

ITEM IX

MEMORANDUM MF NO. 22-18

DATE: August 18, 2022
TO: Marine Advisory Board Members
FROM: Andrew Cuba, Marine Facilities Manager
RE: September 1, 2022 MAB Meeting - Dock Waiver of Distance Limitations – Yuda Gariplerden, Hendricks Group, LLC / 10 Hendricks Isle

Attached for your review is a revised application from Yuda Gariplerden, Hendricks Group, LLC / 10 Hendricks Isle.

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for installation of fifteen (15) wood mooring piles extending a maximum of +/-35.0 into the adjacent Rio Grande Waterway. The distances this structure will extend from the property line into waterway is shown in the survey and summarized in Table 1 below:

TABLE 1

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	AMOUNT OF DISTANCE REQUIRING WAIVER
Mooring Piles (15)	35.0'	25'	10.0'

The City's Unified Land and Development Regulations (UDLR) Sec. 47-19.3.D limits the maximum distance of mooring piles to 25' or 30% of the width of the waterway, whichever is less, from the property line. Section 47-19.3.E authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances. The applicant indicates that the proposed mooring piles are necessary to safely moor resident's vessels, especially during high wind events and severe weather, and to protect resident's vessels from excessive boat wakes. .

PROPERTY LOCATION AND ZONING

The property is located within the RMM-25 Residential Mid Rise Multi Family / Medium High Density District. It is situated along the Rio Grande Waterway, where the approximate width of the waterway from wet face to wet face is listed as +/-160 feet, in the Summary Description.

Marine Facilities' records reflect there has been at least seven (7) Waivers of Limitation approved by the City Commission within close proximity to 10 Hendricks Isle (**Table 2**).

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
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 – 45'
April 2019	1 Hendricks Isle	Boatlift – 43'
July 2019	95 Hendricks Isle	Pilings/Finger Pier – 35'
Oct 2022	141 Isle of Venice	Pilings – 35'

RECOMMENDATIONS

Should the Marine Advisory approve 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 the City's Supervisor of Marine Facilities with copies of "As Built" drawings from a certified and licensed contractor.
3. The applicant is required to install and affix reflector tape to the proposed mooring piles in accord with Section 47.19.3.E of the Unified Land and Development Regulations (ULDR).

AC
Attachment

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

10 HENDRICKS ISLE APPLICATION FOR WATERWAY WAIVER

714 East McNab Road. Pompano Beach, FL 33060 *tel.* 954.782.1908 *fax.* 954.782.1108 www.thechappellgroup.com

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

**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: Yuda Gariplerden, Hendricks Group, LLC.

TELEPHONE NO: 305.778.9775 EMAIL: Hendricks.Group.LLC@gmail.com


2. APPLICANT'S ADDRESS (if different than the site address): 1776 N Pine Island Rd Suite 316 Plantation, FL 33322

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:
The applicant requests a waiver for the proposed installation of fifteen (15) wood 12-inch mooring piles beyond 25 feet from the property line.

4. SITE ADDRESS: 10 Hendricks Isle ZONING: RMM-25

LEGAL DESCRIPTION AND FOLIO NUMBER:
LAUDERDALE ISLE AMEN PLAT 16-33 B LOT 11, 12, 13, 14,15 BLK 4
Folio No. 504211240210

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



Applicant's Signature

8.10.22

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 _____

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EXHIBIT II SUMMARY DESCRIPTION

Summary Description

10 Hendricks Isle

TCG Project No. 22-0007

The project site is located along the Rio Grande Waterway at 10 Hendricks Isle, in Section 11, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida

The property is located along the Rio Grande Waterway, which is a tidal water. The nearest direct connection to the Atlantic Ocean is approximately 2 miles to the southeast at the Port Everglades Inlet. As the project site is located along the Rio Grande Waterway, 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 ± 250 ln. ft. coral rock wall and 2,705 sq. ft. wood marginal dock with finger piers. The proposed project consists of the installation of a 250 ln. ft. concrete panel seawall with king and batter piles, the installation of eight (8) wood finger piers (20'x'4', 640 sq. ft.), and the installation of thirty (30) wood 12-inch mooring piles. As measured from the property line, fifteen (15) mooring piles encroach more than 25' from the property line into the Rio Grande Waterway. As these distances are over the allowable 25' distance into the waterway from the property line, the proposed mooring piles will require a variance waiver.

