

ITEM VIII

MEMORANDUM MF NO. 21-29

DATE: October 18, 2021

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: November 4, 2021 MAB Meeting – Application for Dock Permit – Jeffrey Cantor & Myrna Roberts / 1532 Ponce De Leon Drive

Attached for your review is an application from Jeffrey Cantor & Myrna Roberts / 1532 Ponce De Leon Drive (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for the installation of a 65' long x 7' wood marginal dock, 30' long x 8' floating dock, associated dock access ramp, and an access platform and ramp (within swale). The dock will extend a maximum distance of +/- 16.5' from the wet face of the seawall on public property abutting the waterway adjacent to 1532 Ponce De Leon Drive (see **Exhibit 1**). City Code Section 8-144 (**Exhibit 2**) 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.

Marine Advisory Board

November 4, 2021

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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. Penetration of the seawall is prohibited unless as otherwise provided in 8-144 (6).
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 seal 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. 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. The Applicant is responsible to execute and deliver a Declaration of Covenants Running With The Land to the City Attorney's Office no later than ten (10) days prior to City Commission review date.

AC

Attachment

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

**JEFFREY CANTOR & MYRNA ROBERTS
1532 PONCE DE LEON DRIVE
APPLICATION FOR PRIVATE USE OF PUBLIC PROPERTY
ABUTTING WATERWAYS**

**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: Jeffrey Cantor & Myrna Roberts

TELEPHONE NO: 954-240-2550 (home) _____ (business) EMAIL: Jason H. Haverreestel *Cor*

2. APPLICANT'S ADDRESS (if different than the site address): 1020 SE 13th Terrace Fort Lauderdale, FL 33316

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:
The applicant requests a waiver for the private use of public property abutting waterways within the City of Fort Lauderdale to install a wood marginal dock, cantilever platform, access ramp, and floating dock.

4. SITE ADDRESS: 1532 Ponce De Leon Drive ZONING: R.S-8

LEGAL DESCRIPTION AND FOLIO NUMBER:
RIO VISTA ISLES UNIT 3 7-47 B LOTS 20 & 36 AND NLY 25 OF LOTS 19 & 37, BLK 30 DESC AS:
COMM AT NELY COR OF LOT 36, SLY 75 ALG E/L OF LOTS 36 & 37, WLY 203.70, NLY 76.26 M/L
ALG W/L OF LOTS 19
Folio No. 504211183520

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

Jason Haverreestel _____ Date 7-12-2021
Applicant's Signature

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 _____ Commission Action _____
Formal Action taken on _____ Formal Action taken on _____

Recommendation _____
Action _____

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EXHIBIT II SUMMARY DESCRIPTION

Summary Description
1532 Ponce De Leon Drive
TCG Project No. 21-0060

The project site is located along an unnamed canal adjacent to the New River at 1532 Ponce De Leon Drive, in Section 11, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida

The property is located along an unnamed canal adjacent to the New River, which is a tidal water. The nearest direct connection to the Atlantic Ocean is approximately 1.9 miles to the south at the Port Everglades Inlet. As the project site is located along the unnamed canal, 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 ± 75 in. ft. sheet pile seawall recently installed by the City of Fort Lauderdale under the Cordova Road Seawall Project. The proposed project includes the installation of a ± 455 sq. ft. wood dock (65'x7') and a ± 25 sq. ft. cantilever platform (5'x5') with a 12'x4' access ramp and a ± 240 sq. ft. floating dock (30'x8') waterward of the existing seawall and the installation of a ± 25 sq. ft. cantilever platform (5'x5') with a 12'x4' access ramp landward of the existing seawall within the public swale area. The property owners currently do not have a vessel but if one is purchased, information will be provided to the City Marine Facilities. As this property is owned by the city, the proposed wood dock, cantilever platform, ramp, and floating dock will require approval of private use of public property abutting a waterway.

The proposed structures are being applied for concurrently with the Broward County Environmental Protection & Growth Management Department (DF21-1235), Florida Department of Environmental Protection (Delegated), and US Army Corps of Engineers (SAJ-2021-02559).

The following two (2) matters provide justification for this waiver request:

1. All structures and piles will not exceed 30% of the width of the waterway.
2. The applicant requests to enjoy and utilize the waterfront access along Cordova Road as many others within this neighborhood.

If this request is approved, the applicant will comply with all other necessary codes of ordinances (Sec. 8-144).

**EXHIBIT III
WARRANTY DEED & BCPA**

PREPARED BY AND RETURN TO:

Name: Tyrone G. Gerry, of
Lexant Title & Escrow, LLC
Address: 901 S Federal Highway
Suite 201
Fort Lauderdale, FL 33316

File No: 19-1-425
Parcel No.: 504211-18-3520

(Space Above This Line For Recording Data)

Quit Claim Deed

THIS QUIT-CLAIM DEED is made as of this 19 day of April, 2019, by CRJC VENTURE GROUP LLC, a Florida Limited Liability Company ("Grantor"), whose post office address is 1532 Ponce De Leon Drive, Fort Lauderdale, FL 33316, given to second party, Jeffrey B. Cantor, a single man and Myrna C. Roberts, a single woman, as joint tenants with rights of survivorship, whose post office address is 1532 Ponce De Leon Drive, Fort Lauderdale, FL 33316 ("Grantee").

WITNESSETH:

For good and valuable consideration of the sum of \$10.00 to Grantor, the receipt whereof is hereby acknowledged, Grantor does hereby quit-claim, grant, bargain, sell, alien, remise, release and convey unto Grantee, its successors and assigns all of Grantor's right, title and interest in and to that certain property interest (the "Property") in Broward County, Florida, as more particularly described as follows:

Lots 20 and 36 and the Northerly 25 feet of Lots 19 and 37 of Block 30, of Rio Vista Isles, according to the Plat thereof, recorded in Plat Book 7, at Page 47, of the Public Records of Broward County, Florida, and being more particularly described as follows: Commencing at the Northeasterly corner of said Lot 36 and running thence Southerly along the East line of said Lots 36 and 37 a distance of 75 feet to a point, thence Westerly on a line parallel to and 25 feet distance from the Southerly line of said Lots 36 and 20 a distance of 203.70 feet, more or less, to a point in the West line of said Lot 19; thence, Northerly along the Westerly line of said Lots 19 and 20 a distance of 76.26 feet, more or less, to the Northwesterly corner of said Lot 20, thence Easterly along the Northerly line of said Lots 20 and 36 a distance of 185.06 feet, more or less, to the Point of Beginning.

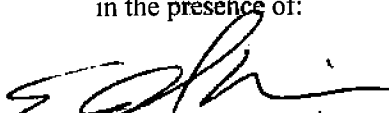
SUBJECT to taxes for 2018 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any, without intention of creation or reimposing same.


****SIGNATURE PAGE TO FOLLOW****

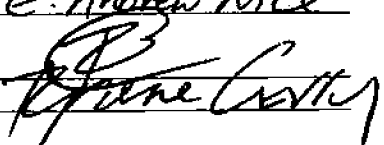
IN WITNESS WHEREOF, the Grantor has caused this Quit-Claim Deed to be executed and delivered the day and year first above written.

Signed, sealed and delivered
in the presence of:

**CRJC VENTURE GROUP LLC, a Florida Limited
Liability Company**



Print Name: E. Andrew Nice

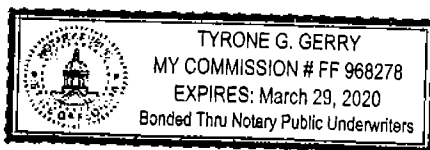

MYRNA ROBERTS, MANAGER



Print Name: Tyrone Gerry

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 9 day of April, 2019, by MYRNA ROBERTS, MANAGER.


Signature of Notary Public
Print, Type/Stamp Name of Notary



Personally Known: _____ OR Produced Identification:
Type of Identification
Produced: 



Site Address	1532 PONCE DE LEON DRIVE, FORT LAUDERDALE FL 33316	ID #	5042 11 18 3520
Property Owner	CANTOR, JEFFREY B ROBERTS, MYRNA C	Millage	0312
Mailing Address	1020 SE 13 TER FORT LAUDERDALE FL 33316	Use	01
Abbr Legal Description	RIO VISTA ISLES UNIT 3 7-47 B LOTS 20 & 36 AND NLY 25 OF LOTS 19 & 37, BLK 30 DESC AS: COMM AT NELY COR OF LOT 36, SLY 75 ALG E/L OF LOTS 36 & 37, WLY 203.70, NLY 76.26 M/L ALG W/L OF LOTS 19 AND 20, ELY 185.06 M/L TO POB		

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)**.

