MEMORANDUM MF NO. 25-08

DATE:	April 14, 2025
TO:	Marine Advisory Board Members
FROM:	Andrew Cuba, Marine Facilities & Parks Manager
RE:	May 1, 2025 MAB Meeting – Application for Dock Permit – 915 Beverly LLC / 915 SE 2^{nd} Street

Attached for your review is an application from 915 Beverly LLC / 915 SE 2nd Street.

APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for the usage of a proposed 50'+/- long x 8'+/- wide marginal wooden dock and access steps extending a maximum distance of 5' +/-from the seawall cap on public property abutting the waterway adjacent to 915 SE 2nd Street. City Code Section 8-144 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 Beverly Heights RC-15 Residential Single Family / Medium Density Zoning District. The dock area is directly adjacent to the Himmarshee Canal with direct access to the New River.

ENGINEERING REVIEW REQUIREMENT

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

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

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

- 4. Only vessels owned by the permit holder and registered with the City as part of the dock permit application may be moored at the permitted dock.
- 5. During the term of the dock permit, the permit holder shall be required to repair, replace, reconstruct or maintain the dock or adjacent seawall or both to meet the requirements of City Code 8-144 (7) and ULDR section 47-19.3 (f.) (4.). The public swale area shall be landscaped in accordance with the established landscape plan for the area in question adopted by the Department of Sustainable Development.
- 6. All improvements such as docks, seawalls and the like which are placed upon the public dock area or within the dock permit parcel or within the dock area and public swale area by a private person shall be constructed with appropriate permits from all applicable agencies. Maintenance and repairs shall be performed according to City Engineering standards and all applicable regulatory codes.
- 7. The public swale area shall be kept open at all times as means of reasonable ingress and egress to the public, but the permit holder shall have the right to exclude the public from the dock area.
- 8. 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.
- 9. Except as to a tender, there shall be no rafting of vessels from the moored vessel.
- 10. 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.
- 11. Per 8-144 (6), penetration of the City's seawall to support the dock of attach improvements is prohibited, barring specified considerations.
- 12. The Applicant has the responsibility to execute and deliver a Declaration of Covenants Running With the Land Respecting A City Issued Dock Permit to the City Attorney's Office no later than ten (10) days prior to the Commission meeting date.
- 13. The violation of any provisions of Code Section 8-144 or violations of any of the terms or conditions relative to the granting or renewal of a dock permit shall be unlawful and may constitute cause for revocation of the permit.

AC Attachment

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



APPLICATION FOR DOCK PERMIT SEC. 8-144. PRIVATE USE OF PUBLIC PROPERTY ABUTTING A WATERWAY

Applicant: 915 Beverly, LLC 730 NW 9th St Fort Lauderdale, FL 33311

Site Address: 915 SE 2nd St Fort Lauderdale, FL 33301

> Type of Agreement: New Dock Permit

> > CAM #25-0541 Exhibit 1 Page 3 of 19



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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)

 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: 915 Beverly, LLC, by Cabot Edewaard, Manager

TELEPHONE NO. <u>954-683-8920</u> EMAIL: <u>karl@edewaarddevelopment.com</u> (home) (business)

- 2. APPLICANT'S ADDRESS (if different than the site address): 730 NW 9th Street, Fort Lauderdale, FL 33311
- 3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: Dock permit for private use of public property abutting waterways
- 4. SITE ADDRESS: 915 SE 2nd Street Fort Lauderdale, FL 33301 ZONING: RC-15

LEGAL DESCRIPTION AND FOLIO NUMBER: RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 B LOT 10 BLK 16 & E 10 OF LOT 11BLK 16,BEVERLY HEIGHTS 1-30 B Folio No. 5042110780080

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, Landscape Plan

Applicant's Signature , Manager	<u>3/19/25</u> Date	
The sum of \$ was paid b .20 Received by:	y the above-named applicant on the	= of
,, ,, ,, ,, ,, ,,	City of Fort Lauderdale	
======================================	Official City Use Only====================================	======
Marine Advisory Board Action	Commission Action	
Formal Action taken on	Formal Action taken on	
Recommendation		



SUMMARY DESCRIPTION 915 SE 2nd St

The project site is located at 915 SE 2nd St in the City of Fort Lauderdale. The existing site conditions consist of a 60 ln. ft. coral rock wall along the Himmarshee Canal. The proposed project consists of the installation of an 8' x 50' wood dock (400 ft²). The dock is intended for usage by the property owner or owner's vessel(s) and no rentals will be allowed. In accordance with Sec. 8-144(6), the proposed dock will not be permanently affixed to the existing seawall. As the seawall is owned by the City of Fort Lauderdale, the proposed wood dock requires approval of private use of public property abutting a waterway. If the request is granted, the applicant agrees to adhere to all provisions of Sec. 8-144 of the city code.

