

ITEM VIII

MEMORANDUM MF NO. 25-16

DATE: September 11, 2025

TO: Marine Advisory Board

FROM: Andrew Cuba, Marine Facilities & Parks Manager

RE: November 6, 2025 MAB - Dock Waiver of Distance Limitations
-James G. Mueller / 100 Hendricks Isle

Attached for your review is an application from James G. Mueller / 100 Hendricks Isle.

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for the after the fact installation of one (1) boat lift. The distance this proposed structure extends from the property line into the Rio Grande Canal is shown in the survey and summarized in **Table 1** below:

TABLE 1

| PROPOSED STRUCTURES | STRUCTURE DISTANCE FROM PROPERTY LINE | PERMITTED DISTANCE WITHOUT WAIVER | DISTANCE REQUIRING A WAIVER |
|--------------------------------|--|--|--|
| One (1) Boat Lift | 31' +/- | 25' | 6' +/- |

ULDR Section 47-19.3 C limits the maximum distance of mooring structures, including boat lifts, to 25' or 25% of the width of the waterway, whichever is less, as measured from the property line. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has specified that the limited shoreline length of 25' restricts parallel mooring, necessitating perpendicular dockage for safely tying off the 38' vessel.

PROPERTY LOCATION AND ZONING

The property is located within the RMM-25 Residential Mid Rise Multifamily / Medium High Density Zoning District. It is situated on the Rio Grande Canal where the right of way width is identified as 170'+/- within the Summary Description.

DOCK PLAN AND BOATING SAFETY

Marine Facilities records reflect that there have been at least ten (10) waivers of distance limitations approved by the City Commission in the immediate area. A comparison of these as shown in **Table 2**:

TABLE 2

| | | |
|------------|--------------------|---------------------------|
| July 1985 | 440 Hendricks Isle | Pilings – 39' |
| June 1989 | 13 Hendricks Isle | Pilings – 80' |
| July 2007 | 101 Hendricks Isle | Pilings – 30' |
| April 2013 | 91 Isle of Venice | Pilings – 35' |
| April 2019 | 1 Hendricks Isle | Boatlift – 43' |
| July 2019 | 95 Hendricks Isle | Pilings/Finger Pier – 35' |
| July 2021 | 9 Hendricks Isle | Boatlift – 43.4' |
| Oct 2022 | 141 Isle of Venice | Pilings – 35' |
| Oct 2022 | 10 Isle of Venice | Pilings – 35' |
| May 2025 | 155 Isle of Venice | Boatlift – 33.5' |

RECOMMENDATIONS

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

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers.
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 City Staff with copies of “As Built” drawings from a certified and licensed contractor.
3. 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).

AC
Attachment

cc: Enrique Sanchez, Deputy Director of Parks and Recreation
Luis Villanueva, Marine Facilities Supervisor



APPLICATION FOR WATERWAY WAIVER OF LIMITATIONS

Applicant:
James G. Mueller
100 Hendricks Isle
Fort Lauderdale, FL 33301

Site Address:
100 Hendricks Isle
Fort Lauderdale, FL 33301

Type of Agreement:
Waiver of Limitations



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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 4 7-19. 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: **James G. Mueller**

TELEPHONE NO. (816) 651-1897 _____ EMAIL: jim@midamericacapital.com
(home) (business)

2. APPLICANT'S ADDRESS (if different than the site address): **100 Hendricks Isle Fort Lauderdale, FL 33301**
3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: **Waiver of limitations to exceed the allowable 25' from the property line.**
4. SITE ADDRESS : **100 Hendricks Isle Fort Lauderdale, FL 33301** ZONING: **RMM-25**

LEGAL DESCRIPTION AND FOLIO NUMBER: **VICTORIA ISLES 15-67 B S1/2 OF N 50 OF LOT 4, BLK 4
Folio No. 504202190600**

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).
Narrative, Warranty Deed, Survey, Plan Set, Site Photographs

 _____ 08/12/25 _____
Applicant's Signature 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 _____



Summary Description

The property located at 100 Hendricks Isle consists of an existing 25-linear-foot shoreline with a seawall and a 5-foot-wide wood marginal dock. In addition, the property shares a 5-foot-wide finger pier with the adjacent property at 102 Hendricks Isle, extending approximately 2.5 feet on either side of the shared property line.