* 2021 values are considered "working values" and are subject to change.
Property Assessment Value

Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2021*	\$595,920	\$449,220	\$1,045,140	\$1,045,140	
2020	\$595,920	\$449,220	\$1,045,140	\$1,045,140	\$19,851.99
2019	\$983,270	\$1,796,860	\$2,780,130	\$2,780,130	\$51,978.89

2021* Exemptions and Taxable Values by Taxing Authority

	County	School Board	Municipal	Independent
Just Value	\$1,045,140	\$1,045,140	\$1,045,140	\$1,045,140
Portability	0	0	0	0
Assessed/SOH	\$1,045,140	\$1,045,140	\$1,045,140	\$1,045,140
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$1,045,140	\$1,045,140	\$1,045,140	\$1,045,140

Sales History

Date	Type	Price	Book/Page or CIN
4/19/2019	QCD-T	\$100	115763057
3/8/2017	QCD-T	\$100	114623052
3/4/2016	WD-Q	\$2,800,000	113556171
10/12/1999	DRR	\$100	29952 / 840
8/11/1999	WD	\$725,000	29759 / 438

Land Calculations

Price	Factor	Type
\$40.00	14,898	SF
Adj. Bldg. S.F. (Card, Sketch)		4196
Units/Beds/Baths		1/3/3
Eff./Act. Year Built: 2002/2001		

Special Assessments

Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03						F1		
R								
1						1		

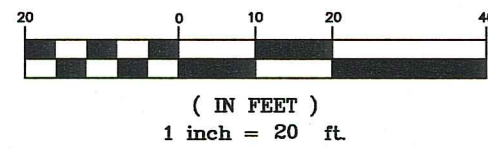
EXHIBIT IV ORIGINAL SURVEY

prepared by
McLAUGHLIN ENGINEERING COMPANY (LB#285)

1700 N.W. 64th STREET, SUITE 400
 FORT LAUDERDALE, FLORIDA 33309
 PHONE: (954) 763-7611
 FAX: (954) 763-7615

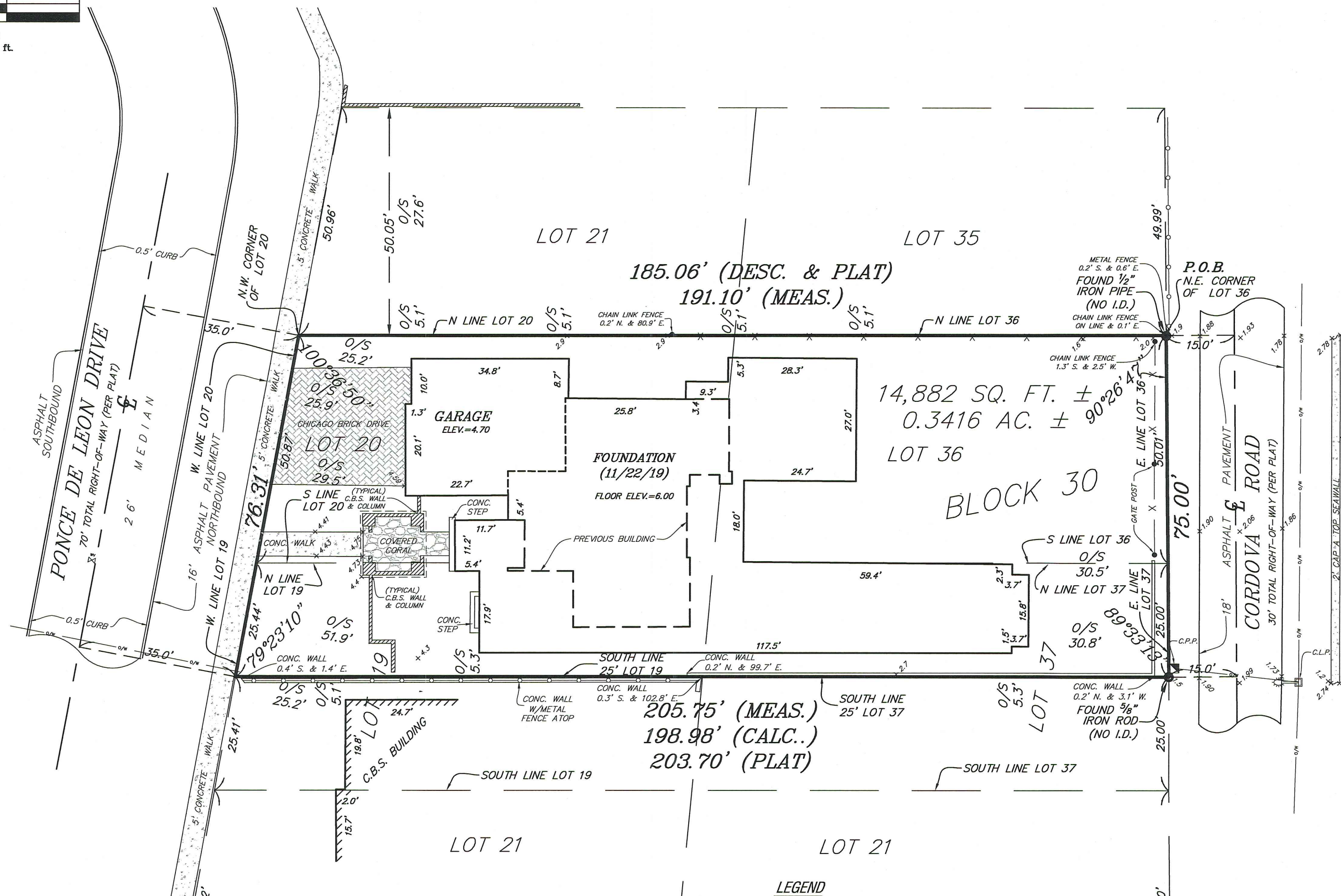
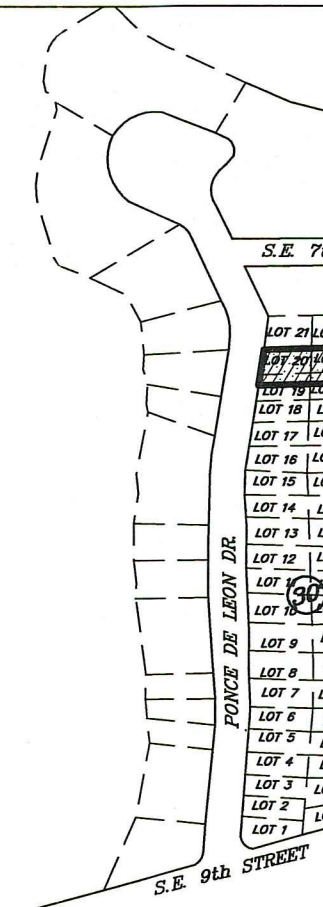


GRAPHIC SCALE



CONSTRUCTION ASBUILT SURVEY

**LOTS 20 & 36, & THE N. 25' OF LOTS 19 & 37,
 BLOCK 30, RIO VISTA ISLES,
 PLAT BOOK 7, PAGE 47, B.C.R.**



Legal Description
 Lots 20 and 36, and the Northerly 25 feet of Lots 19 and 37 and Block 30, RIO VISTA ISLES, according to the plat thereof, recorded in Plat Book 7, Page 47, of the public records of Broward County, Florida, and being more particularly described as follows:
 Commencing at the Northeasterly corner of said Lot 36 and running thence Southerly along the East line of said Lots 20 and 36 a distance of 75 feet to a point; thence Westerly line parallel to and 25 feet distance from the Southerly line of said Lots 36 and 20 an distance of 205.75 feet, more or to a point in the West line of said Lot 19; thence Northerly along the Westerly line of said Lots 19 and 20 a distance of 76.31 feet, more or less, to the Northwesterly corner line of said Lot 20; thence Easterly along the Northerly line of said Lots 20 and 36 a distance of 191.10 feet, more or less, to a point of Beginning.

Said land situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 14,882 square feet 0.3416 acres, more or less.