The proposed structures are being applied for concurrently with the Broward County Environmental Protection & Growth Management Department, Florida Department of Environmental Protection, and US Army Corps of Engineers.

The following five (5) matters provide justification for this waiver request:

1. All structures and piles will not exceed 30% of the width of the waterway.
2. Due to the extraordinary width of the waterway at this location from wetface to wetface ($\pm 160'$), the proposed project will not impede navigation within the Rio Grande Waterway.
3. The proposed structures are necessary for safely mooring resident's vessels, especially during high wind events and severe weather.
4. The proposed structures are also necessary to protect the resident's vessels from high wave energy from excessive boat wakes along the Rio Grande Waterway.

5. The proposed structures are consistent with other structures previously authorized through the City of Fort Lauderdale that do not exceed more than 35' from the property line.

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

STRUCTURE	PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
A1-15	Mooring Pile	35'	25'	10'

EXHIBIT III UNITY OF TITLE

This Instrument Prepared by:

*Richard M. Mogergerman, Esq.
Richard M. Mogergerman, P.A.
2 South University Drive, Suite 265
Plantation, Florida 33324
RMogergerman@RMMlaw.net
(954) 475-7171*

DECLARATION OF UNITY OF TITLE

KNOW ALL MEN BY THESE PRESENTS, that pursuant to the applicable ordinances of the **City of Fort Lauderdale** pertaining to zoning, the issuance of building permits and regulation of building construction, the undersigned, being the fee owner of the following described real property situated in the City of Fort Lauderdale, County of Broward and State of Florida, do hereby make the following declaration of conditions, limitations and restrictions on said lands, hereinafter to be known and referred to as a **DECLARATION OF UNITY OF TITLE**, as to the following:

1. The undersigned, **HENDRICKS GROUP LLC**, a Florida limited liability company, is the sole owner in fee simple of the properties described as follows:

Lots 11, 12, 13, 14 and 15, Block 4, UNIT A LAUDERDALE ISLES, a subdivision according to the plat thereof, recorded in Plat Book 9, Page 28, of the Public Records of Broward County, Florida, and according to the AMENDED PLAT OF PART OF UNIT A LAUDERDALE ISLES, as recorded in Plat Book 16, Page 33, of the Public Records of Broward County, Florida.

Parcel Identification Numbers:

5042 11 24 0210

5042 11 24 0200

5042 11 24 0190

2. The properties described herein will be developed for the proposed use for a 16-unit condominium known as **10 Hendricks Isle** in accordance with the Site Plan approved under City of Fort Lauderdale, PLANNING AND ZONING BOARD RESOLUTION NO. 22-07 (PZB), a true and correct copy of which is attached hereto.

3. The aforesaid combination of separate lots or parcels, shall hereafter be regarded and is hereby declared to be unified as an indivisible building site (hereinafter referred to as the "**Property**").

4. The said Property, for the purpose of building, zoning, and other applicable codes and regulations, shall henceforth be **considered one parcel of land** and no portion shall be sold, assigned, transferred, conveyed or devised, except in its entirety as one plat of land, with the sole exception(s) being that if any condominium units are developed as "land units" those parcels may be sold, assigned, transferred, conveyed or devised, *subject to being part of the condominium and subject to the declaration of*

condominium pursuant to which they are established, or a portion of said Property may be sold, assigned, transferred, conveyed or devised to any government entity; and further provided, that the recordation of a mortgage on any portion of the Property shall not be deemed to be in contravention of this Declaration of Unity of Title.

5. In the event the Property shall be developed as a condominium, the condominium form of ownership, and the mortgaging and the sale (and any resale) of condominium units herein to third parties shall not be deemed a violation of this Declaration of Unity of Title.

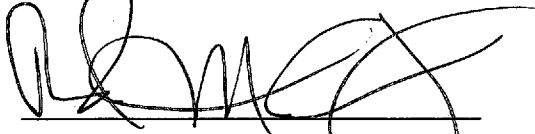
6. The undersigned further agrees that this Declaration of Unity of Title shall constitute a **covenant to run with with the land**, as provided by law, and shall be binding upon the undersigned, its successors and assigns, and all parties claiming thereunder, until such time as this Declaration of Unity of Title may be released in writing.

7. The undersigned agrees that this Declaration of Unity of Title **shall be recorded** in the Public Records of Broward County, Florida.

IN WITNESS WHEREOF, the undersigned fee simple owner of the Property has caused this Declaration of Unity of Title to be signed and sealed this 25 day of July, 2022.

