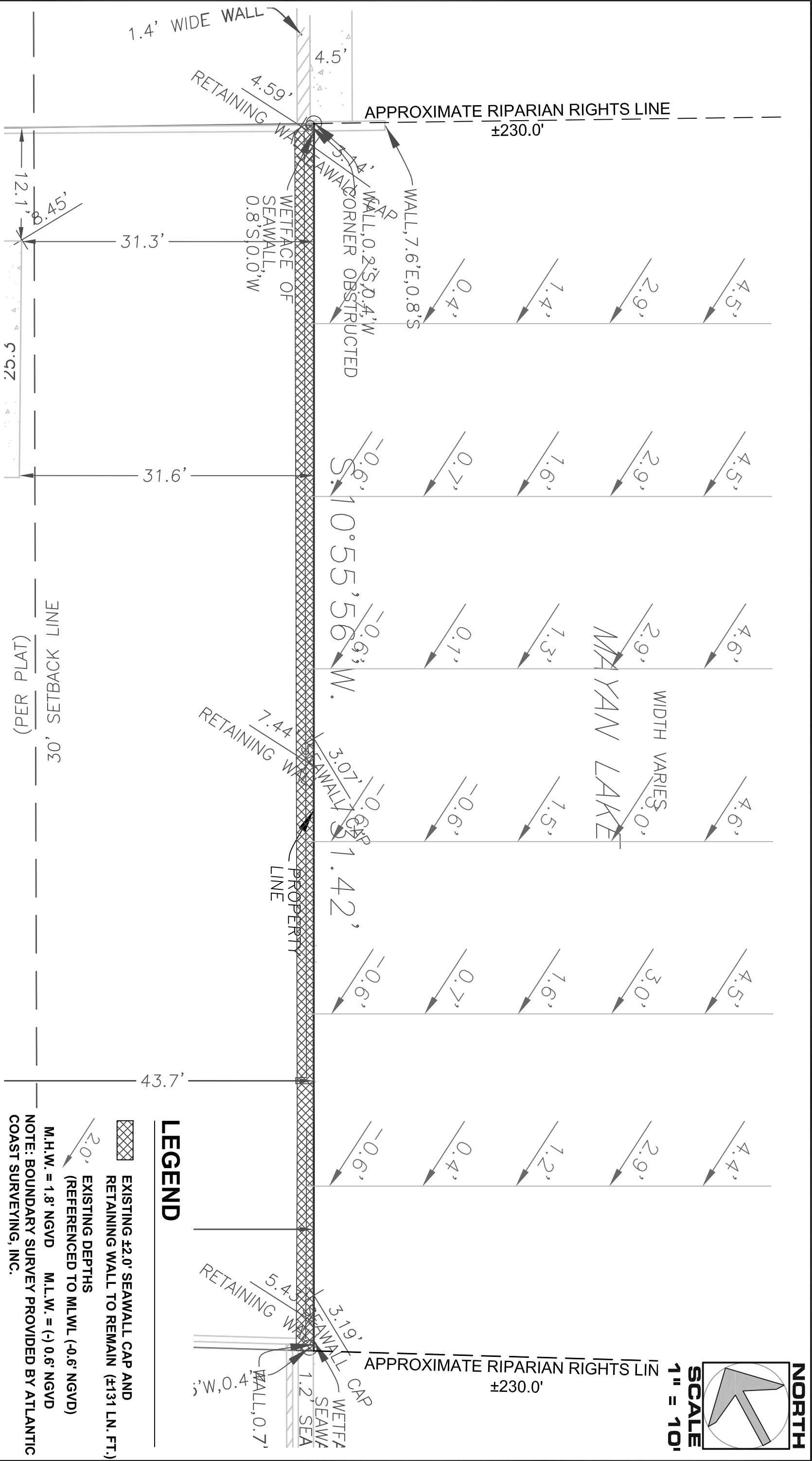
The following four (4) matters provide justification for this waiver request:

1. All boat slips and structures will not exceed 30% of the width of the waterway.
2. The distance out into Mayan Lake is necessary for mooring the proposed vessel in adequate depths.
3. As seagrasses were observed in the vicinity, dredging is not a feasible alternative due to potential impacts of the protected resource.
4. The proposed location of the boatlift is consistent with the adjacent properties.

