

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: Mr. Robert LeClair & Mr. Vincent Gauthier

TELEPHONE NO: 954-568-3903 (home) FAX NO. 954-568-3102 (business)

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

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: The applicant requests a waiver for the proposed construction of a boat lift beyond the limits of the Code Ordinances.

4. SITE ADDRESS: 777 BAYSHORE DRIVE ZONING: IOA

LEGAL DESCRIPTION: AMERICAS ON THE PARK CONDO UNIT 1006

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

Applicant's Signature

29/MARCH/2013 Date

The sum of \$ was paid by the above-named applicant on the of , 2013 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**

Prepared by and return to:
Gregory R. Fishman, Esq.
President
Gregory R. Fishman, P.A.
2750 NE 185th St., Suite 302
Aventura, FL 33180
305-792-6945
File Number:
Will Call No.:

[Space Above This Line For Recording Data]

Quit Claim Deed

This Quit Claim Deed made this 17 day of January, 2012 between Robert Leclair, a single man whose post office address is 777 Bayshore Drive, Unit 1006, Fort Lauderdale, FL 33304, grantor, and Robert Leclair, a single man and Vincent Gauthier, a single man, together as joint tenants with right of survivorship whose post office address is 777 Bayshore Drive, Unit 1006, Fort Lauderdale, FL 33304 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 TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in Broward County, Florida to-wit:

Condominium Parcel-Unit No. 1006, of AMERICAS ON THE PARK, a Condominium, according to the Declaration of Condominium thereof, as recorded in Official Records Book 6920, at Page 664, of the Public Records of Broward County, Florida, and all amendments thereto, if any.

Parcel Identification Number: 504201-BD-0400

SUBJECT TO:

- 1) Subject to Taxes for the year 2012 and subsequent years and all applicable zoning ordinances and governmental regulations.
- 2) Conditions, restrictions, limitations, and easements of record, if any, but without the intention of reimposing the same.
- 3) All of the terms, conditions, provisions of the Declaration of Condominium above described, all exhibits attached thereto and all amendments thereto.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

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

DoubleTimee

Signed, sealed and delivered in our presence:

Witness Name: Gregory Fishman

Witness Name: Vannia Arden

Robert Leclair (Seal)

State of Florida
County of Miami-Dade

The foregoing instrument was acknowledged before me this 14th day of January, 2012 by Robert Leclair, who is personally known or has produced a passport as identification.

[Notary Seal]



Notary Public [Signature]