Signed, Sealed and Delivered
In the presence of:

Witness #1:



Signature

RICHARD M. MOGERMA

Print Name of Witness #1

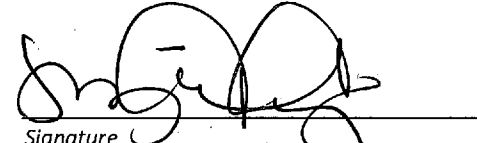
HENDRICKS GROUP LLC
a Florida limited liability company

by: _____

Name: **Yuda Gariplerden**

Title: **Member and Manager**

Witness #2:



Signature

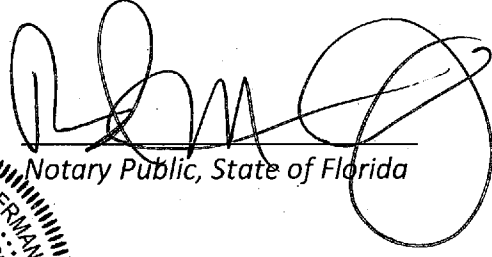
TRACY-ANN GRAY

Print Name of Witness #2

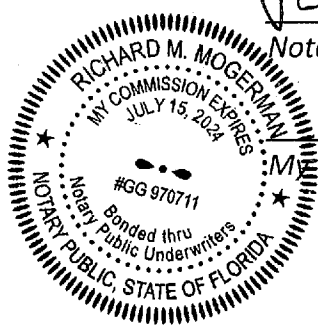
STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing Declaration of Unity of Title was acknowledged before me the 25 day of July, 2022, by **Yuda Gariplerden**, as Member of **Hendricks Group LLC**, a Florida limited liability company, who is personally known to me or has produced NIA as identification.
In person.



Notary Public, State of Florida



My Commission Expires:

PLANNING AND ZONING BOARD RESOLUTION NO. 22-07 (PZB)

A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A SITE PLAN LEVEL III PERMIT FOR SIXTEEN (16) MULTIFAMILY RESIDENTIAL UNITS ALONG THE RIO GRANDE WATERWAY LOCATED AT 10 HENDRICKS ISLE, FORT LAUDERDALE, FLORIDA, AND APPROVING YARD MODIFICATIONS FOR THE FRONT AND REAR YARD SETBACKS AND APPROVING WATERWAY USE; CASE NO. UDP-S21056.

WHEREAS, Section 47-24.1 of the City of Fort Lauderdale, Unified Land Development Regulations (hereinafter "ULDR") provides that no development of property located within the City of Fort Lauderdale (hereinafter "City") shall be permitted without first obtaining a development permit from the City in accordance with the provisions and requirements of the ULDR; and

WHEREAS, Jiro Yates of FSMY Architects and Planners submitted an application on behalf of the property owner, Hendricks Group, LLC, for a development permit for sixteen (16) multifamily residential units, for yard modifications of the front and rear yard setbacks and also for waterway use; and

WHEREAS, the applicant wishes to modify the front and rear yard setbacks from 27 feet and 6 inches to 25 feet; and

WHEREAS, Sections 47-25.2, and 47-25.3 of the ULDR include the applicable criteria for a Site Plan Level III development permit; and

WHEREAS, Sections 47-5.36 and 47-23.8 of the ULDR include the dimensional requirements for the RMM-25 Zoning District and the criteria for a waterway use; and

WHEREAS, Section 47-23.11 of the ULDR includes the criteria for modification of yards; and

WHEREAS, Section 47-24.2.A.3.c. of the ULDR provides that the Planning and Zoning Board must review and determine whether the proposed development or use meets the standards and requirements of the ULDR; and

WHEREAS, the Planning and Zoning Board reviewed the application in accordance with the criteria set forth in Sections 47-5.36, 47-23.8, 47-23.11, 47-25.2, and 47-25.3 of the ULDR; and

22-07 (PZB)

RESOLUTION NO. 22-07 (PZB)

PAGE 2

WHEREAS, the Planning and Zoning Board considered the record, the Development Review Committee comments and public comments regarding the application at its meeting on June 15, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING BOARD OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the above recitals are true and correct and incorporated into this Resolution by this reference.