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 WAIVER
Boat Lift	±36.0'	25'	±11.0'

**EXHIBIT V
PROJECT PLANS**



LEGEND

- EXISTING ±2.0' SEAWALL CAP AND RETAINING WALL TO REMAIN (#131 LN. FT.)
- EXISTING DEPTHS (REFERENCED TO MLWL (-0.6' NGVD))
- M.H.W. = 1.8' NGVD M.L.W. = (-) 0.6' NGVD
- NOTE: BOUNDARY SURVEY PROVIDED BY ATLANTIC COAST SURVEYING, INC.

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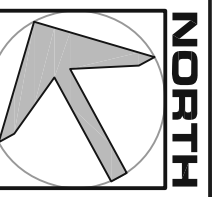
714 East McLab Road
Pompano Beach, Florida 33060
Tel: 954.782.1908 Fax: 954.782.1108 www.thechappellgroup.com

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

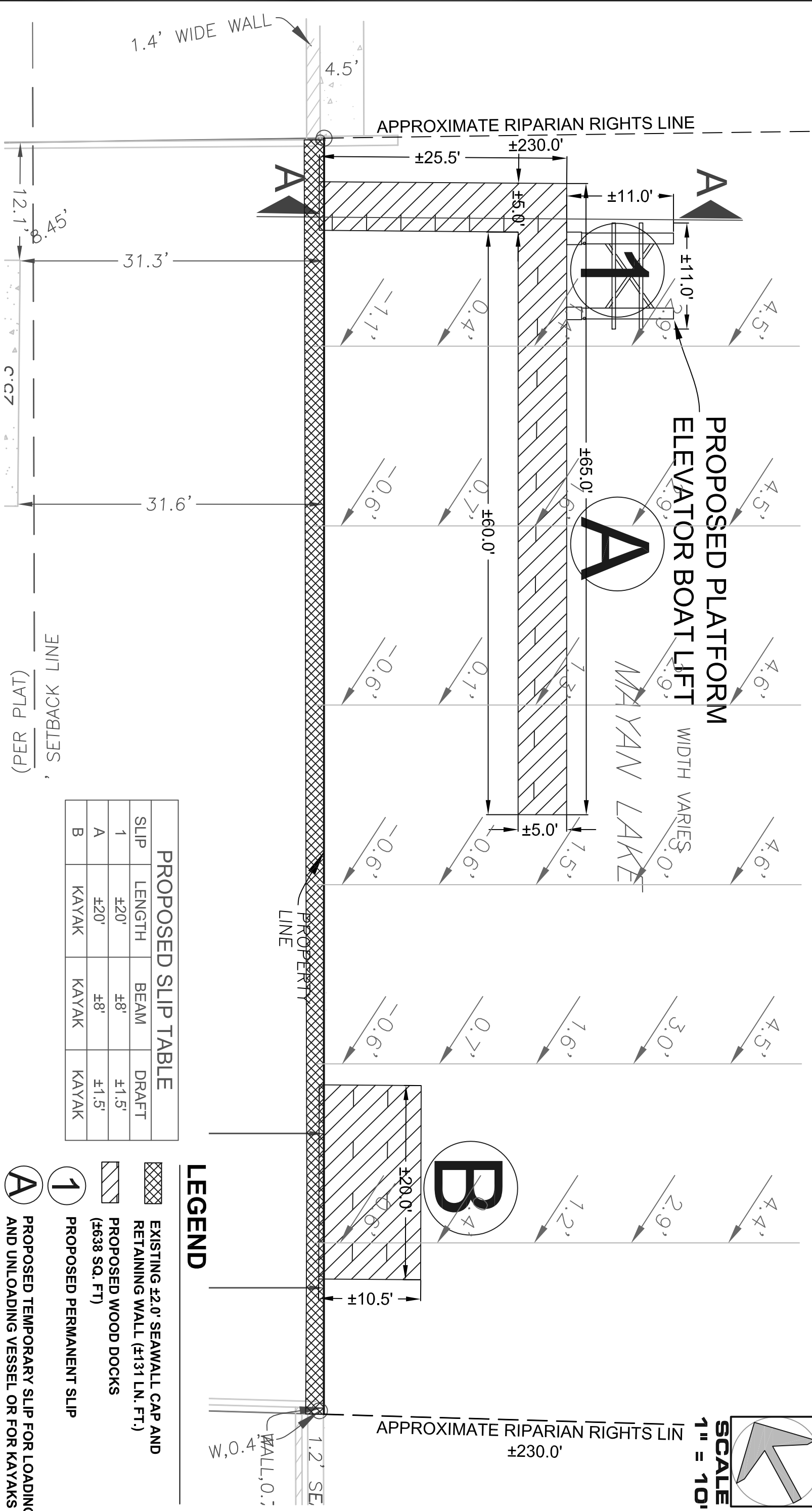