A 30,000-pound capacity boatlift supported by four (4) 12-inch wood piles has been installed waterward of the property. The boatlift extends approximately 31 feet from the property line (see Table 1). Pursuant to Section 47-19.3(c), mooring structures, not including mooring or dolphin piles, may extend into the waterway no more than twenty-five (25) percent of the waterway's width or twenty-five (25) feet, whichever is less, as measured from the property line. Because the boatlift extends beyond the 25-foot maximum, this application is being submitted to request a Waiver of Limitations for an additional 6 feet of extension.

Although this application was initially submitted as a proposed installation, the contractor proceeded with construction after obtaining County approval (GL-FTL2408-010) under the understanding that City approval would follow shortly. The City building permit review was delayed due to electrical review comments, and subsequently, it was noted that mooring structures are limited to 25 feet from the property line. The property owners were not aware that City approvals were still pending and are now submitting this request to bring the boatlift into full compliance. We sincerely regret any confusion this may have caused and wish to clarify that there was no intent to misrepresent the status of the work. The applicant is committed to working cooperatively with the City and the Board to ensure the installation meets all applicable requirements. The boatlift was positioned as close to the seawall and property line as feasible while ensuring the vessel's engines would not extend over the marginal dock. This application is being submitted to request a Waiver of Limitations to formally authorize the installed boatlift.

The subject site is located on the Rio Grande Canal, which has a right-of-way width of approximately 170 feet. Given the canal's width and the prevalence of perpendicular vessel mooring observed along Hendricks Isle and the Isle of Venice, the installed boatlift is consistent with the pattern of development in the area. Approval of this waiver will allow the applicant to safely moor a vessel without creating navigational impediments and is consistent with other waivers previously granted in this area.

Extraordinary Circumstances

Extraordinary circumstances exist due to the limited shoreline length of only 25 feet. While the Code does not impose side setbacks for vessels, the short frontage would restrict a vessel to parallel mooring, effectively limiting it to 25 feet in length and preventing safe ingress and egress. In addition, the property's 5-foot-wide marginal dock reduces the usable length of the existing 15.6-foot finger pier to only about 10 feet, which is insufficient for safely tying off a 35-foot vessel. These limitations make parallel or perpendicular mooring impractical. The perpendicular boatlift installation provides a safe and functional mooring arrangement that aligns with the wide canal dimensions and established



practices in the area. These conditions together constitute the extraordinary circumstances that justify approval of this waiver.

Table 1.

| Installed Structure | Structure Distance from Property Line | Permitted Distance without Waiver | Amount of Distance Requiring Waiver |
|----------------------------|--|--|--|
| Boatlift | 31.0' | 25' | 6' |

Prepared by and return to:

Donna Hearne-Gousse, Esq.

President

Law Office of Donna Hearne-Gousse, P.A.

9200 Belvedere Road Suite 113

Royal Palm Beach, FL 33411

561-582-5670

File Number: **24-0139**

Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this **2nd** day of **July, 2024** between **100 Lasolas Isles Limited Liability Company, a Delaware limited liability company as Trustee of the Hendricks Isle FL Land Trust Dated March 26, 2019, who acquired title as 100 Las Olas Isles LLC, a Delaware limited liability company as Trustee of the Hendricks Isle FL Land Trust Dated March 26, 2019 in the Certificate of Title recorded as Instrument #115945951** whose post office address is **2840 Hammondville Road, #A, Coral Springs, FL 33069**, grantor, and **James G. Mueller, a single man** whose post office address is **101 Briny Avenue, Apt 1805, Pompano Beach, FL 33062**, 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:

The South 1/2 of the North 50 feet of Lot 4, Block 4, VICTORIA ISLES, according to the map or plat thereof as recorded in Plat Book 15, Page 67, Public Records of Broward County, Florida.

Parcel Identification Number: 504202190600

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, 2023**.