CERTIFIED TO:
 Jeffrey B. Cantor
 Synovus Bank
 Lexant Title and Escrow LLC
 WFG National Title Insurance Company

NOTES:

- This survey reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Company.
- Underground improvements if any not located.
- This drawing is not valid unless sealed with an authorized surveyors seal.
- Boundary survey information does not infer Title or Ownership.
- All iron rods 5/8", unless otherwise noted.
- Reference Bench Mark: City of Fort Lauderdale BM Brass Disc at intersection of Cordova Road and S.E. 10th Street, Elevation= 5.890 (NGVD29) converted to 4.310 (NAVD88).
- Elevations shown refer to North American Vertical Datum (1988), and are indicated thus: $\text{Elev.} = 1.99$
- This property lies in Flood Zone "AE", Elev.=5.0 Per Flood Insurance Rate Map No. 12011C0557 H, Dated: August 18, 2014. Community Panel No. 125105.
- Underground Utility locations shown hereon, if any, are based upon paint marks on the ground provided by others. McLaughlin Engineering Company did not confirm the accuracy of this data. The exact location of all utilities should be confirmed prior to design or construction.
- Elevations per North American Vertical Datum (1988) derived from National Geodetic Vertical Datum (1929) data and converted using U.S. Army Corps of Engineers software (Corpscon 6.0.1) obtained from <http://www.tech.army.mil/>

LEGEND

Δ = CENTRAL ANGLE (DELTA)	MHW = MEAN HIGH WATER
A/C = AIR CONDITIONING	MISC. = MISCELLANEOUS
A.K.A. = ALSO KNOWN AS	M.L.P. = METAL LIGHT POLE
A.L.P. = ALUMINUM LIGHT POLE	± = MORE AND LESS
ALTA = AMERICAN LAND TITLE ASSOCIATION	NGS = NATIONAL GEODETIC SURVEY
A OR L = ARC LENGTH	NSPS = NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS
B.C.R. = BROWARD COUNTY RECORDS	NGVD29 = NATIONAL GEODETIC VERTICAL DATUM (1929)
B.F.P. = BACK FLOW PREVENTOR	NAVD88 = NORTH AMERICA VERTICAL DATUM (1988)
B.H. = BULKHEAD	N.S.I.D. = NORTH SPRINGS IMPROVEMENT DISTRICT
B.L. = BASE LINE	NO. = NUMBER
C.A.T.V. = CABLE TV TERMINAL OR BOX	O.R.B. = OFFICIAL RECORDS BOOK
CALC. = CALCULATED	O/S = OFFSET
C.B.S. = CONCRETE, BLOCK AND STUCCO	O/W = OVERHEAD UTILITY LINES
CL = CENTERLINE OF RIGHT-OF-WAY	PG. = PAGE
CH = CHORD	P.B. = PLAT BOOK
CH.BRG. = CHORD BEARING	P.B.C.R. = PALM BEACH COUNTY RECORDS
C.C.C.L. = COASTAL CONSTRUCTION CONTROL LINE	P.C. = POINT OF CURVE
C.L.F. = CHAIN LINK FENCE	P.C.D. = POLLUTION CONTROL DEVICE
C.L.P. = CONCRETE LIGHT POLE	P.I. = POINT OF INTERSECTION
C.P.L.M. = CONCRETE POWER LIGHT POLE	P.I.V. = POST INDICATOR VALVE
C.P.P. = CONCRETE POWER POLE	P.O.B. = POINT OF BEGINNING
CO. = COMPANY	P.O.C. = POINT OF COMMENCEMENT
CONC. = CONCRETE	P.R.C. = POINT OF REVERSE CURVE
CO. = CLEAN OUT	P.R.M. = PERMANENT REFERENCE MONUMENT
D.B. = DEED BOOK	R = RADIUS
DESC. = DESCRIPTION FROM FORMER DESCRIPTION	R.C.P. = REINFORCED CONCRETE PIPE
DIA. = DIAMETER	R/W = RIGHT-OF-WAY
D.B.H. = DIAMETER AT BREAST HEIGHT	S.B.T. = SOUTHERN BELL TELEPHONE
ELEC. = ELECTRIC	SV = SEWER VALVE
ELEV. OR EL. = ELEVATION	S.H.W. = SEASONAL HIGH WATER LINE
FL = FEET	S.T.L. = SURVEY TIE LINE
F.H. = FIRE HYDRANT	TAN. = TANGENT
F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION	TAN.BRG. = TANGENT BEARING
F.P.L. = FLORIDA POWER AND LIGHT CO.	WM. = WATER METER
G.T.M. = GREASE TRAP MANHOLE	WV = WATER VALVE
H.H. = HAND HOLE	W.B.H. = WET FACE OF BULKHEAD
I.C.V. = IRRIGATION CONTROL VALVE	W/F = WET FACE OF CAP
INV. = INVERT	W.L.P. = WOOD STREET LIGHT POLE
LB = LICENSE BUSINESS	W.P.L.P. = WOOD POWER STREET LIGHT POLE
MAG. = MAGNET	W.P.P. = WOOD POWER POLE
M.D.C.R. = MIAMI DADE COUNTY RECORDS	W/McL. CAP. = WITH McLAUGHLIN ENGINEERING CO. CAP
MEAS. = FIELD MEASURE	W/W.C. = WITH WITNESS CAP # 285

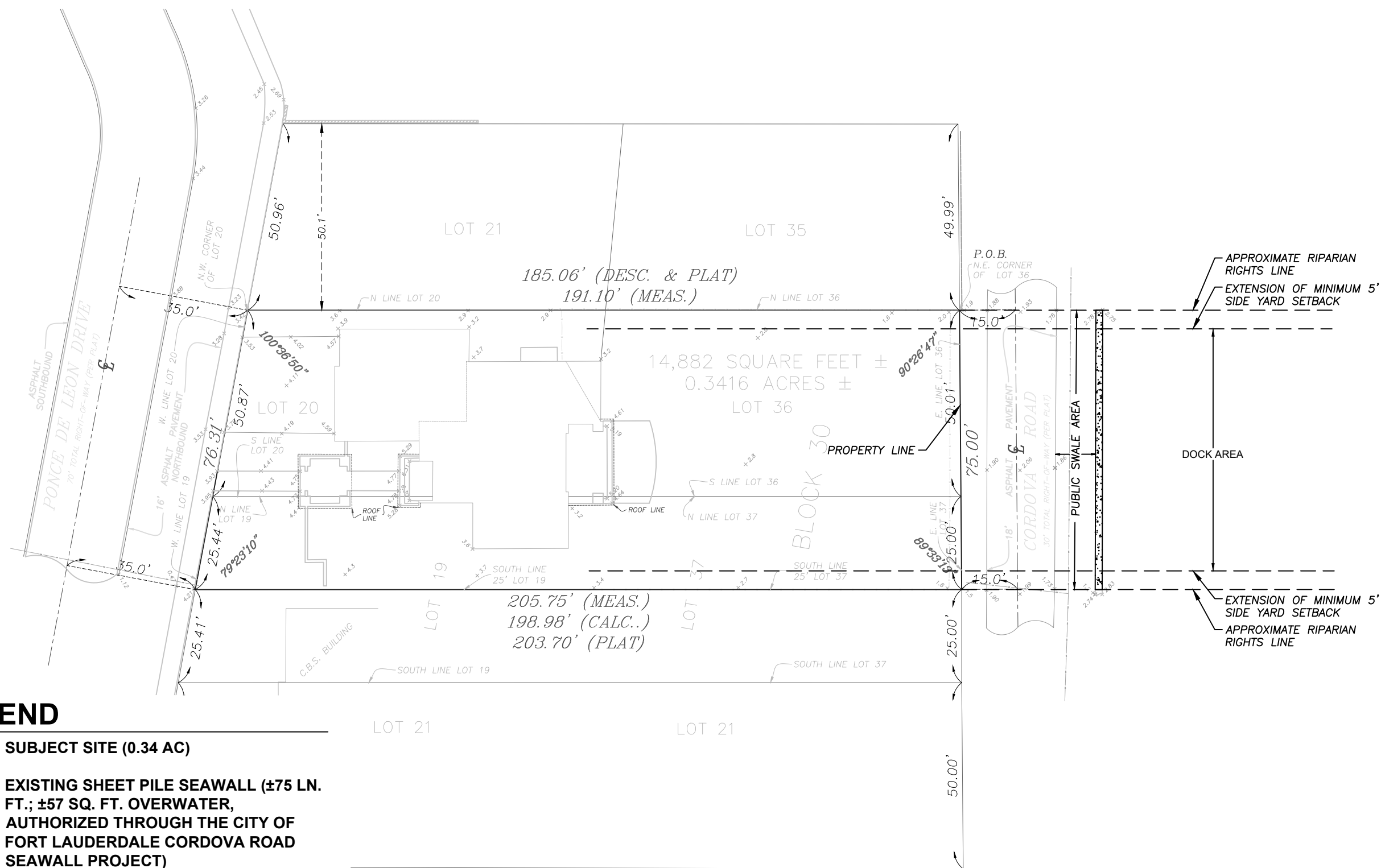
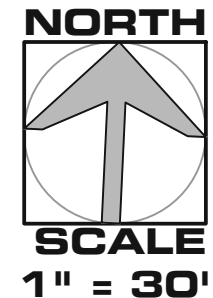
CERTIFICATION
 We hereby certify that this survey meets the "Standards of as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17.05 Florida Administrative Code pursuant to Section 472.027, Florida Statutes.