1524 S. OCEAN DRIVE

PREPARED FOR:
SEPPALA CORPORATION

EXISTING CONDITIONS	
Date: 10/7/2014	Sheet: 1
Proj No.: 14-0034	of: 3



NORTH
SCALE
1" = 10'



PROPOSED SLIP TABLE

SLIP	LENGTH	BEAM	DRAFT
1	±20'	±8'	±1.5'
A	±20'	±8'	±1.5'
B	KAYAK	KAYAK	KAYAK

- LEGEND**
- EXISTING ±2.0' SEAWALL CAP AND RETAINING WALL (±131 LN. FT.)
 - PROPOSED WOOD DOCKS (±638 SQ. FT)
 - PROPOSED PERMANENT SLIP
 - PROPOSED TEMPORARY SLIP FOR LOADING AND UNLOADING VESSEL OR FOR KAYAKS

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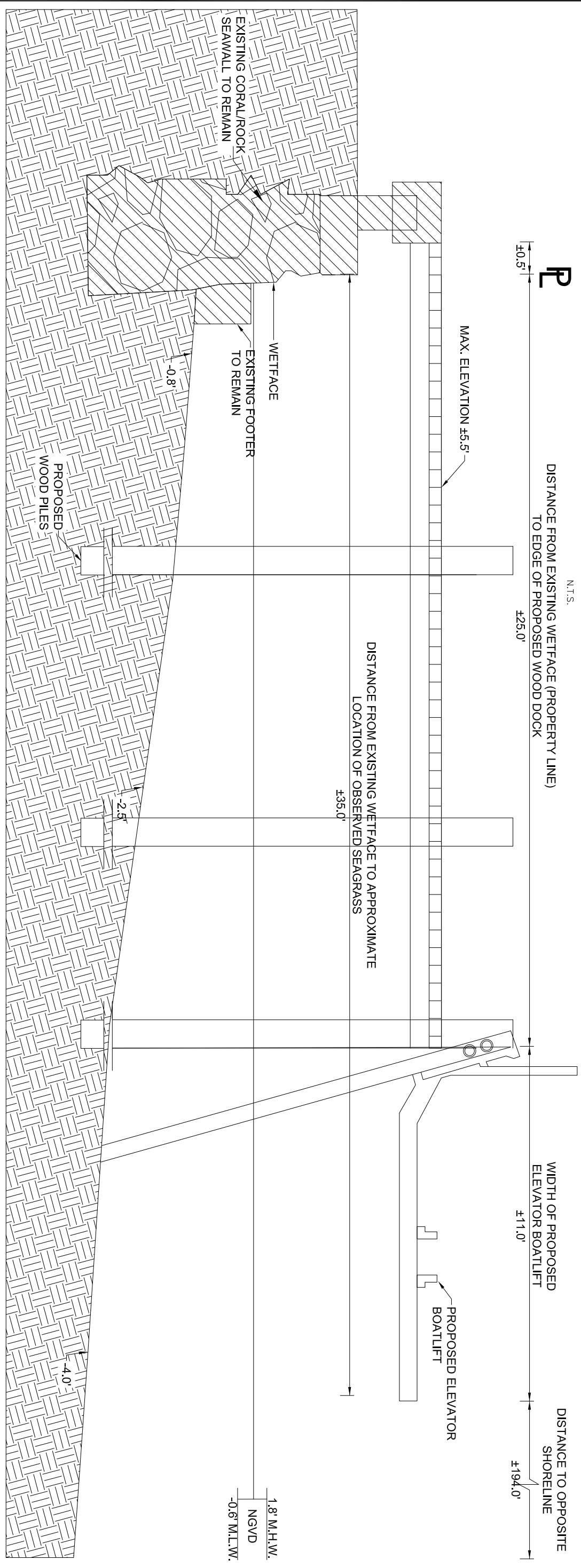
PROPOSED CONDITIONS

Date:	10/7/2014	Sheet:	2	of:	3
Proj No.:	14-0034				

PROPOSED CONDITIONS A-A (TYP.)