SECTION 2. The Planning and Zoning Board finds that the application for a Site Plan Level III which includes a request for modification of yards for the front and rear yard setbacks and waterway use for sixteen (16) multifamily residential units meets the criteria of Sections 47-5.36, 47-23.8, 47-23.11, 47-25.2, and 47-25.3 of the ULDR as enunciated and memorialized in the minutes of its meeting on June 15, 2022, a portion of those findings expressly listed as follows:

The board adopted the findings of fact in the city staff report.

SECTION 3. The Site Plan Level III use permit application submitted by Jiro Yates of FSMY Architects and Planners on behalf of the property owner, Hendricks Group, LLC, for the property located at 10 Hendricks Isle, Fort Lauderdale, Florida, is hereby granted, subject to the conditions stated on the record at the June 15, 2022, Planning and Zoning Board meeting.

SECTION 4. That pursuant to the provisions of the ULDR of the City of Fort Lauderdale, Florida, the proper City officials are hereby authorized to issue the necessary building and use permits subject to the conditions imposed by the Planning and Zoning Board.

SECTION 5. That the issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

SECTION 6. That this approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

SECTION 7. That this Resolution shall be in full force and effect thirty (30) days after its passage if no motion is adopted by the city commission seeking to review the application or no

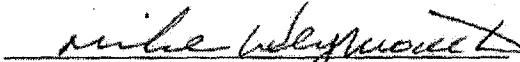
22-07 (PZB)

RESOLUTION NO. 22-07 (PZB)

PAGE 3

appeal of the Planning and Zoning Board's decision is filed by the applicant as provided in Section 47-26B, Appeals.

ADOPTED this 15th day of June, 2022.


Chair
Michael C. Weymouth

ATTEST:


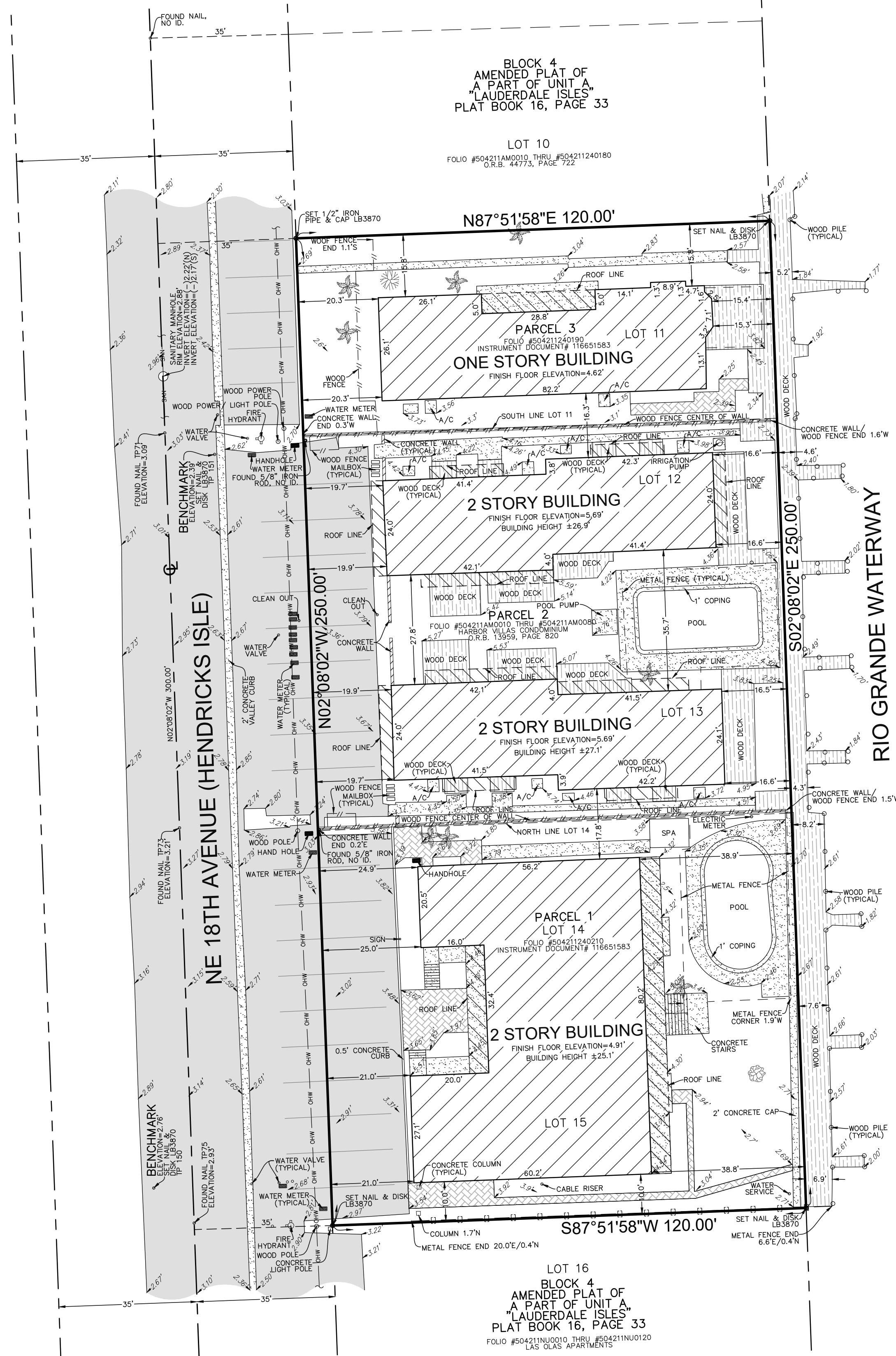
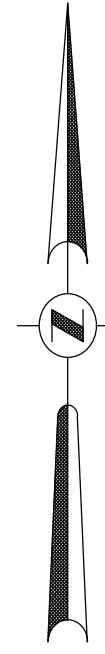
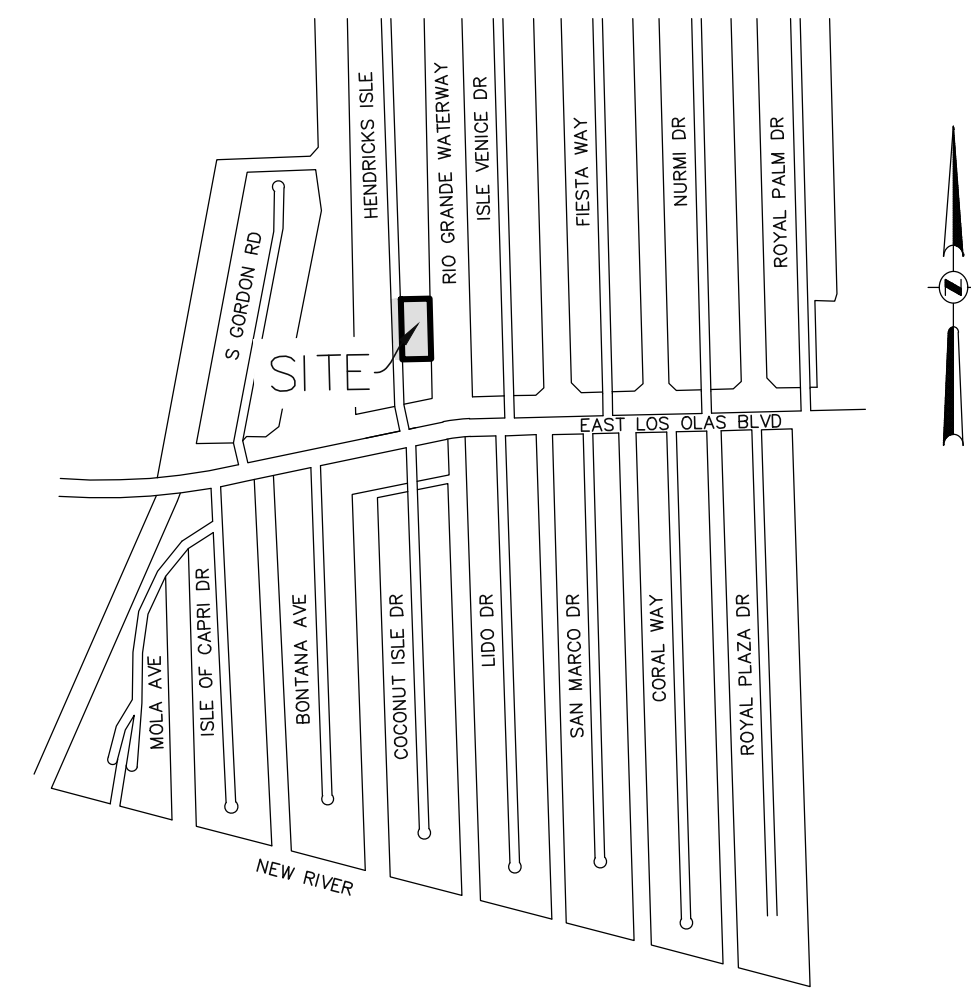