Printed Name: _____

My Commission Expires: _____

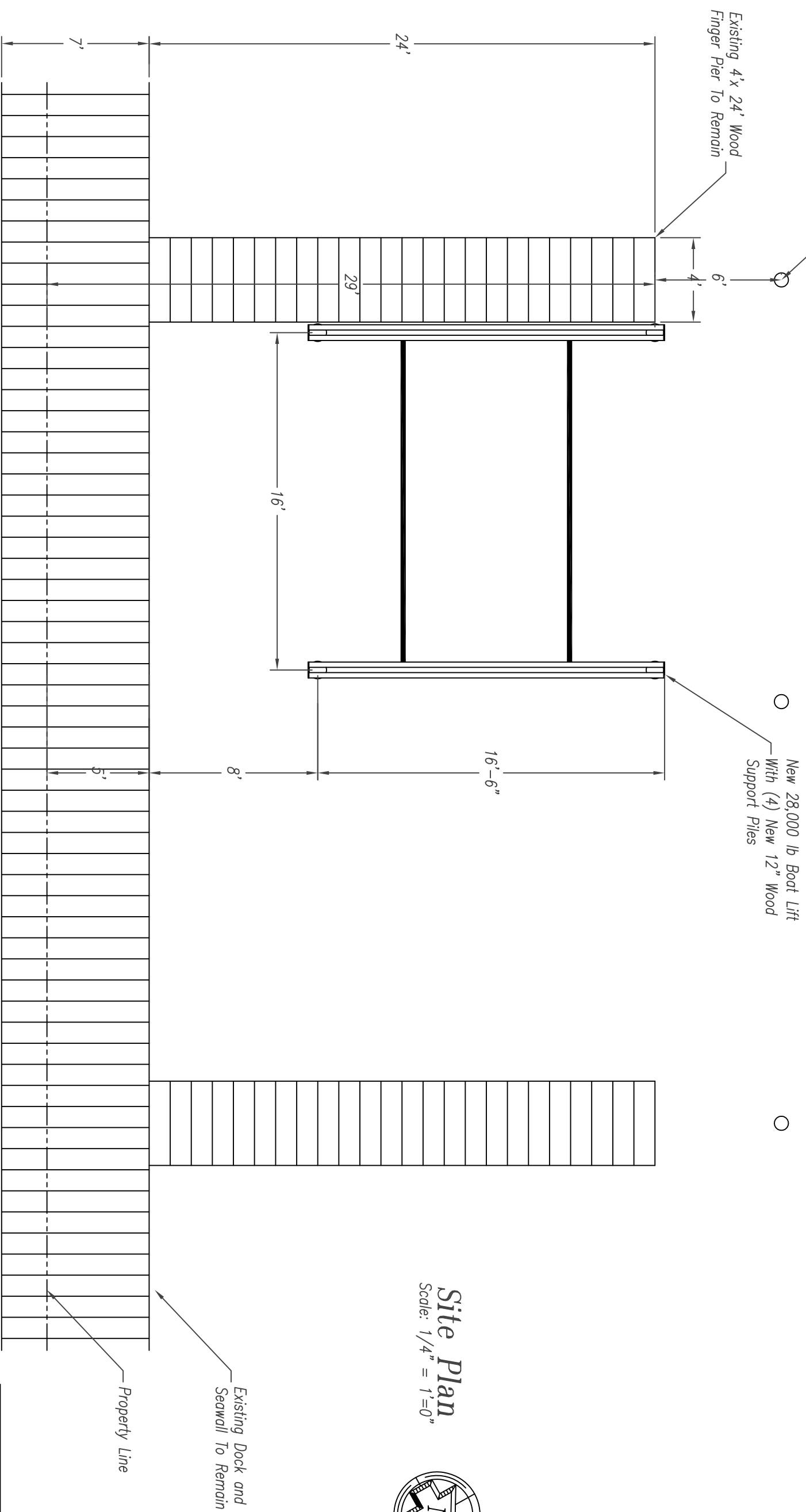
THIS IS NOT AN OFFICIAL COPY

**EXHIBIT IV
PROJECT PLANS**

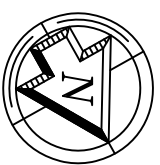
Intracoastal Water Way

Existing Mooring Piles To Remain
Pier 3

Pier 4



Site Plan
Scale: 1/4" = 1'-0"



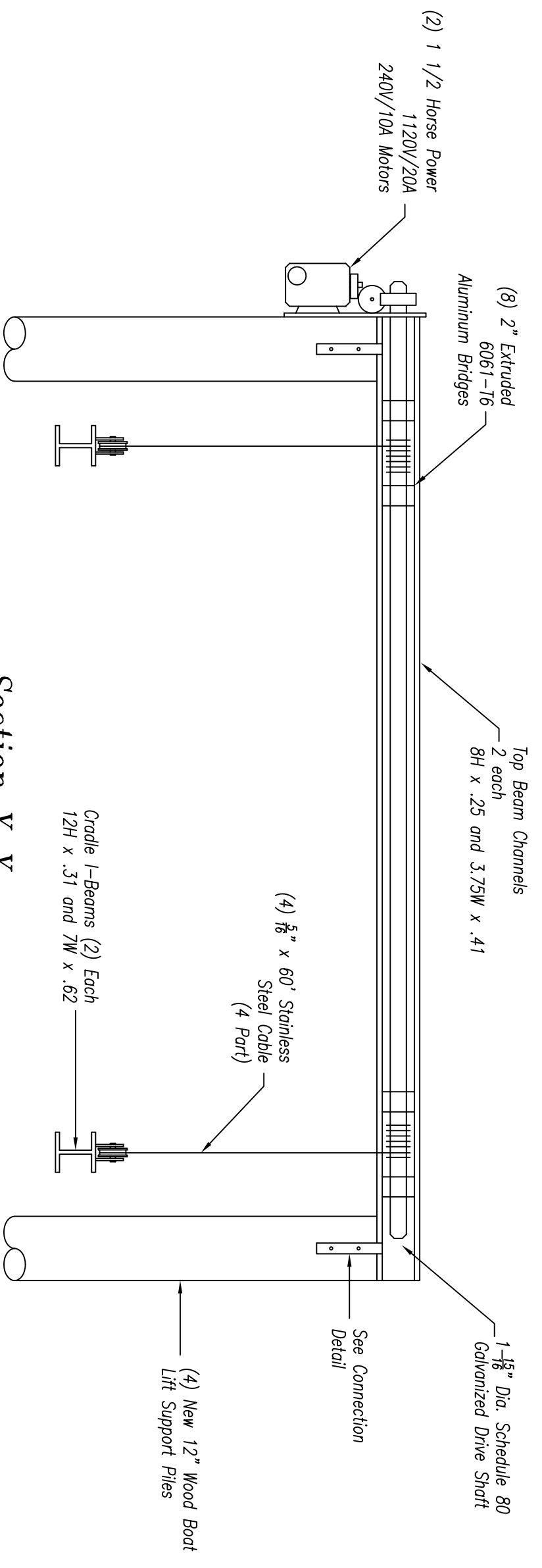
Contractor to obtain utility clearance prior to pile driving.
call: 1-800-432-4770