P

N.T.S.



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Pompano Beach, Florida 33060
Tel: 954.782.1908
Fax: 954.782.1108
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1524 S. OCEAN DRIVE

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SECTIONS		
Date: 10/7/2014	Sheet: 3	of: 3
Proj No.: 14-0034		

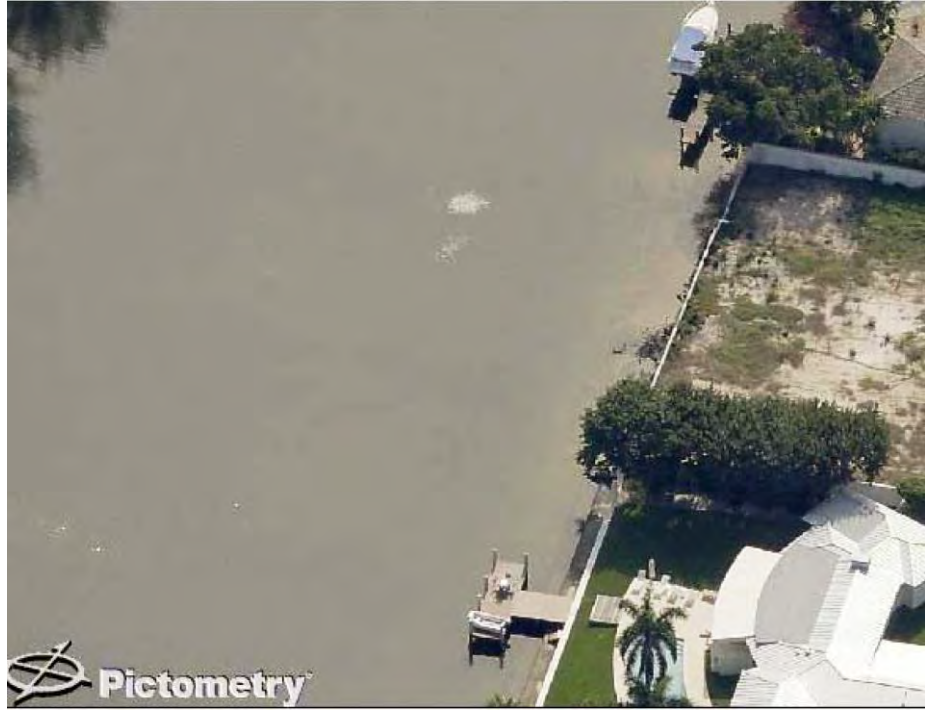
**EXHIBIT VI
SITE PHOTOGRAPHS**



1. Southern corner of the subject site, facing north. Note existing seawall and footer.



2. Northern corner of the subject site, facing south. Note shallow depths along the existing seawall.



3. Aerial photo taken from the north of the subject site, facing south.



4. Aerial photo taken from the south of the subject site, facing north.

**EXHIBIT VII
ORIGINAL SURVEY**

LEGAL DESCRIPTION

LOT 4, BLOCK 9, OF "HARBOR BEACH UNIT 2", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 21, PAGE 18, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

CERTIFIED TO:
VICTOR DOUDINE

PROPERTY ADDRESS
1524 S. OCEAN DRIVE
FORT LAUDERDALE, FL 33316

BOUNDARY SURVEY

INVOICE # 36072SS
SURVEY DATE 06/07/12
SURVEY DATE 04/15/13
SPOT ON FORMS SURVEY DATE 05/12/14
SPOT ON SLAB DATE 06/12/14

FLOOD ZONE AE-6.0'
MAP DATE 10/02/97
MAP NUMBER 125105 0219F

BENCHMARK OF ORIGIN:

BENCHMARK #6-311
ELEVATION = 11.73

- ABBREVIATIONS**
- BC BUILDING CORNER
 - BW BACK OF WALK
 - M MEASURED
 - N.T.S. NOT TO SCALE
 - OB OPEN BOOK
 - ORB OPEN RECORDS BOOK
 - PCB POINT OF CURVATURE
 - POB POINT OF BEGINNING
 - PG PAGE
 - PGC POINT OF COMMENCEMENT
 - PRC POINT OF REVERSE CURVE
 - PRM POINT OF REVERSE MONUMENT
 - EW EDGE OF WALK
 - E/W EDGE OF WALKMENT
 - F/C FENCE CORNER
 - F/L FENCE LINE
 - F/N FOUND IRON NAIL
 - FN FOUND IRON NAIL
 - FR FOUND IRON ROD
 - FRL FOUND IRON ROD LIGHT RECORD
 - RAD RECORD
 - SP SET NAIL & DISC # 5495
 - SPC SCREENED PIN & CAP # 5495