Instr# 118724476 , Page 1 of 2, Recorded 03/09/2023 at 02:26 PM Broward County Commission Deed Doc Stamps: \$0.70

> <u>Note to Recorder</u>: This instrument conveys unencumbered real property and the beneficial owner of the Grantor is identical to the beneficial owner of the Grantee. Accordingly, pursuant to Crescent Miami Center, LLC v. Florida Department of Revenue, 903 So.2d 931 (Florida 2005), no documentary stamp taxes are due in connection with the recordation of this Deed.

<u>Prepared by and return to:</u> Christopher J. Gertz, Esq. Christopher J. Gertz, PA 888 South Andrews Avenue, Ste 204 Fort Lauderdale, FL 33316 (954) 565-2601

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made as of the <u>q</u>¹/₀ day of March, 2023 between 909 Beverly, LLC, a Florida limited liability company, whose post office address is 730 NW 9th Street, Fort Lauderdale, FL 33311, grantor, and 915 Beverly, LLC, a Florida limited liability company, whose post office address is 730 NW 9th Street, Fort Lauderdale, FL 33311, 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:

THE EAST 10 FEET OF LOT 11, BLOCK 16, BEVERLY HEIGHTS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 30, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Folio Number: a portion of 5042 11 07 0450

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.

This instrument was prepared without benefit of a title search or examination and title is neither warranted nor guaranteed by the preparer. The preparer expresses no opinion as to the title that the Grantee will receive. The preparer of this deed makes no representation as to the status of the title, property use, any zoning regulations concerning the described property herein conveyed, or any matter except the validity of the form of this instrument. Preparer is not responsible for closing, the execution of this document, and/or the collection and/or payment of taxes in connection herewith including but not limited to real estate and documentary stamp taxes.

DoubleTime[®]

CAM #25-0541 Exhibit 1 Page 7 of 19 Grantor represents and warrants that this instrument conveys unencumbered real property and the beneficial owner of the Grantor is identical to the beneficial owner of the Grantee. Accordingly, pursuant to Crescent Miami Center, LLC v. Florida Department of Revenue, 903 So.2d 931 (Florida 2005), no documentary stamp taxes are due in connection with the recordation of this Deed.

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

Witness Name: Enel1 nels Witness Name:

909 Beverly, LLC, a Florida limited liability company

By: EDC 1, LLC, a Florida limited liability company, its Manager

By Edewaard, Manager

State of Florida County of Broward

The foregoing instrument was sworn to and subscribed before me by means of [X] physical presence or [] online notarization, this $\underline{0}^{M}$ day of March, 2023 by Cabot Edewaard, Manager of EDC 1, LLC, a Florida limited liability company, Manager of 909 Beverly, LLC, a Florida limited liability company. He \underline{k} is personally known to me or [] has produced a driver's license as identification.

[Notary Seal]

Karl Gustafson Commission # HH 321874 Commission Expires 10-13-2026 Bonded Through - Cynanotary Florida - Notary Public

Ket	
Notary Hublic	
Printed Name:	RL GUSTATION
My Commission Expires:	10-13-26

DoubleTime[®]

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PROPERTY SUMMARY

Tax Year: 2025 Property ID: 504211080080 Property Owner(s):915 BEVERLY LLC Mailing Address:730 NW 9 ST FORT LAUDERDALE, FL Adj. Bldg. S.F: 0 33311 Physical Address: 915 SE 2 STREET FORT LAUDERDALE, 33301

Property Use: 00 - Vacant residential Millage Code: 0312 **Bldg Under Air S.F:** Effective Year: 0 Year Built: Units/Beds/Baths: 0 / /

Deputy Appraiser: Residential Department Appraisers Number: 954-357-6831 Email: realprop@bcpa.net Zoning: RC-15 - RESIDENTIAL SINGLE FAMILY AND CLUSTER/MEDIUM DENSITY Abbr. Legal Des.: RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 B LOT 10 BLK 16 & E 10 OF LOT