Proposed Boat Lift
Robert Leclair/Vincent Gauthier
777 Bayshore Drive
Ft Lauderdale, Florida 33304

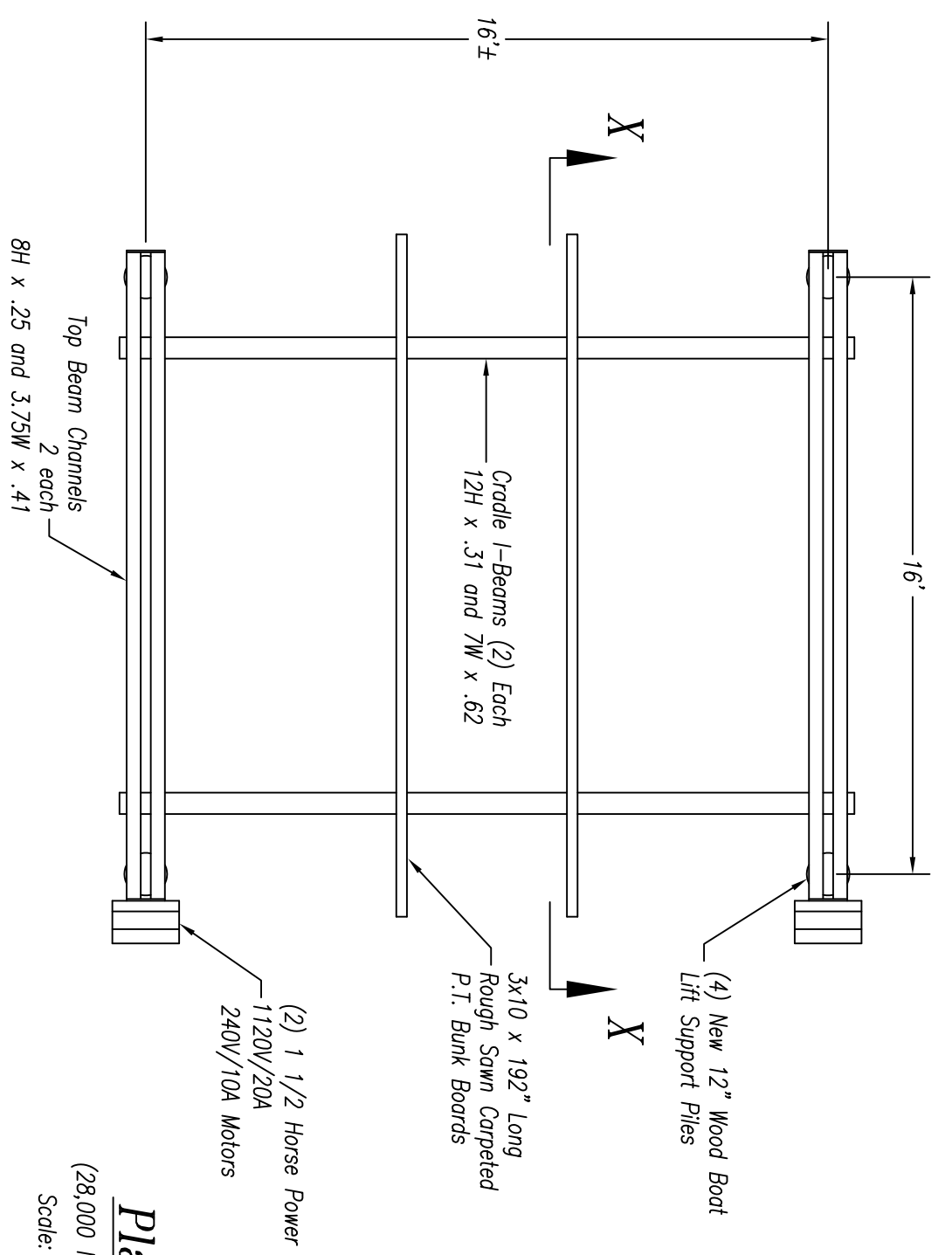
Dynamic Engineering Solutions, Inc.
E.B. #26829, License #52733
950 N. Federal Highway Suite 212
Pompano Beach, Florida 33062
(954) 545-1740