Dated at Fort Lauderdale, Florida, this 25th day of January, 2019.
 Foundation located this 22nd day of November, 2019.
 Certifications added this 5th day of December, 2019.

McLAUGHLIN ENGINEERING COMPANY

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

**EXHIBIT V
EXHIBIT "A"**



LEGEND

- SUBJECT SITE (0.34 AC)
- EXISTING SHEET PILE SEAWALL (±75 LN. FT.; ±57 SQ. FT. OVERWATER, AUTHORIZED THROUGH THE CITY OF FORT LAUDERDALE CORDOVA ROAD SEAWALL PROJECT)

M.H.W. = 0.32' NAVD88 M.L.W. = (-)2.10' NAVD88
 NOTE: SURVEY INFORMATION PROVIDED BY MCLAUGHLIN ENGINEERING COMPANY. ELEVATIONS SHOWN AS NAVD88.

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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 fax. 954.782.1108
www.thechappellgroup.com

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

1532 PONCE DE LEON DRIVE
 PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

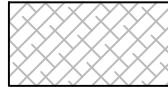
EXHIBIT "A"		
Date: 9/22/2021	Sheet : 1	of : 1
Proj No.: 21-0060		

EXHIBIT VI STANDARD LANDSCAPE PLAN

LEGEND



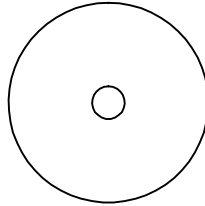
**ST. AUGUSTINE SOD,
TIGHT SEAMS, FULL COVERAGE**



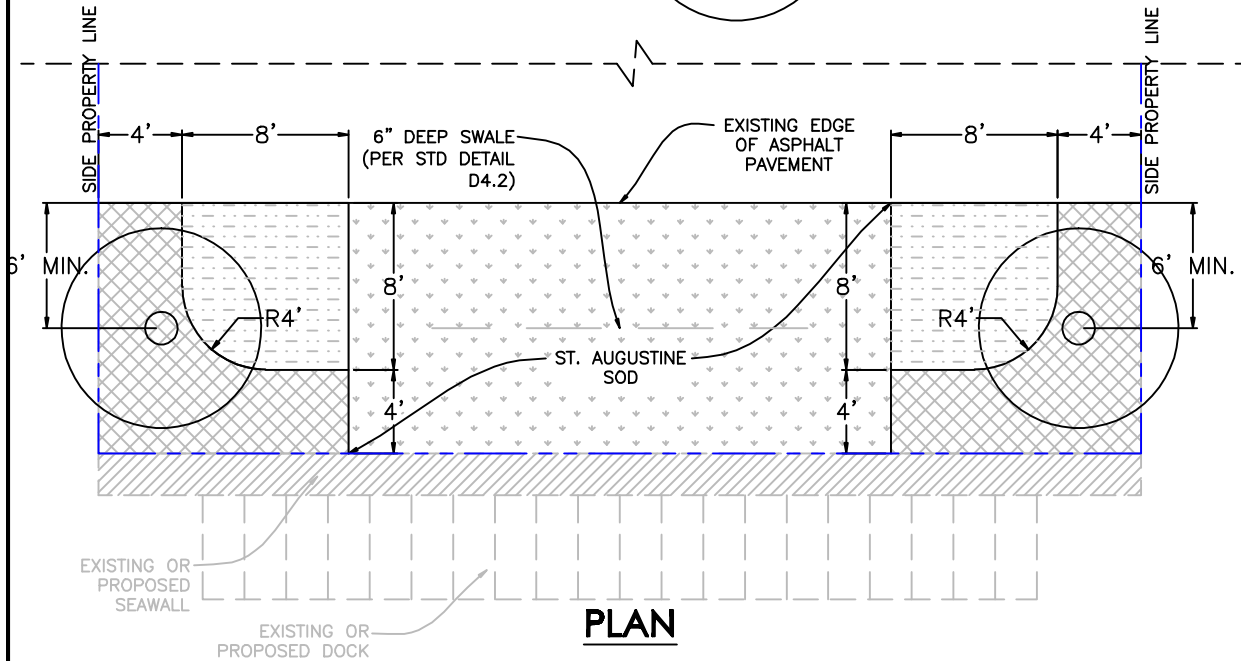
**MUHLY GRASS:
18" - 24" TALL
18" - 24" ON CENTER**



**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

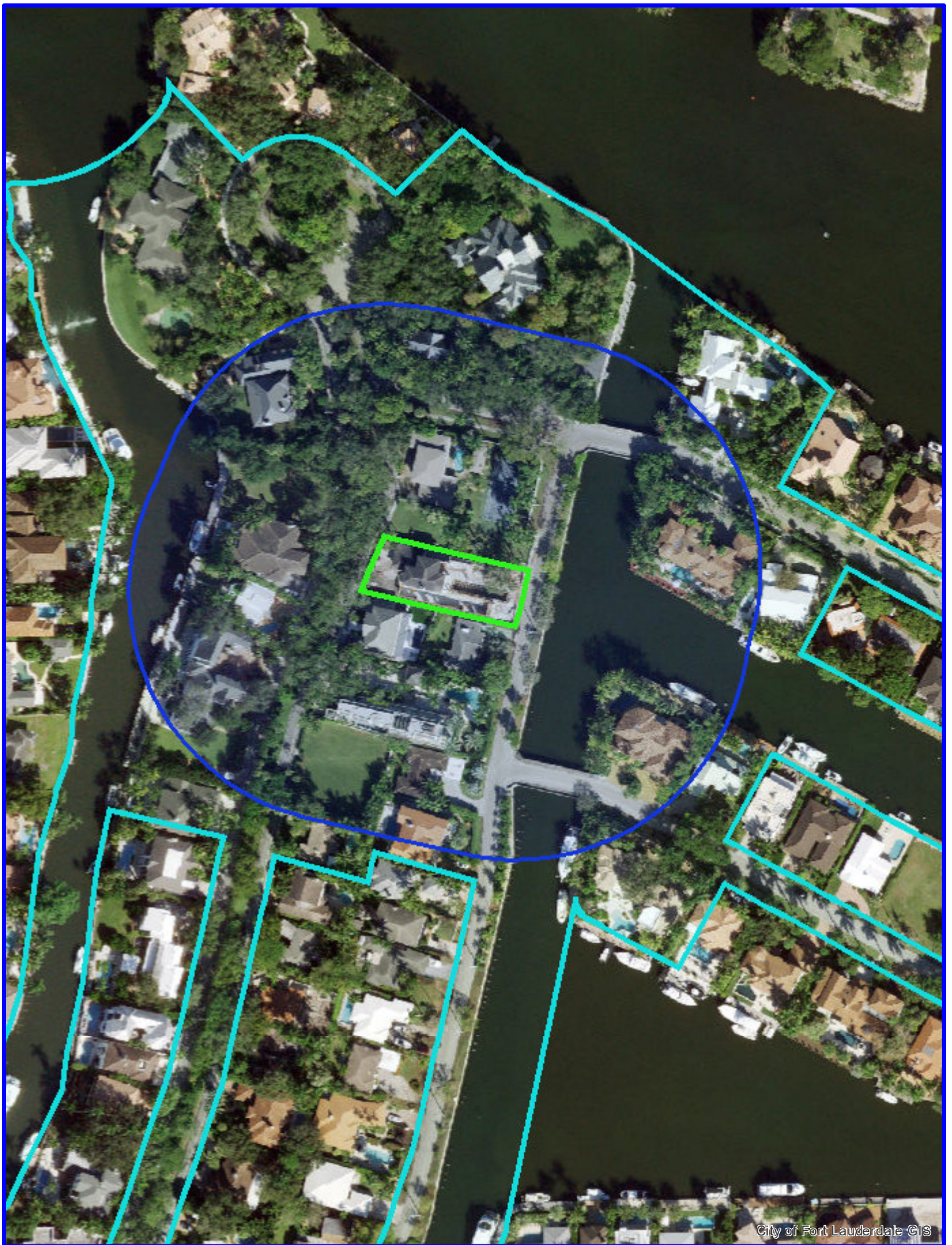
REVISED:

URBAN DESIGN & PLANNING
ENGINEERING DIVISION

LANDSCAPING PLAN (ROW)

SCALE:
1"=10'

**EXHIBIT V
ZONING AERIAL**



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

Map Created by GIS Mailer

1532 Ponce De Leon Drive



0 90 180 Feet

GIS
Fort Lauderdale

CAM 21-1113
Printed on: 8/10/2021
Exhibit

EXHIBIT VI SITE PHOTOGRAPHS



1. Northern portion of the subject site, facing south along the canal.

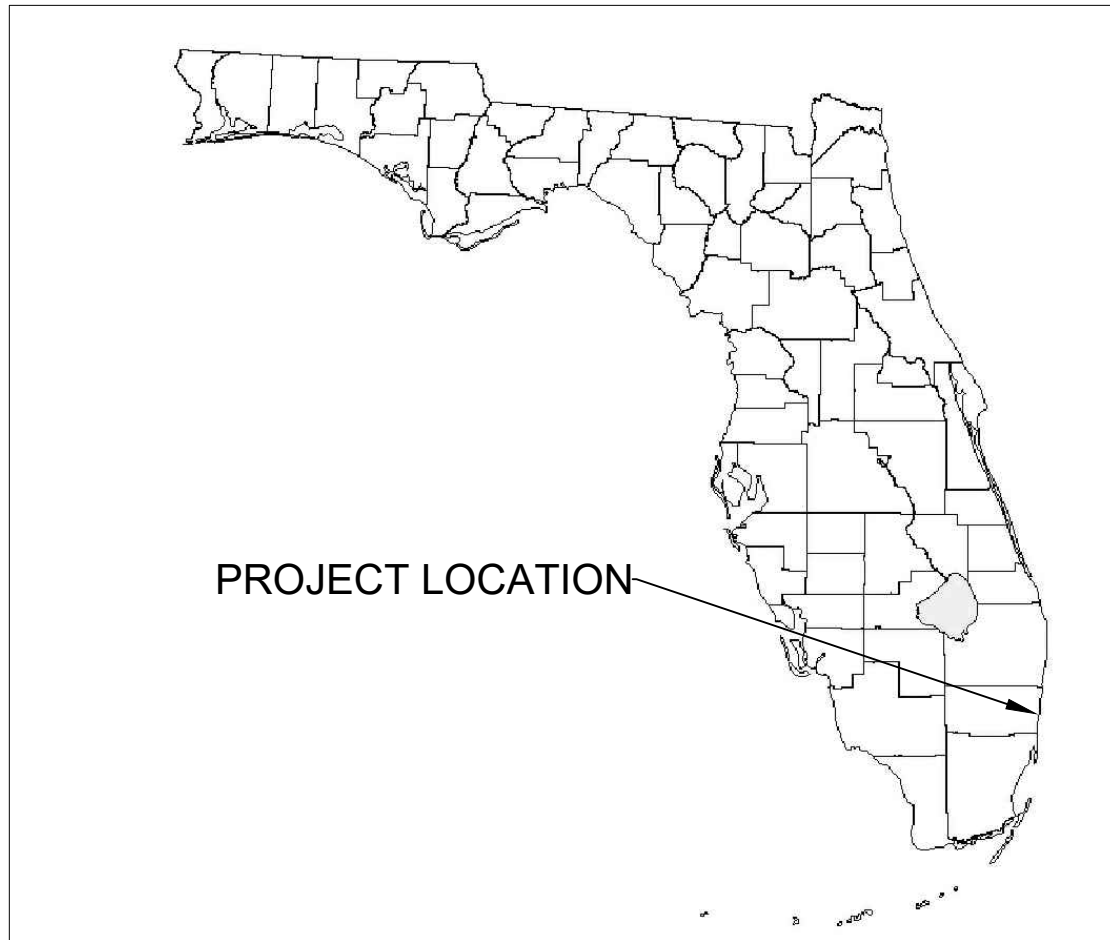


2. Southern portion of the subject site, facing north along the canal.

EXHIBIT VII PROJECT PLANS

1532 PONCE DE LEON DRIVE

PLAN SET



LOCATION MAP (N.T.S.)

DRAWING INDEX

SHEET 1: COVER

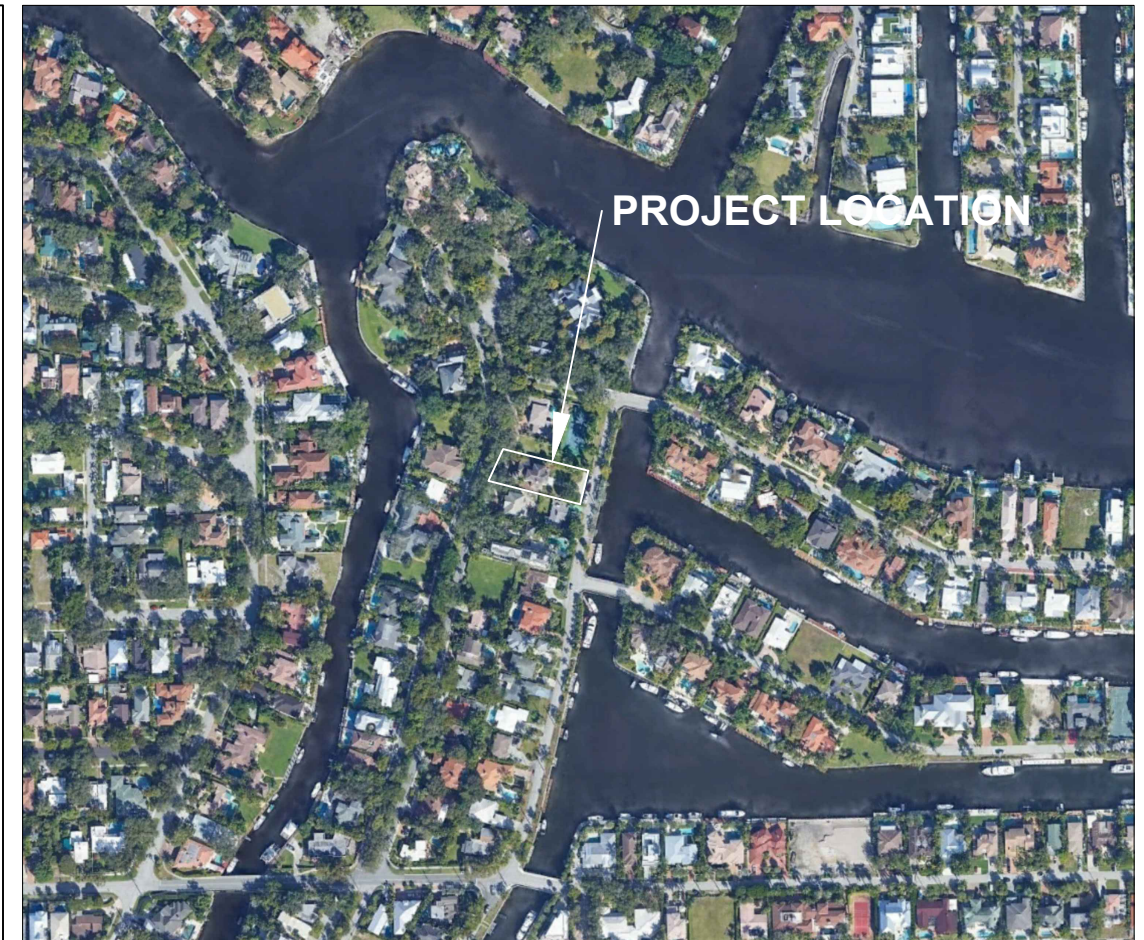
SHEET 2: EXISTING
CONDITIONS

SHEET 3: PROPOSED
CONDITIONS

SHEET 4: SECTION A

SHEET 5: SECTION B

SHEET 6: DETAILS



VICINITY AERIAL (N.T.S.)