11BLK 16, BEVERLY HEIGHTS 1-30 B

LAND CALCULATIONS

PROPERTY ASSESSMENT

Year	Land	Building / Improvement	Agricultural Saving	Just / Market Value	Assessed / SOH Value	Тах
2025	\$597,690	0	0	\$597,690	\$597,690	
2024	\$564,490	0	0	\$564,490	\$564,490	\$10,576.84
2023	\$265,640	\$747,680	0	\$1,013,320	\$1,013,320	\$19,689.96

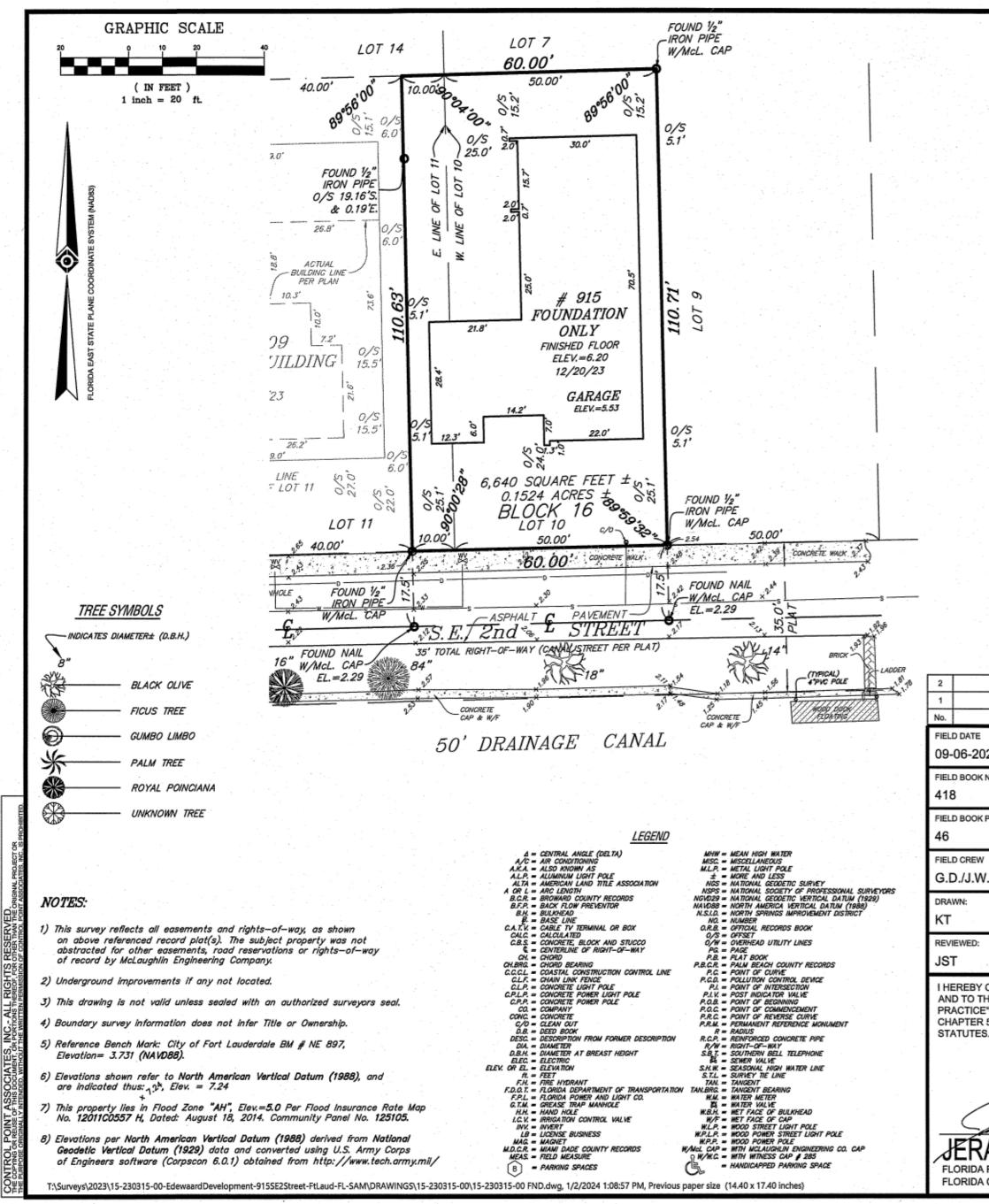
EXEMPTIONS AND TAXING AUTHORITY INFORMATION