John H. Onslager, P.E.

DSN	DWN
WRT	
DATE	12.7.12
PILOT	64
DWG No.	777 SP
DIRECTORY	SEM\Boat Lifts
Sheet	1



Section X-X



Plan View

(28,000 lb Golden Boat Lift)
 Scale: 1/4" = 1'-0"

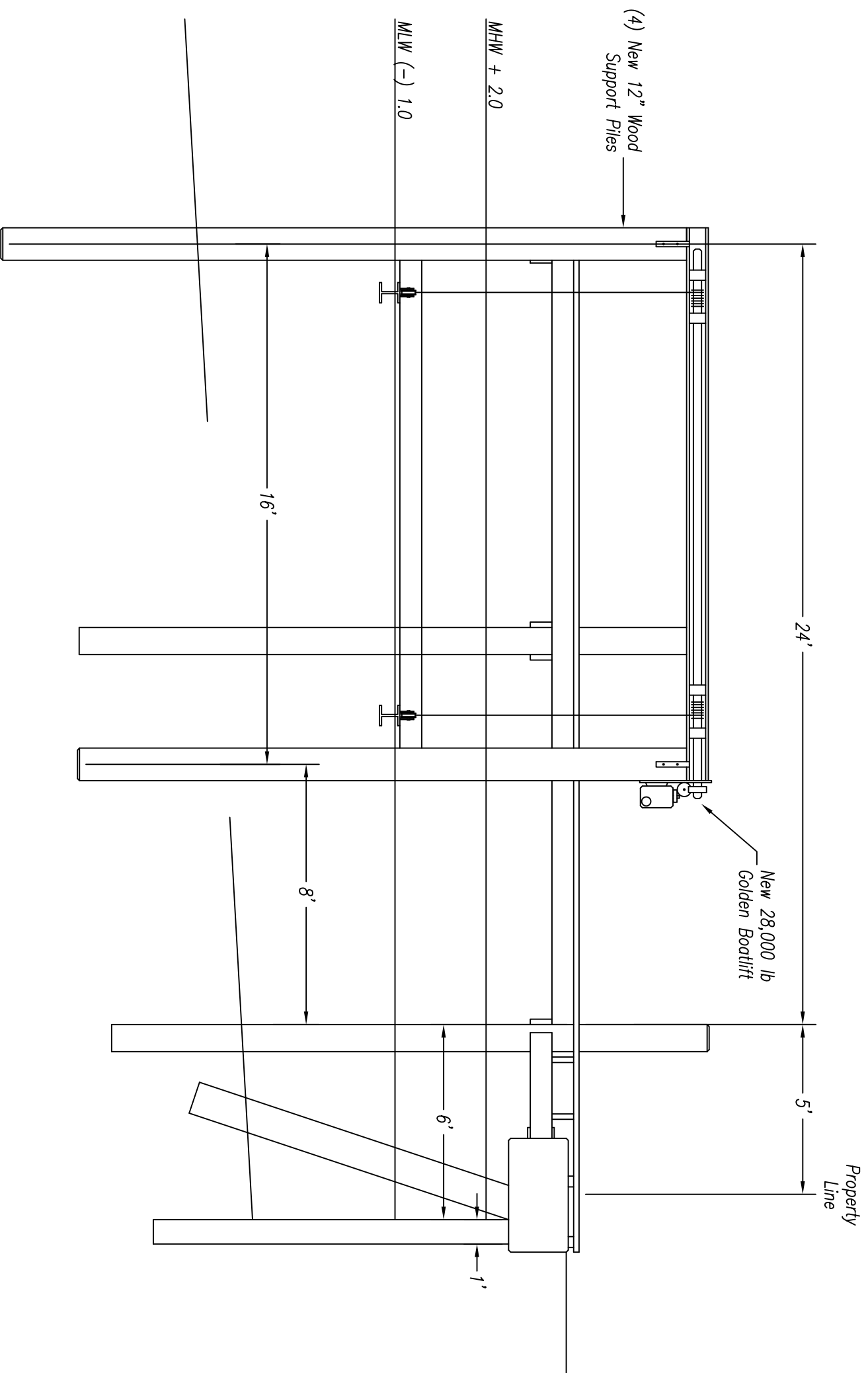
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 Pompano Beach, Florida 33062
 (954) 545-1740

John H. Ormslayer, P.E.