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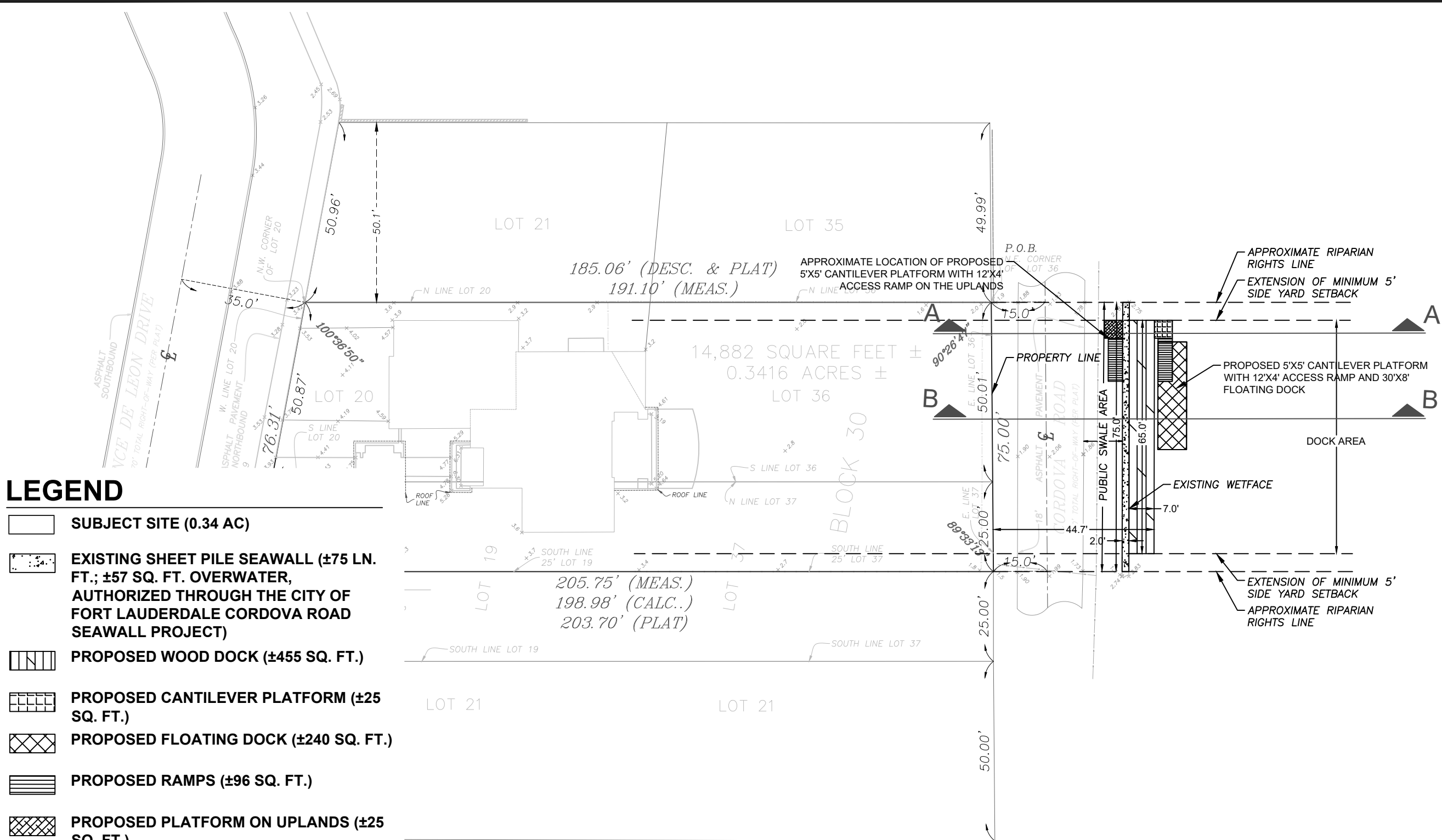
- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Tree Surveys/Appraisals

1532 PONCE DE LEON DRIVE

PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

COVER

Date: 9/22/2021	Sheet : 1	of : 6
Proj No.: 21-0060		



LEGEND

- SUBJECT SITE (0.34 AC)**
- EXISTING SHEET PILE SEAWALL (±75 LN. FT.; ±57 SQ. FT. OVERWATER, AUTHORIZED THROUGH THE CITY OF FORT LAUDERDALE CORDOVA ROAD SEAWALL PROJECT)**
- PROPOSED WOOD DOCK (±455 SQ. FT.)**
- PROPOSED CANTILEVER PLATFORM (±25 SQ. FT.)**
- PROPOSED FLOATING DOCK (±240 SQ. FT.)**
- PROPOSED RAMPS (±96 SQ. FT.)**
- PROPOSED PLATFORM ON UPLANDS (±25 SQ. FT.)**

M.H.W. = 0.32' NAVD88 M.L.W. = (-)2.10' NAVD88
NOTE: SURVEY INFORMATION PROVIDED BY MCLAUGHLIN ENGINEERING COMPANY. ELEVATIONS SHOWN AS NAVD88.