	County	School Board	Municipal	Independent
Just Value	\$597,690	\$597,690	\$597,690	\$597,690
Portability	0	0	0	0
Assessed / SOH	\$597,690	\$597,690	\$597,690	\$597,690
Granny Flat				
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exemption Type	0	0	0	0
Affordable Housing	0	0	0	0
Taxable	\$597,690	\$597,690	\$597,690	\$597,690

SALES HISTORY FOR THIS PARCEL

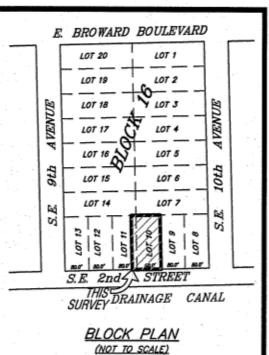
Date 03/09/2023	Type Special Warranty Deed Non-Sale Title Change	Price \$100	Book/Page or Cin 118724476	Unit Price \$90.00	Units 6,641	Type Square
06/14/2022	Warranty Deed Excluded Sale	\$1,200,000	118225455		SqFt	Foot
09/11/2009	Warranty Deed Non-Sale Title Change	\$100	46544 / 1777	_	M #25-054 Exhibit Page 9 of 19	1

Date		Туре	Price	Book/F	Page or Cin			
06/18/2009		epresentatives Dee Sale Title Change	ed \$100	4634	12 / 1560			
10/01/1977	W	arranty Deed	\$54,000	744	4 / 783			
RECENT SAL	ES IN THIS S	UBDIVISION						
			Qualified/					
Property ID	Date	Туре	Disqualified	Price	CIN		Property Address	
504211080120	08/09/2023	Warranty Deed	Qualified Sale	\$1,300,000	119051993	22 SE 10	AVE FORT LAUDERDALE, FL 33301	
504211080080	06/14/2022	Warranty Deed	Excluded Sale	\$1,200,000	118225455	915 SE 2	2 ST FORT LAUDERDALE, FL 33301	
504211080045	05/18/2022	Warranty Deed	Qualified Sale	\$1,839,000	118188694	25 SE 10	AVE FORT LAUDERDALE, FL 33301	
504211080110	10/26/2021	Warranty Deed	Qualified Sale	\$1,331,000	117730367	28 SE 10	AVE FORT LAUDERDALE, FL 33301	
504211080046	10/04/2021	Warranty Deed	Qualified Sale	\$1,140,000	117659996	27 SE 10	AVE FORT LAUDERDALE, FL 33301	
SPECIAL ASSESSMENTS Impr Safe Storm Clean Misc SCHOOL Fire Garb Light Drain Impr Safe Storm Clean Misc Harbordale Elementary Ft Lauderdale Fire- rescue (03) V V FT Laud V School: A (F3) (F3) (F3) School: A School: A				ordale Elementary ol: A ise Middle School: B Lauderdale High				
Vacant Lots (L)			6	641.00				
1			6,	041.00				
ELECTED OFFICIALS								
Property Appraiser County Comm. District County Comm. Name US House Rep. District US House Rep. Name								
Marty Kiar		4	Lamar P. F		23	2.54144	Jared Moskowitz	
Florida House I District		House Rep. Nam			orida Senator	Name	School Board Member	
100		Chip LaMarca	37		Jason W. B. Pi	zzo	Sarah Leonardi	



RIG

la



LEGAL DESCRIPTION:

The all of Lot 10, and the West 10.00 feet of Lot 11, Block 16, BEVERLY HEIGHTS, according to the plat thereof, as recorded in Plat Book 1, Page 30, of the public records of Broward County, Florida.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 6,636 square feet or 0.1523 acres, more or less.