City Clerk
DAVID R. SOLOMAN

EXHIBIT IV ORIGINAL SURVEY



- LEGEND**
- CONCRETE
 - ASPHALT PAVEMENT
 - WOOD DECK
 - BRICK PAVERS
 - ELEVATION
 - OVERHEAD WIRES
 - UNDERGROUND SANITARY SEWER LINE
 - CENTERLINE
 - A/C
 - F.D.O.T.
 - LB
 - O.R.B.
 - R/W
 - TP
 - PALM TREE
 - OAK TREE
 - UNIDENTIFIED TREE



VICINITY MAP
1"=800'

LEGAL DESCRIPTION:

PARCEL 1
 LOTS 14 AND 15, BLOCK 4, "UNIT A LAUDERDALE ISLES", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 29, AND ACCORDING TO THE "AMENDED PLAT OF A PART OF UNIT A LAUDERDALE ISLES" RECORDED IN PLAT BOOK 16, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PARCEL 2
 UNITS 1, 2, 3, 4, 5, 6, 7 AND 8, OF HARBOR VILLAS CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM THEREOF RECORDED IN OFFICIAL RECORDS BOOK 13959, PAGE 820 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND ALL AMENDMENTS THERETO, TOGETHER WITH ITS UNDIVIDED SHARE IN THE COMMON ELEMENTS, ALSO KNOWN AS LOT 12 AND 13, BLOCK 4, "UNIT A LAUDERDALE ISLES", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 29, AND ACCORDING TO THE "AMENDED PLAT OF A PART OF UNIT A LAUDERDALE ISLES" RECORDED IN PLAT BOOK 16, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PARCEL 3
 LOT 11, BLOCK 4, "UNIT A LAUDERDALE ISLES", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 29, AND ACCORDING TO THE "AMENDED PLAT OF A PART OF UNIT A LAUDERDALE ISLES" RECORDED IN PLAT BOOK 16, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

NOTES:

1. THIS SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR AN ELECTRONIC SIGNATURE AND ELECTRONIC SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS SITE CONTAINS 30,000 SQUARE FEET (0.6887 ACRES) MORE OR LESS.
3. ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988. CITY OF FORT LAUDERDALE BENCHMARK SE 521; ELEVATION: 3.635 FEET AND SE 93; ELEVATION: 4.41 FEET.
4. FLOOD ZONE: AE; BASE FLOOD ELEVATION: 5 FEET; PANEL #12011C0576H; COMMUNITY #125105; MAP DATE: 8/18/14.
5. THIS SITE LIES IN SECTION 11, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA.
6. BEARINGS ARE BASED THE CENTERLINE OF NORTHEAST 18TH AVENUE BEING NORTH 02°08'02" WEST BASED ON F.D.O.T R/W MAP BOOK 15, PAGE 196 SHEET 3 OF 6 WITH THE WEST LINE OF BLOCK 4 BEING NORTH 02°08'02" W.
7. REASONABLE EFFORTS WERE MADE REGARDING THE EXISTENCE AND THE LOCATION OF UNDERGROUND UTILITIES. THIS FIRM, HOWEVER, DOES NOT ACCEPT RESPONSIBILITY FOR THIS INFORMATION, BEFORE EXCAVATION OR CONSTRUCTION CONTACT THE APPROPRIATE UTILITY COMPANIES FOR FIELD VERIFICATION.
8. THE HORIZONTAL POSITIONAL ACCURACY OF WELL DEFINED IMPROVEMENTS ON THIS SURVEY IS ±0.07'. THE VERTICAL ACCURACY OF ELEVATIONS OF WELL DEFINED IMPROVEMENTS ON THIS SURVEY IS ±0.07'.
9. THIS SITE CONTAINS 21 TOTAL CLEARLY IDENTIFIABLE ONSITE AND 5 ADDITIONAL IN RIGHT-OF-WAY REGULAR PARKING SPACES.
10. THIS SURVEY WAS PREPARED WITH BENEFIT OF A COMMITMENT FOR TITLE INSURANCE, POLICY NUMBER OXFL-08947493, PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, DATED AUGUST 5, 2020 AT 11:31 AM. THE FOLLOWING ITEMS ARE EXCEPTIONS IN SCHEDULE B OF SAID COMMITMENT:
 ITEMS 1 & 2: STANDARD EXCEPTIONS, NOT ADDRESSED.
 ITEM 3: ALL MATTERS SHOWN IN PLAT BOOK 9, PAGE 28 APPLY TO THIS SITE. THERE ARE NO PLATTED EASEMENTS.
 ITEM 4: ALL MATTERS SHOWN IN PLAT BOOK 16, PAGE 33 APPLY TO THIS SITE. THERE ARE NO PLATTED EASEMENTS.
 ITEM 5: TERMS AND CONDITIONS IN DECLARATION OF CONDOMINIUM RECORDED IN O.R.B. 13595, PAGE 820 APPLY TO THIS SITE BUT CANNOT BE PLOTTED.
 ITEM 6: NOT ADDRESSED.
 ITEM 7: CABLE TELEVISION AGREEMENT IN O.R.B. 14337, PAGE 37 APPLIES TO THIS SITE BUT CANNOT BE PLOTTED.
 ITEM 8: NOT ADDRESSED.
 ITEM 9: RIGHTS OF OTHERS TO USE THAT PORTION OF INSURED LAND WITHIN THE WATERS OF RIO GRANDE CANAL APPLIES TO THIS SITE BUT CANNOT BE PLOTTED.
 ITEM 10: NOT ADDRESSED.
 ITEM 11: NOT ADDRESSED.
 ITEM 12: NOT ADDRESSED.
11. ALL RECORDED DOCUMENTS ARE PER BROWARD COUNTY RECORDS.
12. UNABLE TO LOCATE WET FACE OF SEAWALL DUE TO WOOD DOCK.