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:

Edward Cerrito
Witness Name: Edward Cerrito
Witness Address: 244 Cord 19th DR NBS FLA
33062

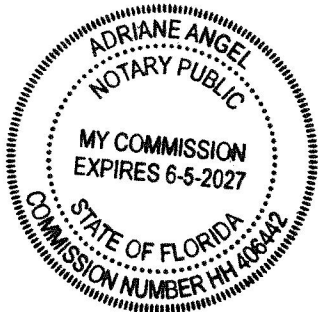
By: [Signature]
Philip Gori, Member of the 100 Lasolas Isles
Limited Liability Company, a Delaware limited
liability company as Trustee of the Hendricks Isle
FL Land Trust Dated March 26, 2019

[Signature]
Witness Name: _____
Witness Address: 1808 W Kramac DR LBS
FL 33062

State of Florida
County of Broward

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this
2nd day of July, 2024 by Philip Gori, Member of the 100 Lasolas Isles Limited Liability Company, a Delaware limited
liability company as Trustee of the Hendricks Isle FL Land Trust Dated March 26, 2019. He ☒ is personally known or
☒ has produced a driver's license as identification.

[Notary Seal]



[Signature]
Notary Public

Printed Name: ADRIANE ANGEL

My Commission Expires: _____



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

Map Created by GIS Mailer

100 Hendricks Isle



0 90 180 Feet

GIS
Fort Lauderdale

CAM #25-1443

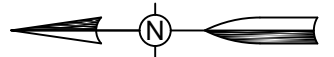
Printed on: 8/20/2025

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NOTES:

1. **SCALE: 1" = 25'**
2. **SURVEY INFORMATION PROVIDED BY PHILLIPS SURVEYING & MAPPING.**
3. **ALL ELEVATIONS ARE IN FEET AND REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).**
4. **APPROXIMATE RIPARIAN RIGHTS LINE SHOWN AS EXTENSION OF PROPERTY LINES.**



PROJECT:

100 HENDRICKS ISLE

CLIENT:

MODERN MARINE, LLC.

DATE/REVISIONS:

DISTANCE EXHIBIT 8/18/2025

SHEET TITLE/NUMBER:

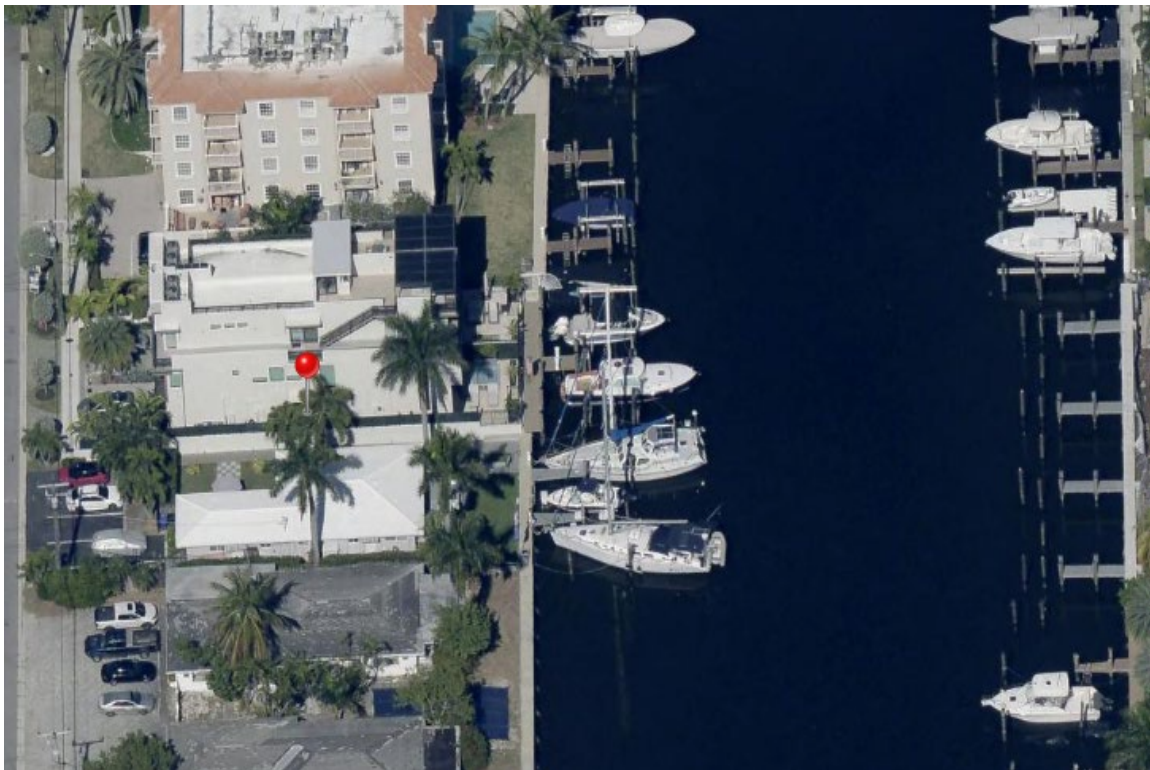
DISTANCE EXHIBIT

SHEET 1 OF 1

Photos



1. Eastern portion of property, facing west.



2. Southern portion of property, facing north.

100 HENDRICKS ISLE

FORT LAUDERDALE, FL 33301



| SHEET INDEX | |
|--------------|---------------|
| SHEET NUMBER | SHEET TITLE |
| 1 OF 4 | COVER |
| 2 OF 4 | AERIAL VIEW |
| 3 OF 4 | CROSS SECTION |
| 4 OF 4 | DETAILS |
| | |
| | |
| | |
| | |



PROJECT:

100 HENDRICKS ISLE

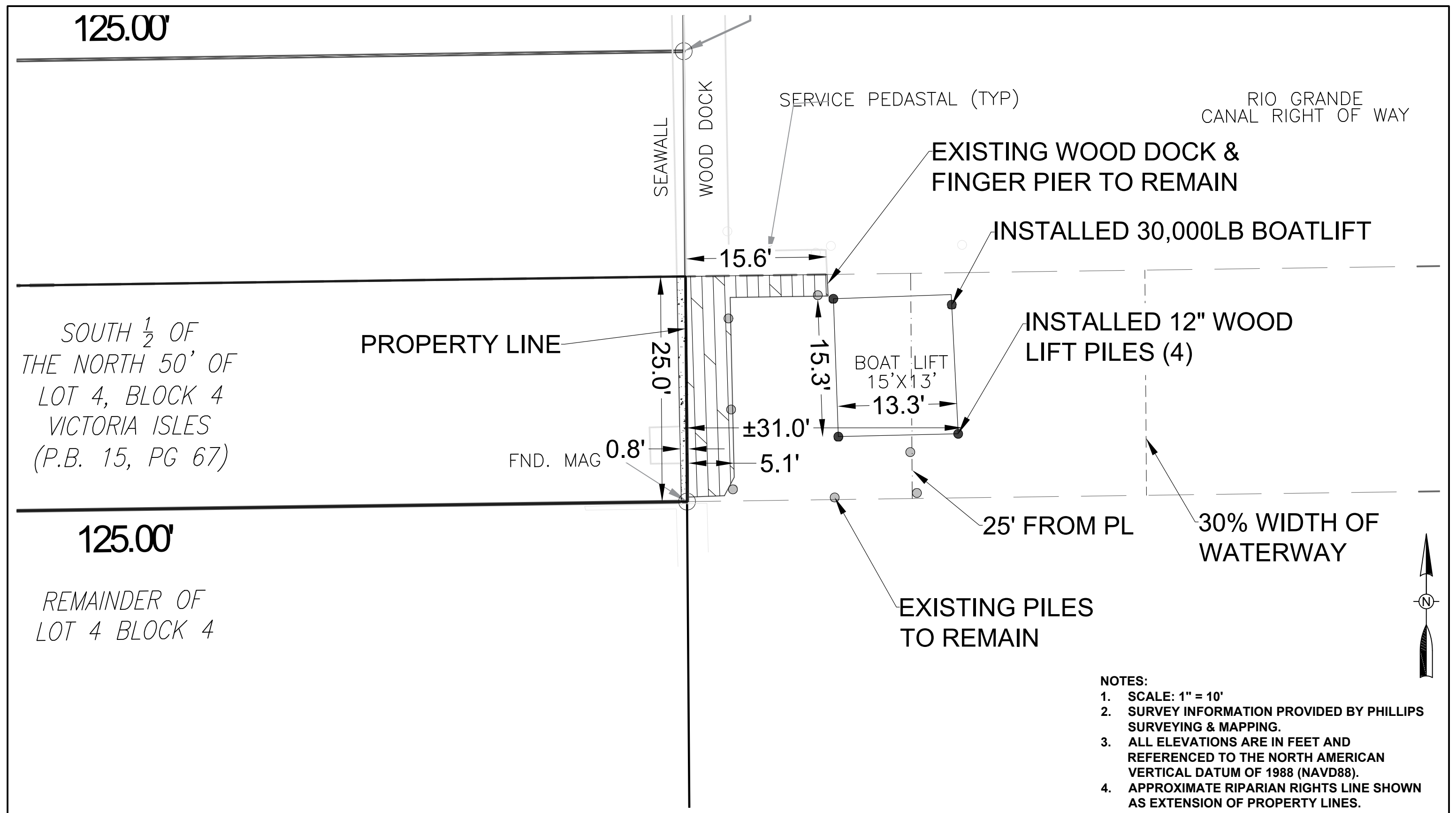
CLIENT:

MODERN MARINE, LLC.

DATE/REVISIONS:
PLAN SET 8/18/2025

SHEET TITLE/NUMBER:

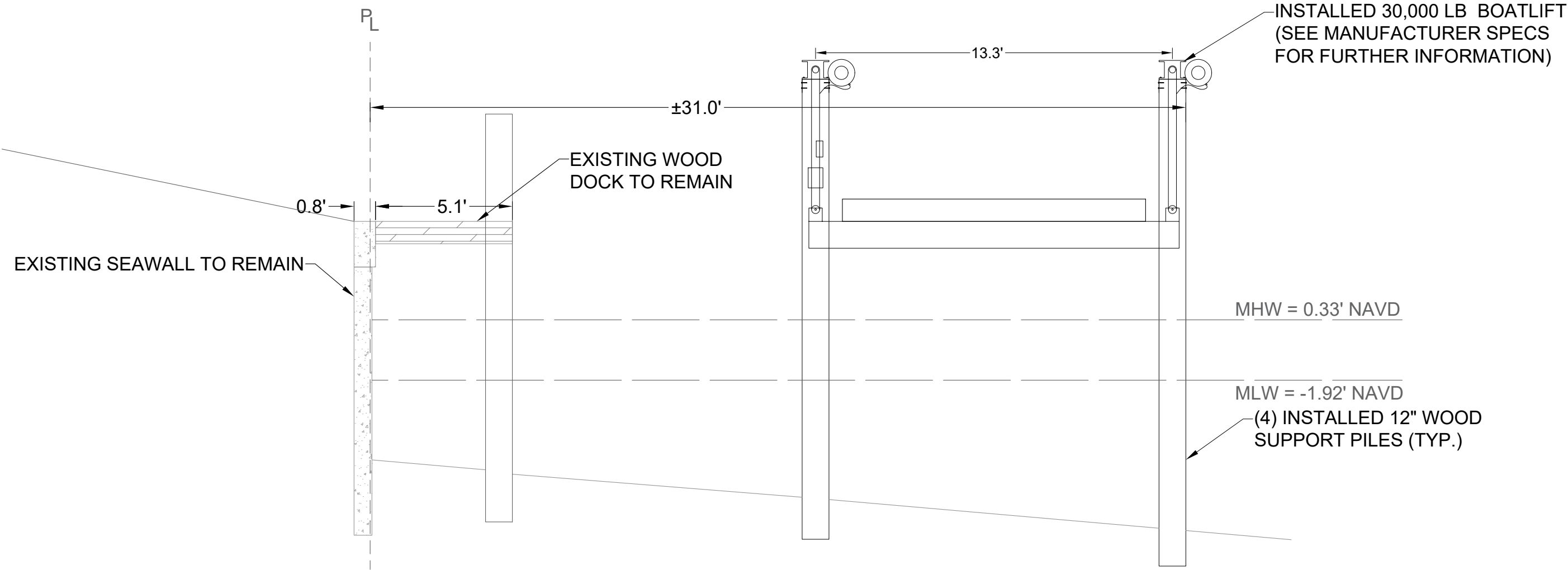
COVER
SHEET 1 OF 4



- NOTES:
- 1. SCALE: 1" = 10'
 - 2. SURVEY INFORMATION PROVIDED BY PHILLIPS SURVEYING & MAPPING.
 - 3. ALL ELEVATIONS ARE IN FEET AND REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
 - 4. APPROXIMATE RIPARIAN RIGHTS LINE SHOWN AS EXTENSION OF PROPERTY LINES.