DSN	DWN
WRT	
DATE	12.7.12
PLOT	24
DWG No.	777-28K-lift
DIRECTORY	SMA\BL
Sheet 2	



Section with Dock and Boat Lift

(28,000 lb Golden Boat Lift)

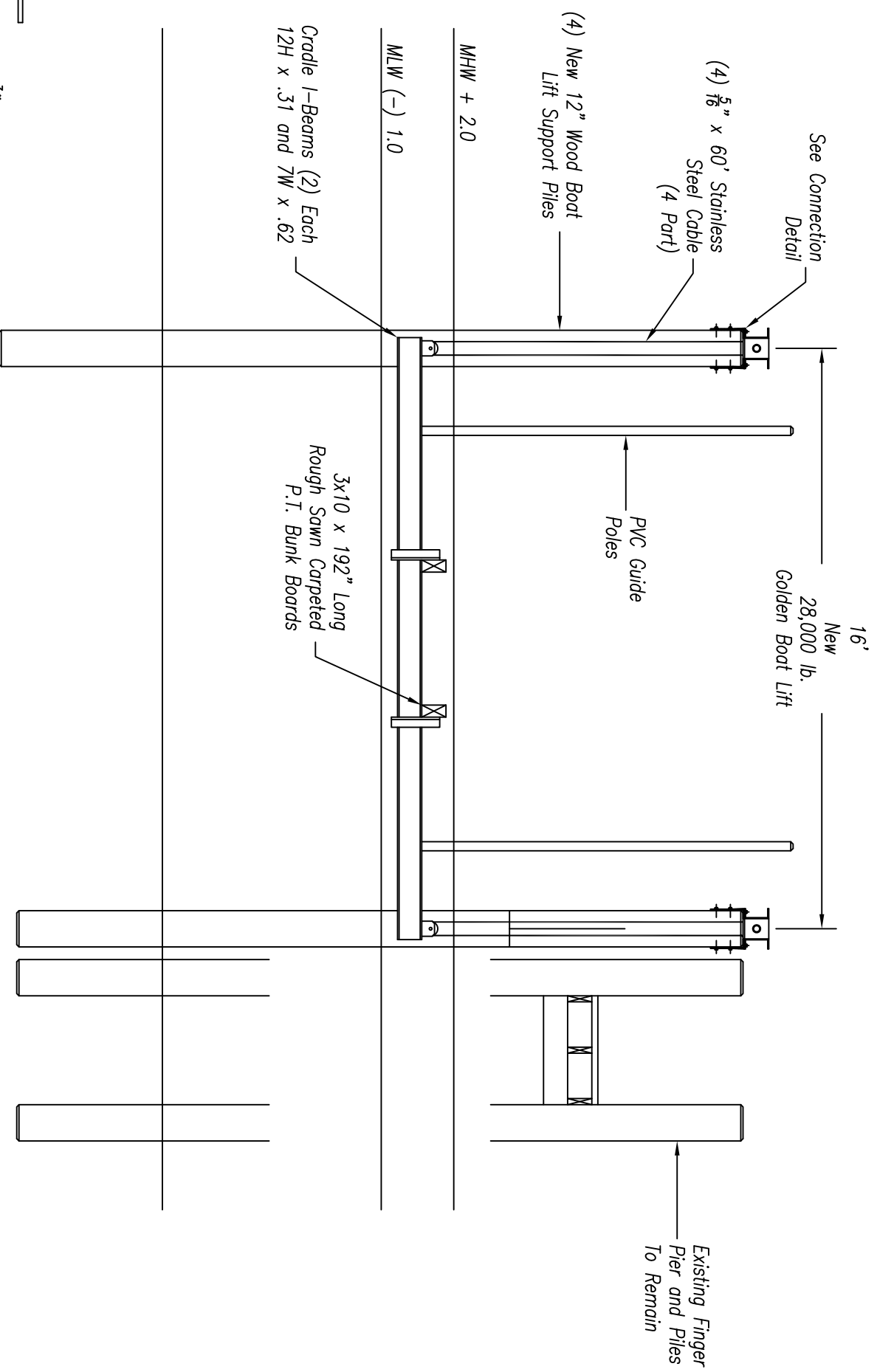
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Proposed Boat Lift
 Robert Leclair/Vincent Gauthier
 777 Bayshore Drive
 Ft Lauderdale, Florida 33304