	FOUDAT	FION LOCATION	-	G.D.	KT	SAM	12-20-23		
	RIGHT OF	WAY LOCATION	G.D.	кт	SAM	12-12-23			
	DESCRIPTION OF REVISION FIELD CREW DRAWN: APPROVED: DATE								
23 NO. PG.	EDEWAARD DEVELOPMENT 915 S.E. 2nd STREET BLOCK 16, ALL OF LOT 10 & W. 10' OF LOT 11								
•		AUGHLIN SURVEYORS - E division of	CONTRO ASSOCIAT tuditical activat	ANNERS L POINT ES, INC.	- 	CHALFO MT. LAU MANHATT LONG ISLA SOUTHBOROUG ALBA ROCHEST GEORGETO	KEN, NJ 908.668.0059 NT, PA 215.712.9800 REL, NJ 608.857.2059 AN, NY 646.780.0411 ND, NY 645.780.0411 ND, NY 631.580.2645 SH, MA 308.948.35010 NY, NY 518.217.3010 ER, NY 885.2521.764 AVN, DE 302.295.1010 IIA, PA 215.712.9800 EY, NY 845.691.7339 ALE, FL 954.769.7611		
	APPROVED:	DATE	SCALE	FILE NO.		DWG. NO).		
, ·	PM/PLS	09-06-2023	1" = 20'	15-230	315-00	1 c)F 1		
CERTIFY THAT THIS SURVEY HAS BEEN PERFORMED IN THE FIELD UNDER MY SUPERVISION, HE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION, MEETS THE "STANDARDS OF " AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN 5J-17.05 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA									
4	09-06-2023								
		CLAUGH RVEYOR AND MA JTHORIZATION LE			C	AM #25-054 Exhibit			
						Page 11 of 19			