| | | | | |
|---|--------------------------------|--------------------------------|---------------------------------------|--|
|  | PROJECT: 100 HENDRICKS ISLE | CLIENT: MODERN MARINE, LLC. | DATE/REVISIONS: PLAN SET 8/11/2025 | SHEET TITLE/NUMBER: AERIAL VIEW SHEET 2 OF 4 |
|---|--------------------------------|--------------------------------|---------------------------------------|--|

CROSS SECTION A-A
(NOT TO SCALE)



PROJECT:

100 HENDRICKS ISLE

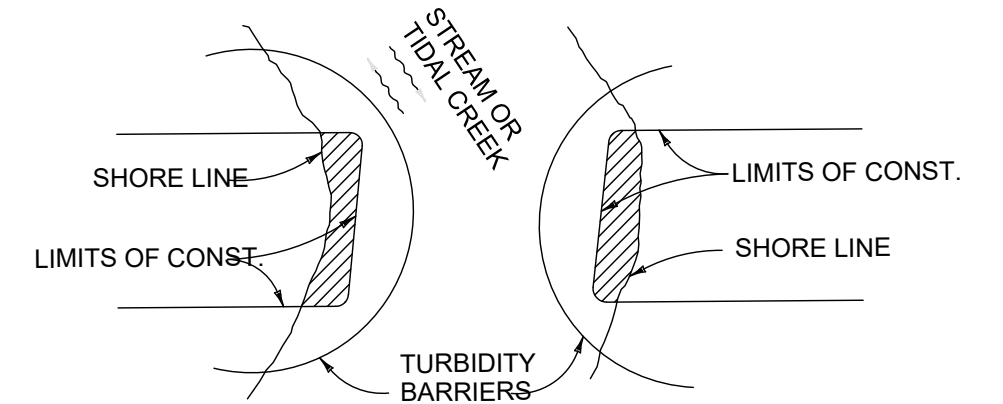
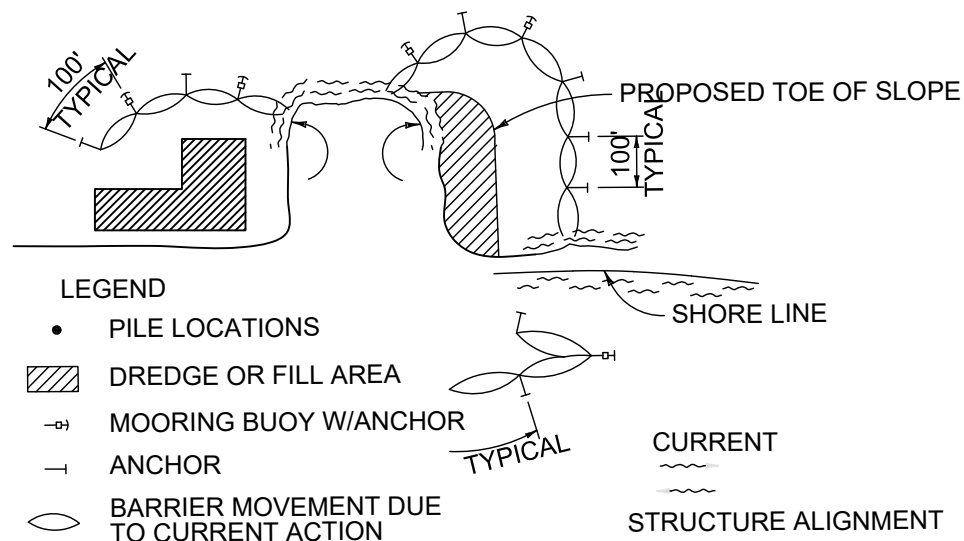
CLIENT:

MODERN MARINE, LLC.