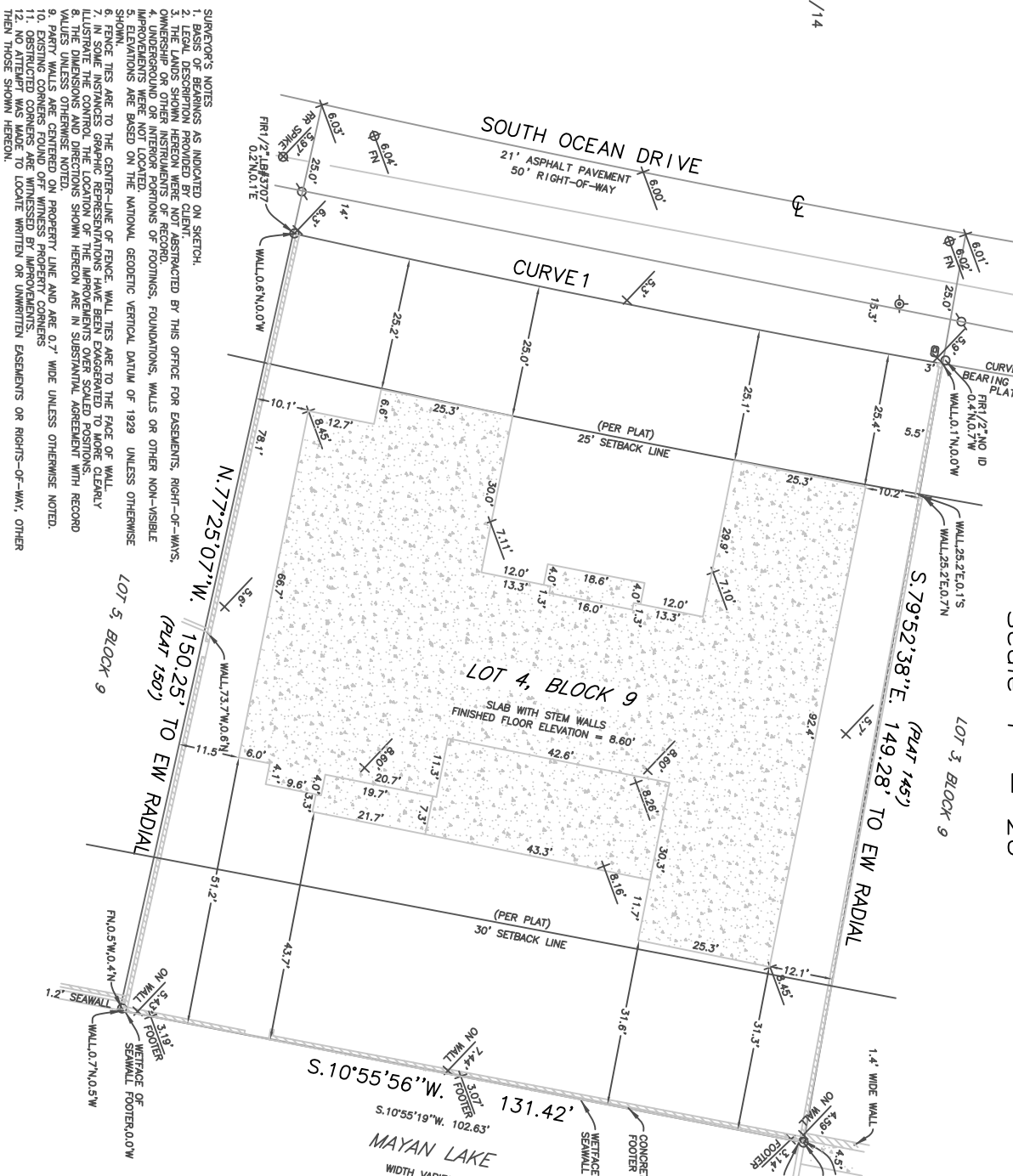


ATLANTIC COAST SURVEYING, INC.
6129 STRILING RD SUITE 2 DAVIE, FLORIDA 33314
OFFICE: 954.587.2100 FAX: 954.587.5418



CURVE TABLE

NUMBER	DELTA	CHORD BEARING	RADIUS	ARC	LC
CURVE1	02°27'31"	N.11°21'08"E	2912.84	125.00	124.99
CURVE2	06°00'24"	N.07°07'10"E	2912.84	305.38	305.24