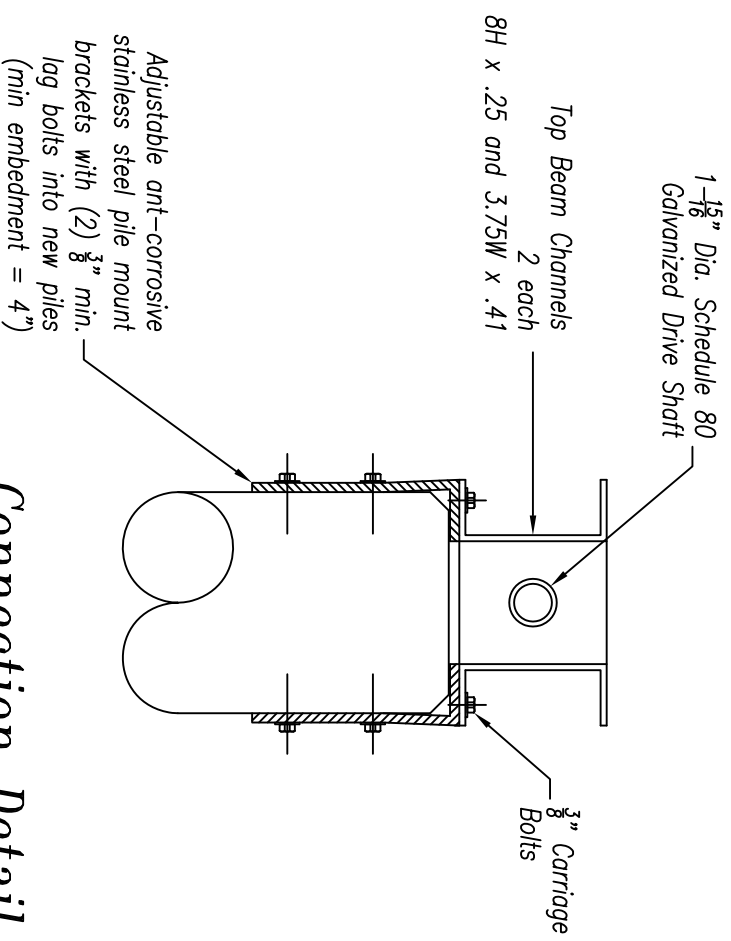
Dynamic Engineering Solutions, Inc.
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John H. Ormsleas, P.E.

DSN	DWN
WRT	
DATE	12.7.12
PLLOT	24
DWG No.	777-28K-lift
DIRECTORY	SEM\DL
Sheet	3



Section @ Finger Pier and Boat Lift
 (28,000 lb Golden Boat Lift)



Connection Detail

Contractor to obtain utility clearance prior to pile driving.
 call: 1-800-432-4770

Proposed Boat Lift
 Robert Leclair/Vincent Gauthier
 777 Bayshore Drive
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DSN	DWN
WRT	
DATE	12.7.12
PLOT	24
DWG No.	777-28k-lift
DIRECTORY	SEM/BL
Sheet	4

GENERAL NOTES:

- 1) Construction to follow Florida Building Code 2010 edition and amendments as applicable and all Local, State, and Federal Laws.
- 2) Licensed Contractor shall verify the existing conditions prior to commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawings shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all sub-contractors are responsible for all lines, elevations, and measurements in connection with their work.
- 3) Do not scale drawings for dimensions.
- 4) Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for their approval prior to commencement of work.
- 5) All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
- 6) All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each pertaining circumstance.
- 7) All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
- 8) Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
- 9) Licensed Contractor to verify location of existing utilities prior to commencing work.
- 10) The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
- 11) Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.