DATE/REVISIONS:
PLAN SET 8/11/2025

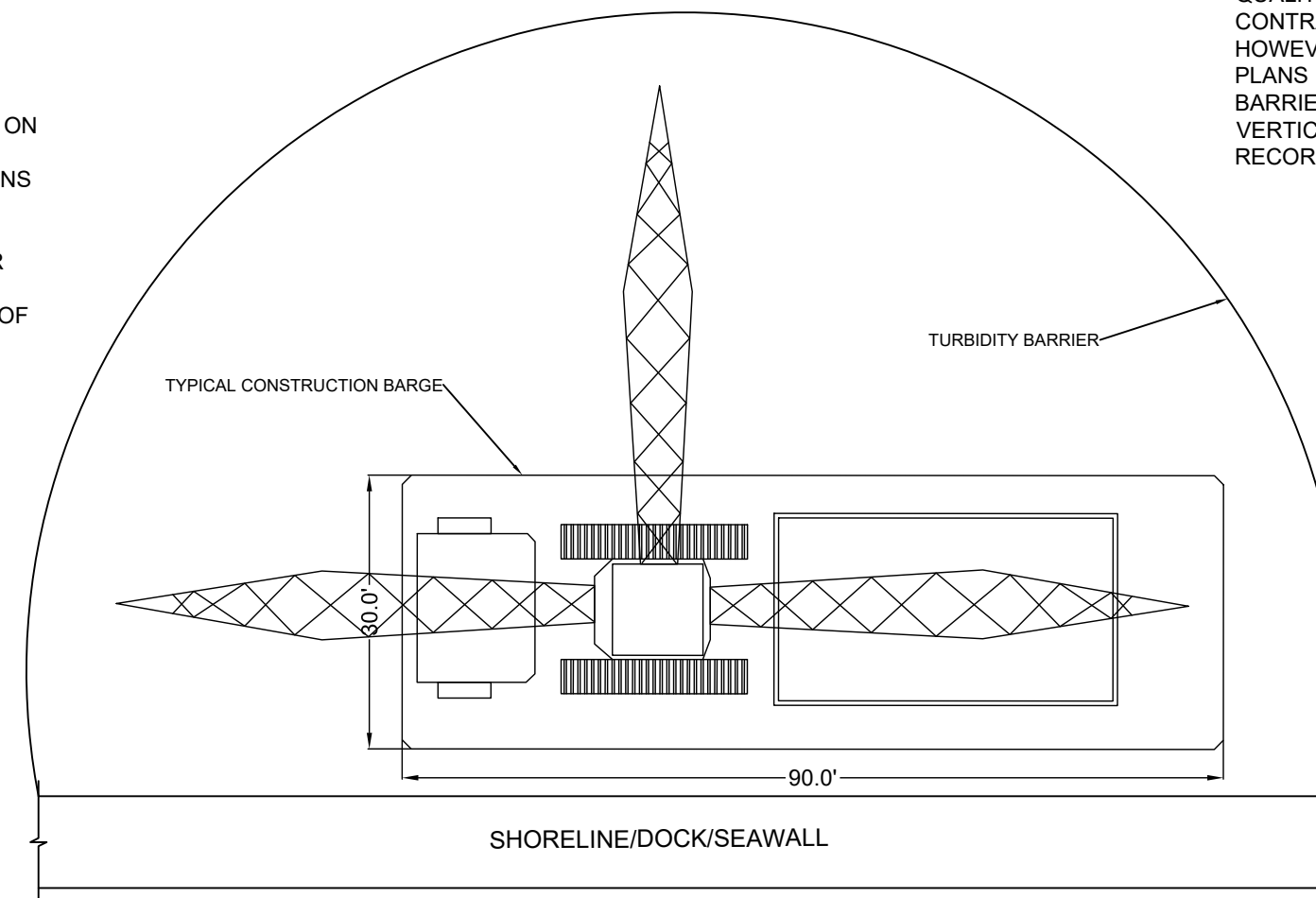
SHEET TITLE/NUMBER:

CROSS SECTION
SHEET 3 OF 4



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 OF RECORD.

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



PROJECT:

100 HENDRICKS ISLE

CLIENT:

MODERN MARINE, LLC.

DATE/REVISIONS:
PLAN SET 8/11/2025

SHEET TITLE/NUMBER:

DETAILS
SHEET 4 OF 4

James G. Mueller
100 Hendricks Isle
Fort Lauderdale, FL 33301

RE: Letter of Support
City of Fort Lauderdale Waiver Request
100 Hendricks Isle

I have reviewed the attached plans for the proposed project located at 100 Hendricks Isle to install a boat lift extending beyond 25 feet from the property line into the Rio Grande.

I understand that the proposed project will require a Waiver of Limitations through the City of Fort Lauderdale, as well as permitting through applicable regulatory agencies.

I reside at: 102 Hendricks Isle, Fort Lauderdale FL 33301

Based on my review, I support the project as proposed.

Sincerely,

Signature: 

Printed Name: Danna Kaapinaka

Date: 8/19/25