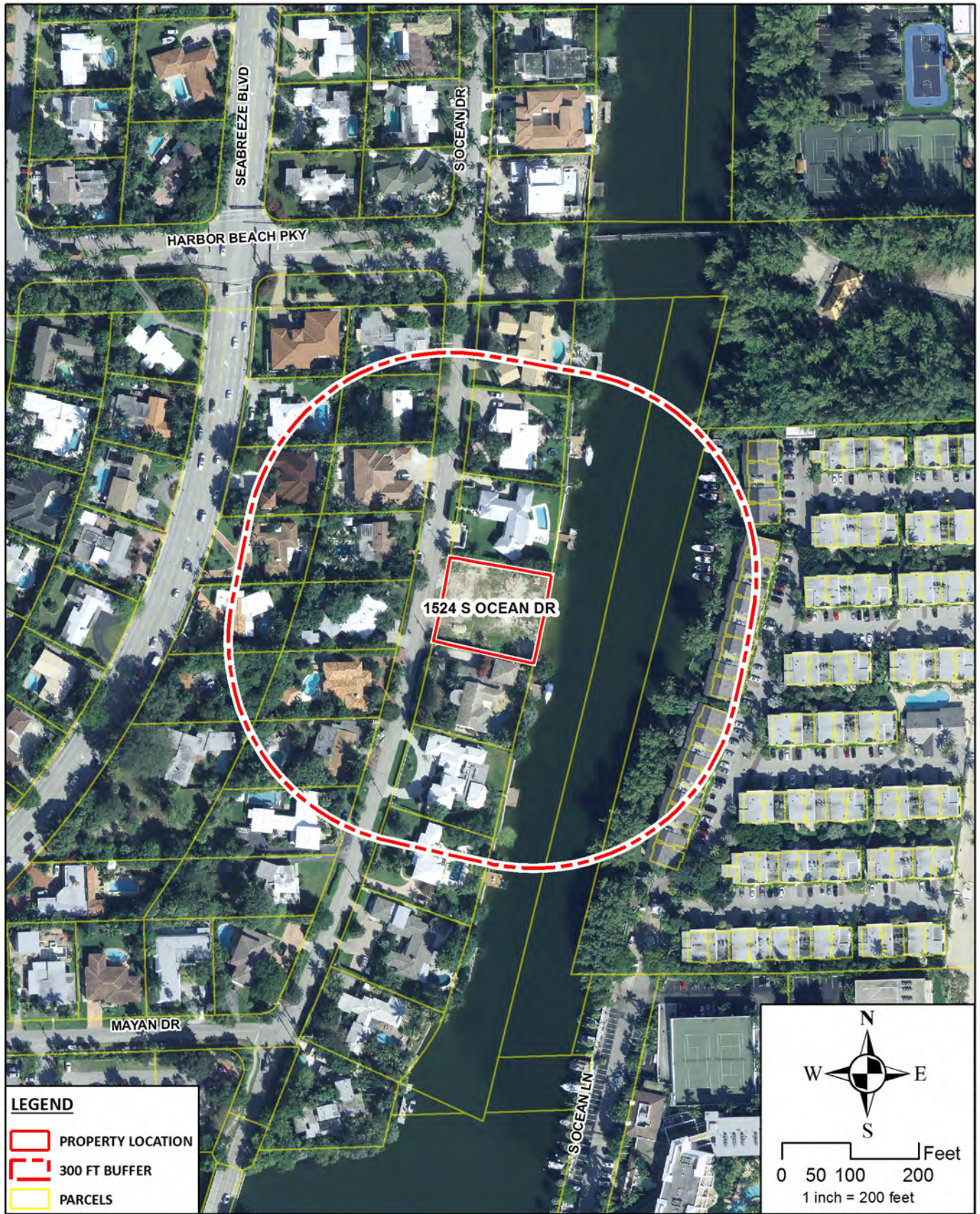


- LEGEND**
- ▢ CABLE JUNCTION BOX
 - ▢ CATCH BASIN
 - CLEAN OUT
 - ⊗ CONTROL VALVE
 - ⊕ ELECTRIC SERVICE
 - ⊖ FIRE HYDRANT
 - ⊙ FPR&L PAD
 - ⊙ GUY ANCHOR
 - ⊙ HANHOLE
 - ⊙ POOL EQUIPMENT
 - ⊙ POWER/LIGHT POLE
 - ⊙ SPRINKLER SYSTEM
 - ⊙ WATER METER
 - ⊙ WATER VALVE
 - ⊙ WELL
 - ⊙ BRICK PAVERS
 - ⊙ CENTRELINE
 - ⊙ CONCRETE/CHAT
 - ⊙ ELEVATION
 - ⊙ METAL FENCE
 - ⊙ OVERHEAD WIRES
 - ⊙ WOOD DECK/DOCK
 - ⊙ WOOD FENCE

SURVEYOR'S NOTES

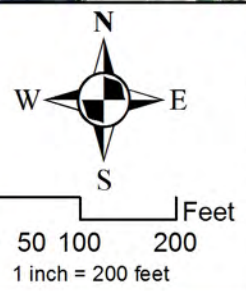
1. BASIS OF BEARINGS AS INDICATED ON SKETCH.
2. LEGAL DESCRIPTION PROVIDED BY CLIENT.
3. ALL DIMENSIONS REPRODUCED BY THIS OFFICE FOR EASEMENTS, RIGHT-OF-WAYS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD.
4. UNDERGROUND OR INTERIOR PORTIONS OF FOOTINGS, FOUNDATIONS, WALLS OR OTHER NON-VISIBLE IMPROVEMENTS WERE NOT LOCATED.
5. ELEVATIONS ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 UNLESS OTHERWISE SPECIFIED. TIES ARE TO THE CENTER-LINE OF FENCE, WALL, TIES ARE TO THE FACE OF WALL.
6. IN SOME INSTANCES GRAPHIC REPRESENTATIONS HAVE BEEN ENLARGED TO MORE CLEARLY ILLUSTRATE THE CONTROL, THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.
7. THE DIMENSIONS AND DIRECTIONS SHOWN HEREON ARE IN SUBSTANTIAL AGREEMENT WITH RECORD VALUES UNLESS OTHERWISE NOTED.