COLOR PHOTOS OF DOCK AREA



1. Western portion of property, facing east.

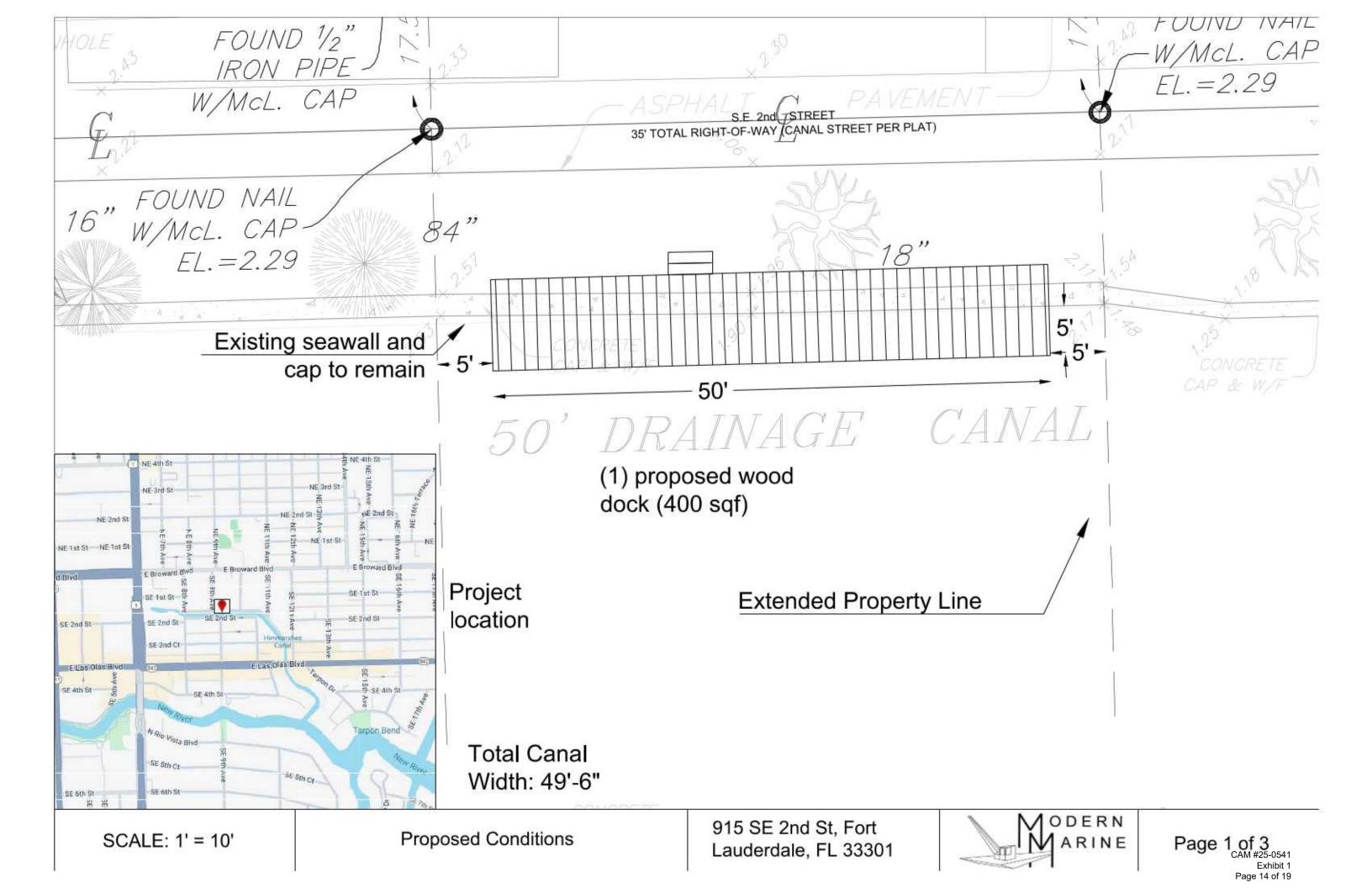


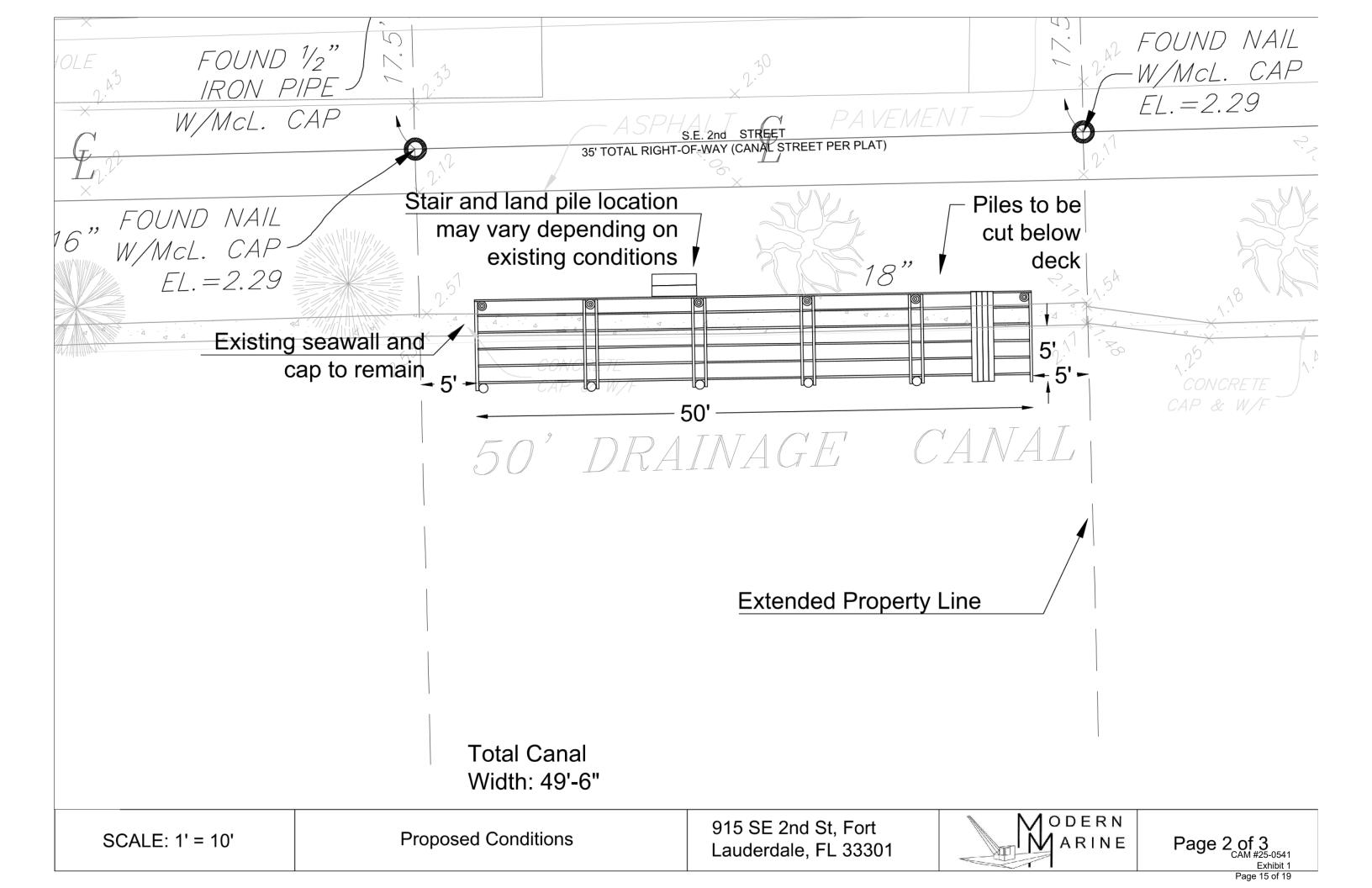
2. Eastern portion of property, facing west.