PILE DRIVING NOTES

- 1) Pile driving operations shall be observed by a special inspector, including test piles sufficient to determine the approximate length required to meet design capacity.
- 2) Piles shall be driven using an approved cushion block consisting of material so arranged so as to provide the transmission of the hammer energy.
- 3) Piles shall be driven to required capacity a minimum of 8 feet into berm.
- 4) Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weigh no less than 3000 pounds, and the fall of the hammer shall not exceed six feet.
- 5) Piles shall be driven with a variation of not more than 1/4 inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
- 6) Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

Notes:

All hardware to be stainless steel. (unless otherwise noted).
All connections to be welded unless otherwise noted.
Lift is Aluminum ASTM (6061-T6).
Piles to be driven a minimum of 8' into berm.
Design in accordance with 2010 edition of the Florida Building Code.
Elevations shown hereon are based on the National Geodetic Vertical Datum of 1929.
Approved contractor to determine the suitability of existing structures and verify all dimensions, the approved contractor is responsible for all methods, means, sequences and procedures of work.

Proposed Boat Lift

Robert Leclair/Vincent Gauthier
777 Bayshore Drive
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call: 1-800-432-4770

John H. Ormsloer, P.E.

DSN DWN
WRT

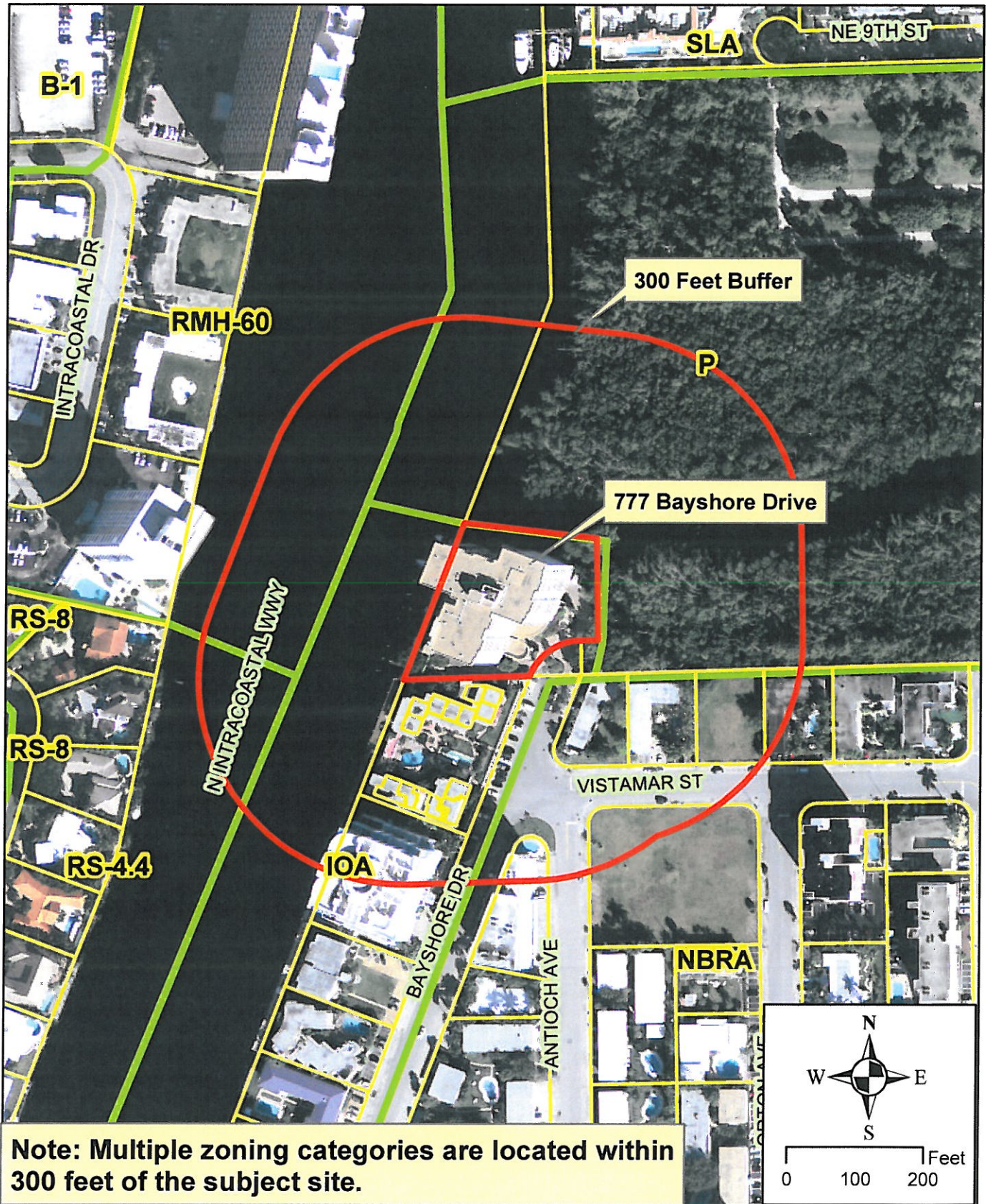
DATE
12.7.12

PLOT
24

DWG No.
777-29K-IH
DIRECTOR
SEM/BL

Sheet 5

**EXHIBIT V
ZONING AERIAL**



777 Bayshore Drive



EXHIBIT VI
SUMMARY DESCRIPTION

Summary Description
LeClair Boat Lift
TCG Project No. 13-0006

The project site is located along the Intracoastal Waterway (ICW) at 777 Bayshore Drive, in Section 01, Township 50, Range 42, in the City of Ft. Lauderdale, Broward County, Florida

The property is located along the ICW, which are tidal waters. The nearest direct connection to the Atlantic Ocean is 2.7 miles to the south at Port Everglades Inlet. As the project site is located along the ICW, the incoming tidal waters (flood) at the site move to the north and the outgoing waters (ebb) move to the south.

The existing site conditions consist of a previously permit marginal dock with six (6) finger piers. The proposed project consists of the installation of a boat lift, in the southern slip between finger piers 3 and 4, within the existing marina facility. As measured from the property line, the proposed boat lift encroach approximately 29.5' from the property line into the ICW. As this distance is over the allowable 25' distance into the waterway from the property line, the proposed boatlift will require a variance waiver.