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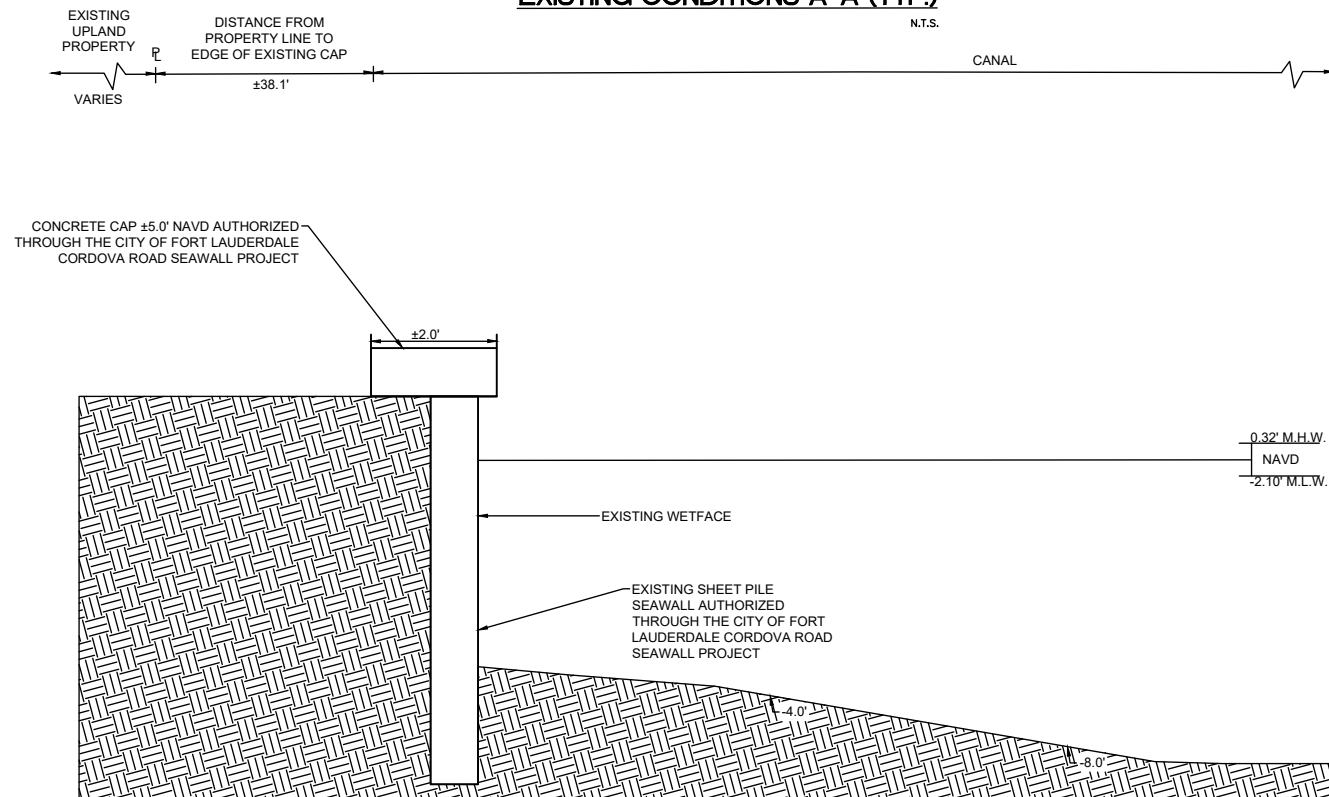
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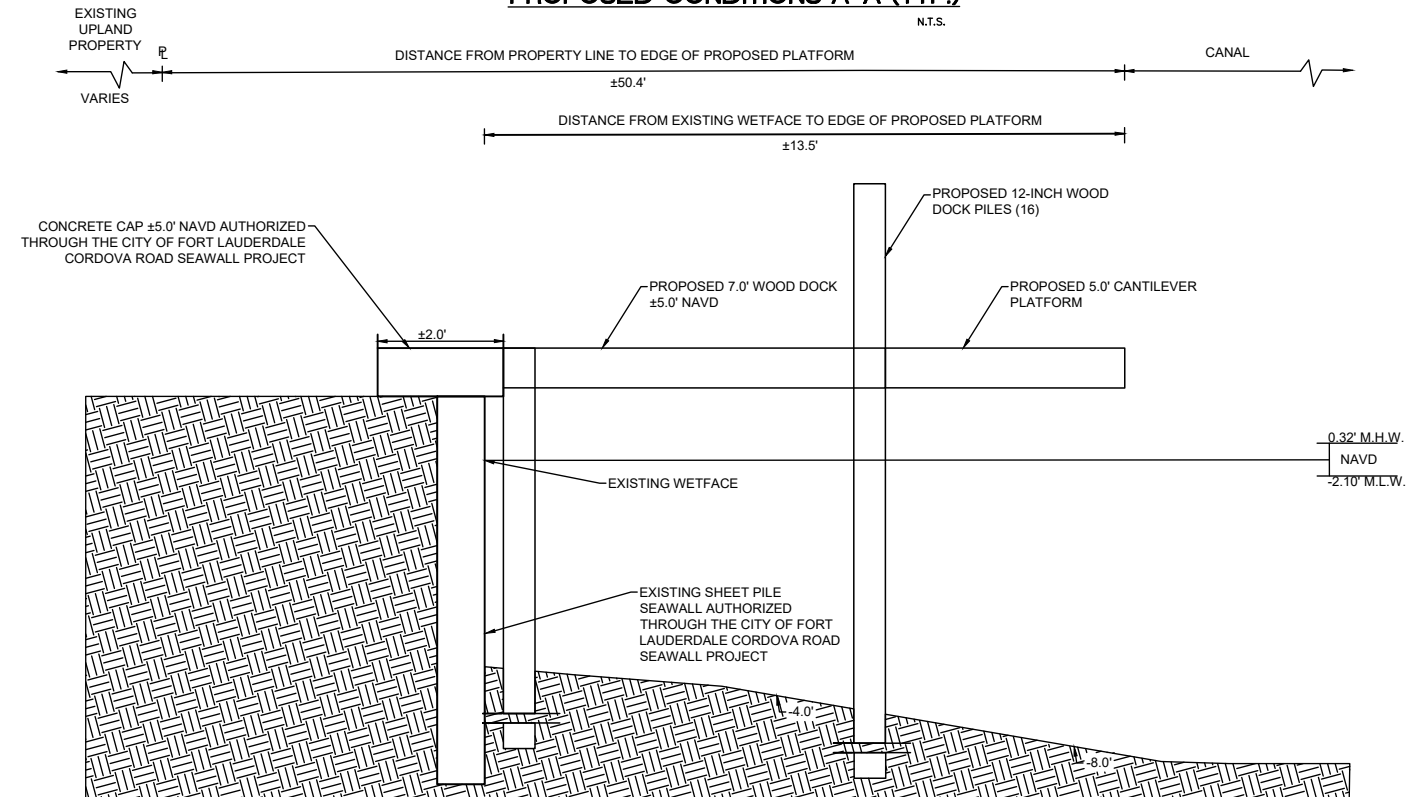
1532 PONCE DE LEON DRIVE
 PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

PROPOSED CONDITIONS		
Date: 9/22/2021	Sheet :	of :
Proj No.: 21-0060	3	6

EXISTING CONDITIONS A-A (TYP.)



PROPOSED CONDITIONS A-A (TYP.)



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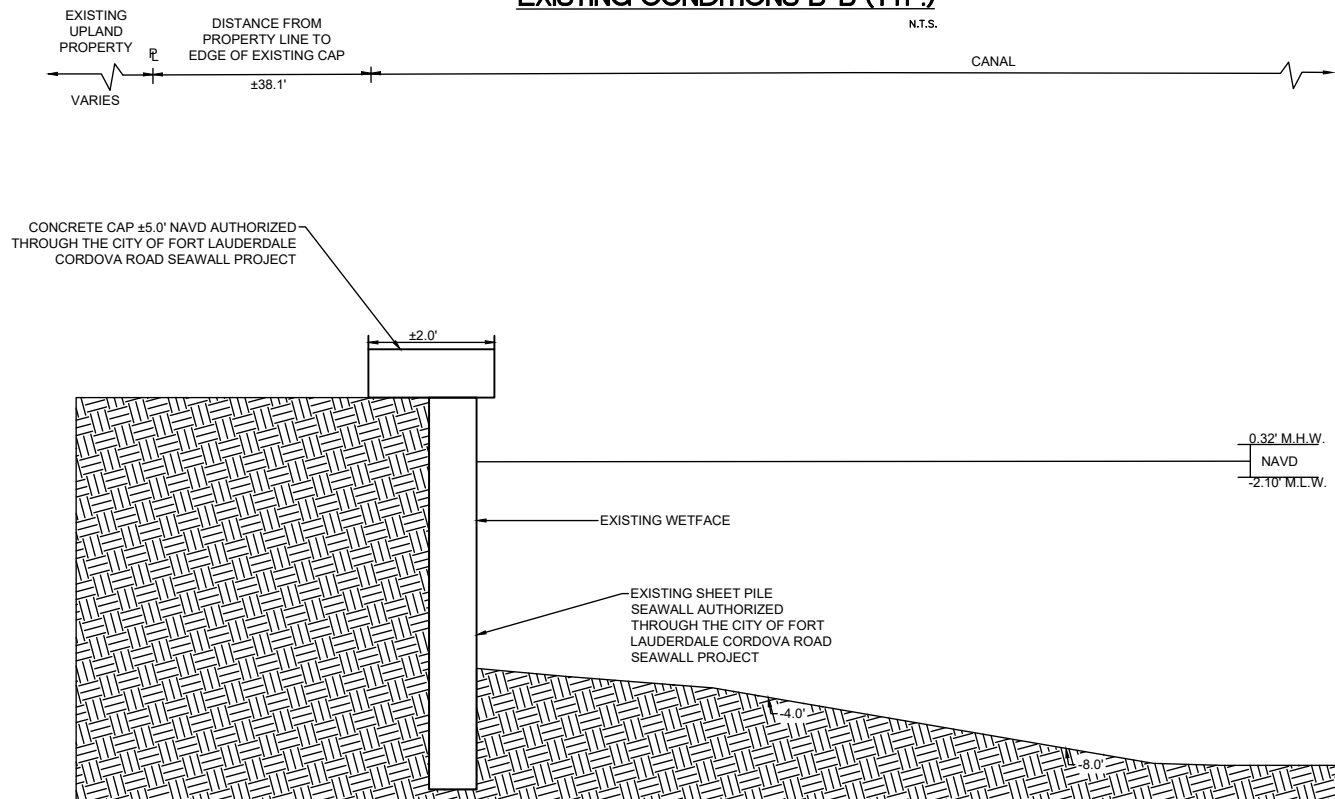
1532 PONCE DE LEON DRIVE