8. UNLESS OTHERWISE NOTED, PROPERTY LINE AND ARE 0.7" WIDE UNLESS OTHERWISE NOTED.
9. EXISTING CORNERS FOUND OFF WITNESS PROPERTY CORNERS.
10. EXISTING CORNERS ARE WITNESSED BY IMPROVEMENTS.
11. OBSTRUCTED CORNERS ARE WITNESSED BY IMPROVEMENTS.
12. NO ATTEMPT WAS MADE TO LOCATE WRITTEN OR UNWRITTEN EASEMENTS OR RIGHTS-OF-WAY, OTHER THAN THOSE SHOWN HEREON.

**EXHIBIT VIII
ZONING AERIAL**



LEGEND

-  PROPERTY LOCATION
-  300 FT BUFFER
-  PARCELS



CITY OF FORT LAUDERDALE

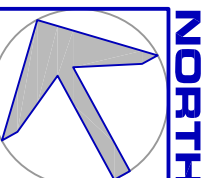
1524 S OCEAN DRIVE



Date: 10/28/2014

Exhibit 1
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**EXHIBIT IX
DISTANCE EXHIBIT**



NORTH
SCALE
1" = 30'



THIS DRAWING AND ALL APPURTENANT MATTER CONTAINS INFORMATION PROPRIETARY TO THE CHAPPELL GROUP, INC. AND IS LOANED SUBJECT TO RETURN UPON DEMAND AND MUST NOT BE REPRODUCED, COPIED, LOANED, REVEALED, NOR LISTED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS SPECIFICALLY FURNISHED WITHOUT EXPRESSED WRITTEN CONSENT OF THE CHAPPELL GROUP, INC.
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1524 S. OCEAN DRIVE
PREPARED FOR:
SEPPALA CORPORATION

DISTANCE EXHIBIT		
Date: 10/7/2014	Sheet: 1	of: 1
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