The proposed boat lift has been permitted through the Broward County Environmental Protection & Growth Management Department (GL-FTL1212-032). Permits are currently being processed through the Florida Department of Environmental Protection and US Army Corps of Engineers.

The following three (3) matters provide justification for this waiver request:

1. Due to the extraordinary width of the waterway at this location to the closest structure or vessel ($\pm 370'$), the proposed project will not impede navigation within the ICW.
2. The proposed boat lift allows for safe mooring of the existing vessel, especially during high wind events and severe weather.
3. The proposed boat lift is within the footprint of the existing marina facility.

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



PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Proposed Boat Lift	±29.5'	25'	±4.5'



**EXHIBIT VII
SITE PHOTOGRAPHS**



1. Landward of LeClair slip, facing west.



2. Finger pier #3, facing north to LeClair slip.



3. Northern Finger pier #3, facing northwest.



4. Northern Finger pier #3, facing west.



5. Northern Finger pier #3, facing southwest.



6. Northern Finger pier #3, facing south.

**EXHIBIT VIII
ORIGINAL SURVEY**

**EXHIBIT IX
CONDOMINIUM LETTER OF APPROVAL**

AMERICAS ON THE PARK CONDOMINIUM ASSOCIATION

November 28, 2012

Mr. Vincent Gauthier
777 Bayshore Drive, #1006
Fort Lauderdale, Fl 33304

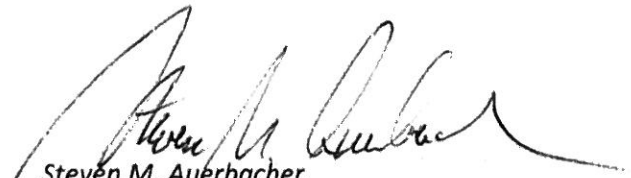
Dear Mr. Gauthier,

Americas Condominium association, Inc. is authorizing Mr. Vincent Gauthier owner of unit 1006 to install a Boat Lift within the lease premises, location or size of the boat lift should not increase the mooring capacity of the facility.

Please be advised that State law requires installation to be done by licensed contractors, it is Mr. Gauthier responsibility to make sure that people employed by him have licenses requires by the state law and by county or municipal licensing ordinances. Installation must comply with all applicable laws, building codes and zoning regulation.

Copy of the following documents should be provided to the Association Office by the Company who is going to perform the job prior the installation: (1) State License, (2) Liability Insurance, (3) Workers Compensation and, (4) State or Local regulatory permit that may be required.

Sincerely,



Steven M. Auerbacher,
President of the Board