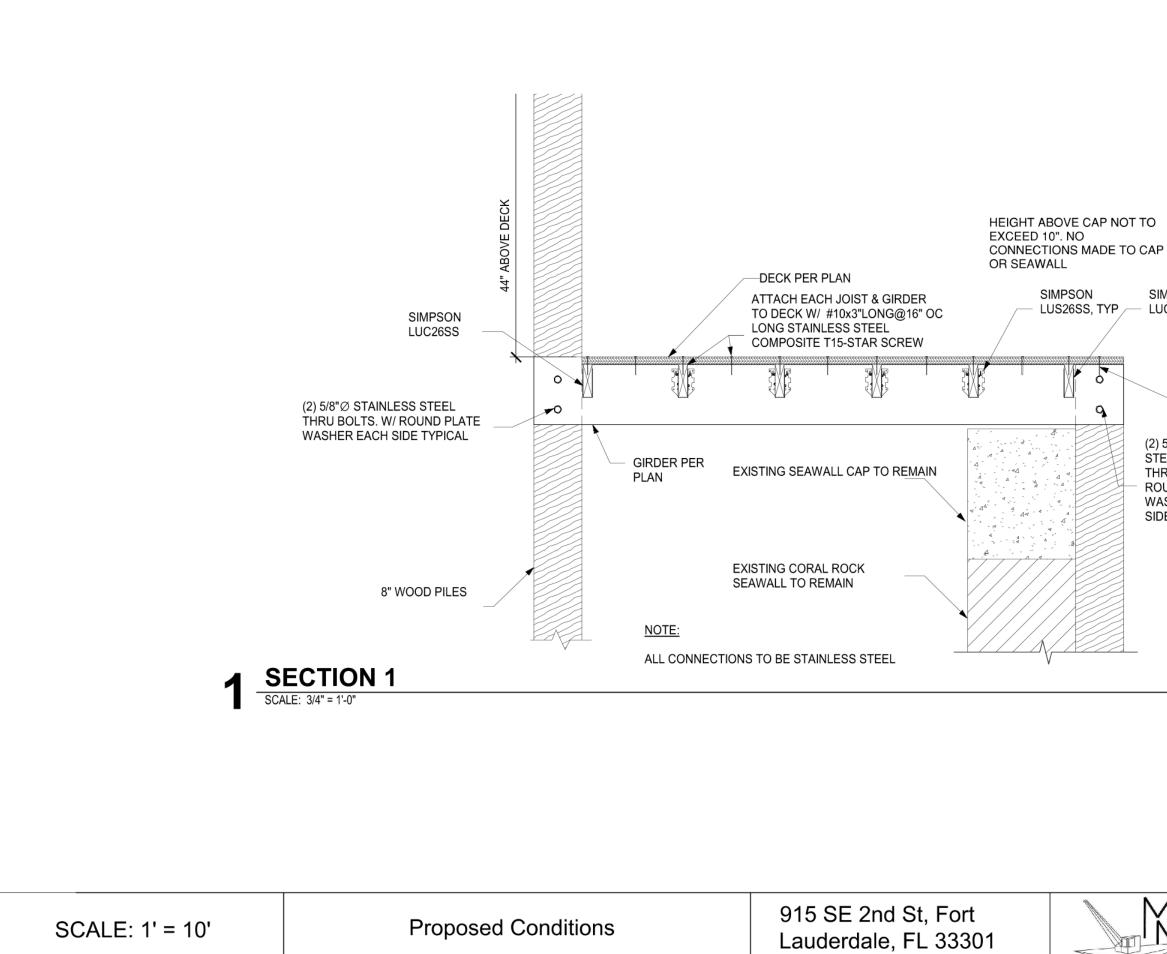


APPLICANT VESSEL INFORMATION

Applicant does not currently own a vessel. The proposed dock will be used for kayaking and/or paddle boarding. Once a vessel is purchased, vessel information will be submitted to the City.