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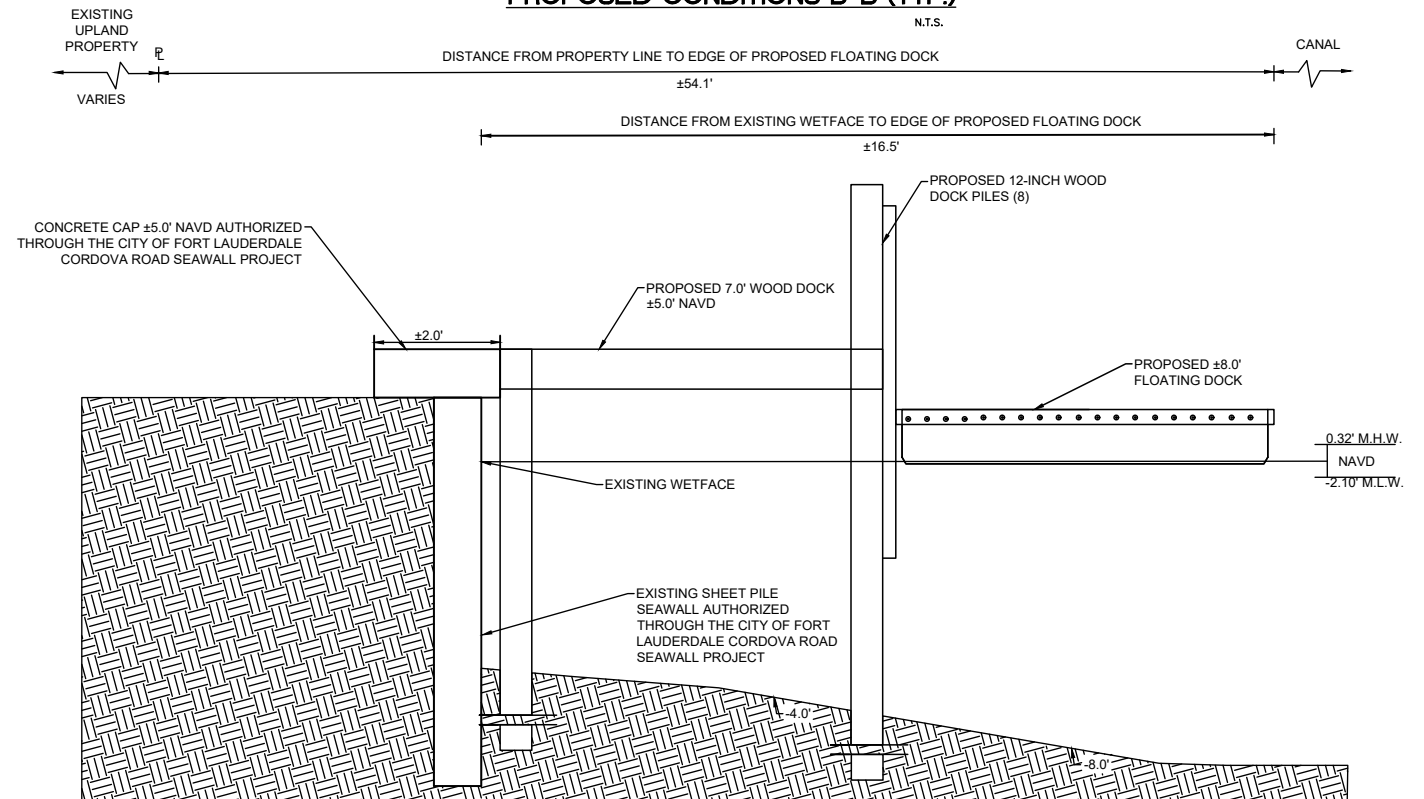
SECTION A

Date: 9/22/2021	Sheet : 4	of : 6
Proj No.: 21-0060		

EXISTING CONDITIONS B-B (TYP.)



PROPOSED CONDITIONS B-B (TYP.)



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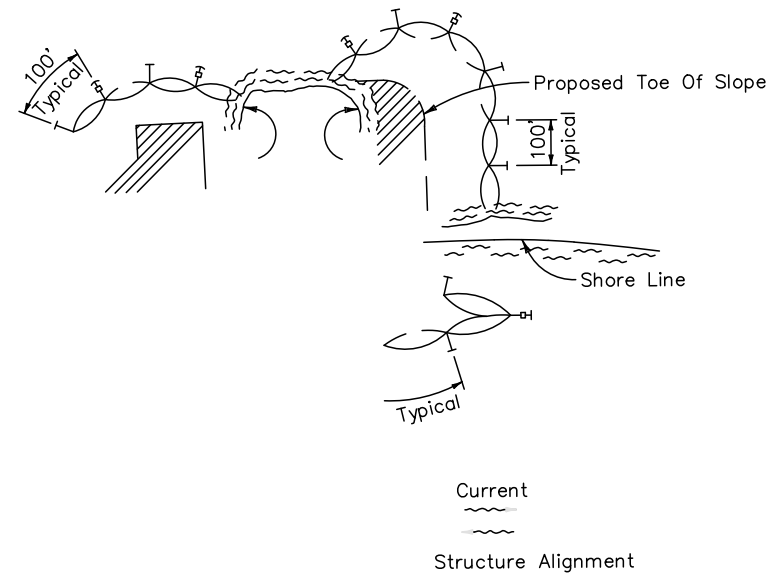
1532 PONCE DE LEON DRIVE

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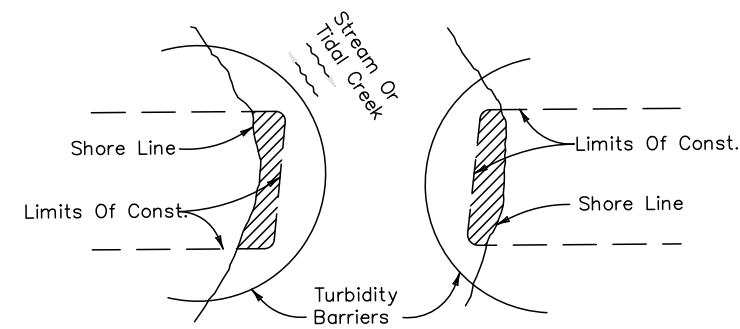
SECTION B

Date: 9/22/2021	Sheet : 5	of : 6
Proj No.: 21-0060		

CONSTRUCTION BARGE (TYP.)



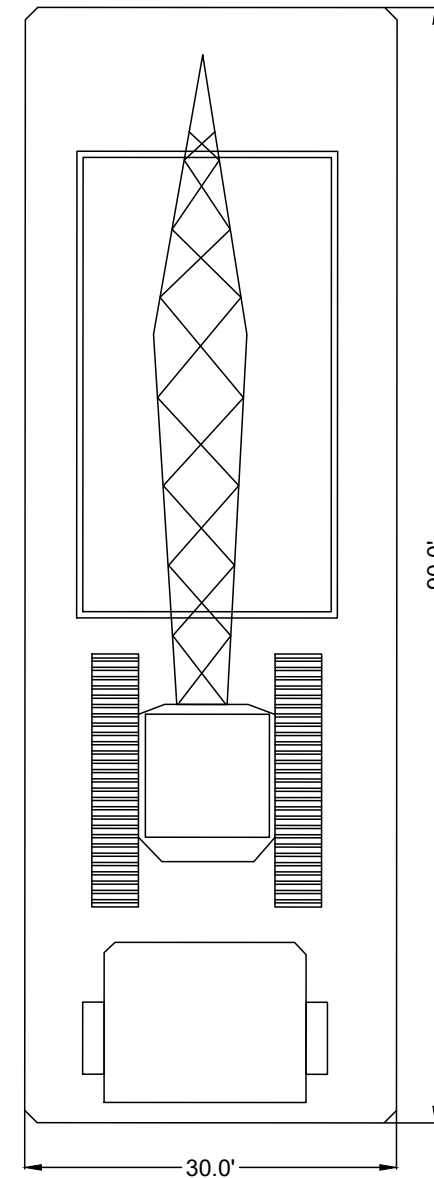
- LEGEND**
- Pile Locations
 - ▨ Dredge Or Fill Area
 - Mooring Buoy w/Anchor
 - Anchor
 - Barrier Movement Due To Current Action



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.

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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1532 PONCE DE LEON DRIVE

PREPARED FOR:
TOM KRIPS CONSTRUCTION, INC.

DETAILS

Date: 9/22/2021	Sheet : 6	of : 6	
Proj No.: 21-0060			

EXHIBIT VIII EXISTING DOCK PERMITS IN THE VICINTY

EXISTING DOCK PERMITS IN THE VICINITY



ADDRESS	YEAR GRANTED
621 Cordova Road	2011, 2013
915 Cordova Road	2021
1009 Cordova Road	2015, 2021
1029 Cordova Road	2021
1028 SE 13 th Terrace	2021
116 SE 11 th Ave	2019
1700 Brickell Drive	2019
Subject Site	Requested Nov 2021

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)