SIMPSON LUC26SS

PROVIDE EDGE SCREWS

(2) 5/8"Ø STAINLESS STEEL THRU BOLTS. W/

ROUND PLATE

WASHER EACH SIDE TYPICAL



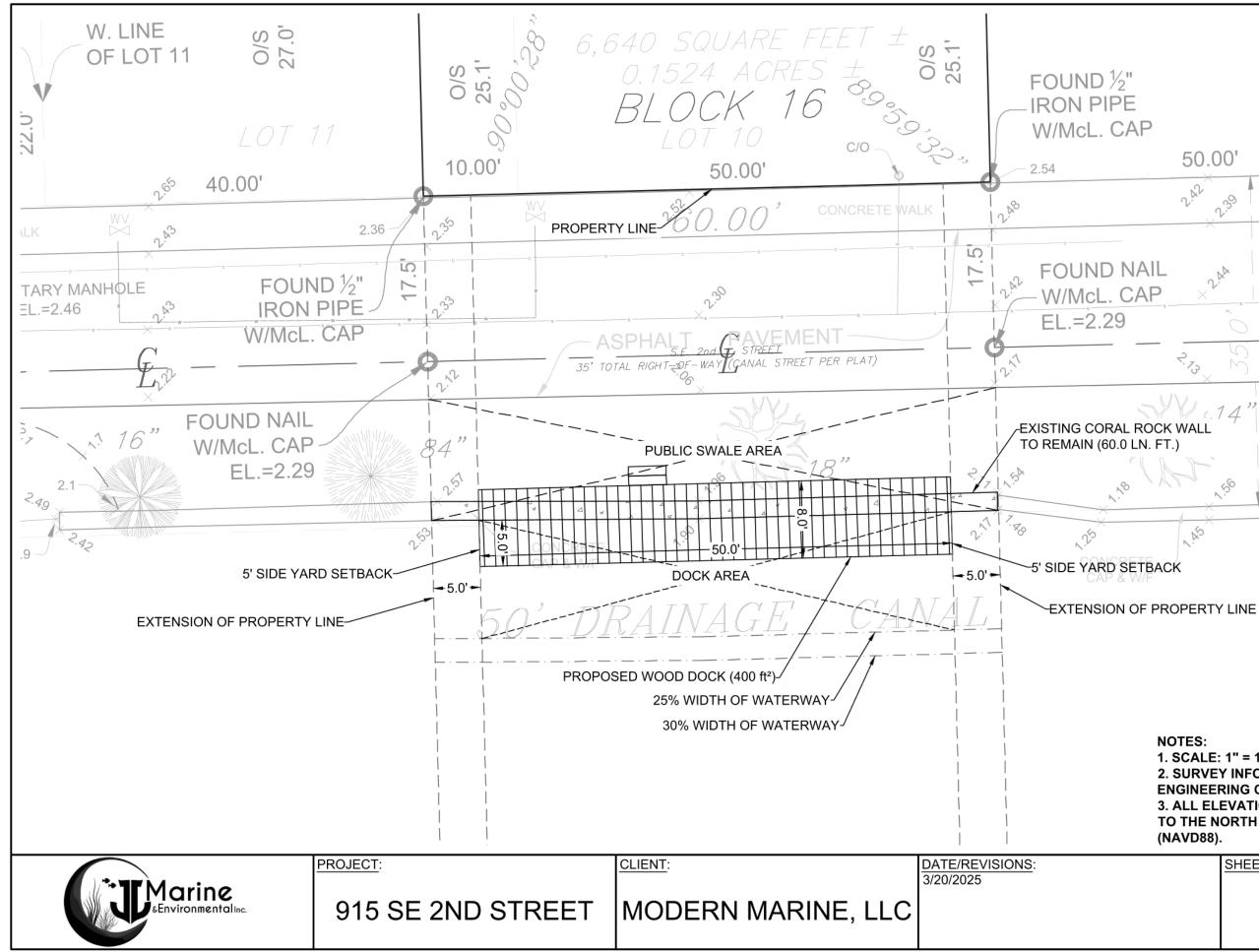


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PROPOSED LANDSCAPING PLAN

The upland tree and existing landscape will remain on site.



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SHEET TITLE/NUMBER:

EXHIBIT A

SHEET 1 OF 1

TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).

2. SURVEY INFORMATION PROVIDED BY MCLAUGHLIN **ENGINEERING CO.**

3. ALL ELEVATIONS ARE IN FEET AND REFERENCED

NOTES: 1. SCALE: 1" = 10'

50.00' 2.3. 2.22 2.00 2. 2.2.5 2.24 ₹.₇₃ 0,00 ~°°° 14" LADDE (TYPICAL) 4"PVC POLE <u>~</u>% 5.0 NS.