CERTIFICATION:

TO OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; HENDRICKS GROUP LLC, A FLORIDA LIMITED LIABILITY COMPANY;

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(a), 8, & 9 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON 10/2/21.

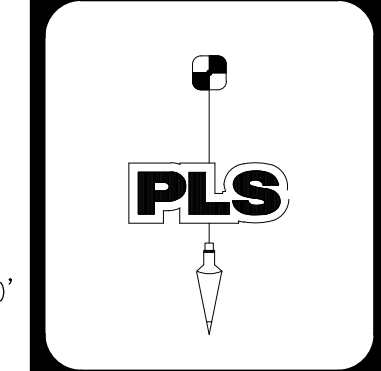
DATE OF PLAT OR MAP: 10/2/21

- JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
 - BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
 - VICTOR R. GILBERT, PROFESSIONAL SURVEYOR AND MAPPER LS6274
 - DONNA C. WEST, PROFESSIONAL SURVEYOR AND MAPPER LS4290
- STATE OF FLORIDA

NO.	REVISIONS	BY
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4		
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1		

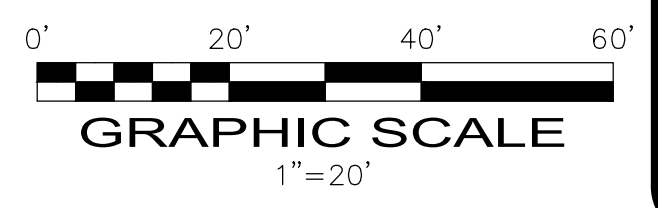
HENDRICKS ISLE
10, 20, 24 & 28 HENDRICKS ISLE
FORT LAUDERDALE, FLORIDA 33001
(BROWARD COUNTY)

**BOUNDARY AND TOPOGRAPHIC SURVEY
ALTA/NSPS LAND TITLE SURVEY**



PULICE LAND SURVEYORS, INC.
5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351
TELEPHONE: (954) 572-1777
FAX: (954) 572-1778
E-MAIL: surveys@pulicelandsurveyors.com
WEBSITE: www.pulicelandsurveyors.com
CERTIFICATE OF AUTHORIZATION LB#3870

DRAWN BY: J.M.P.	SCALE: 1"=20'	CLIENT: HENDRICKS GROUP, LLC
CHECKED BY: J.F.P.	SURVEY DATE: 10/2/21	ORDER NO.: 88843



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EXHIBIT V ZONING AERIAL



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

10 Hendricks Isle



0 90 180 Feet

GIS
Fort Lauderdale

EXHIBIT VI SITE PHOTOGRAPHS



1. Southern portion of the subject site, facing north along the Rio Grande Waterway.



2. Northern portion of the subject site, facing south along the Rio Grande Waterway.

EXHIBIT VII PROJECT PLANS

10 HENDRICKS ISLE

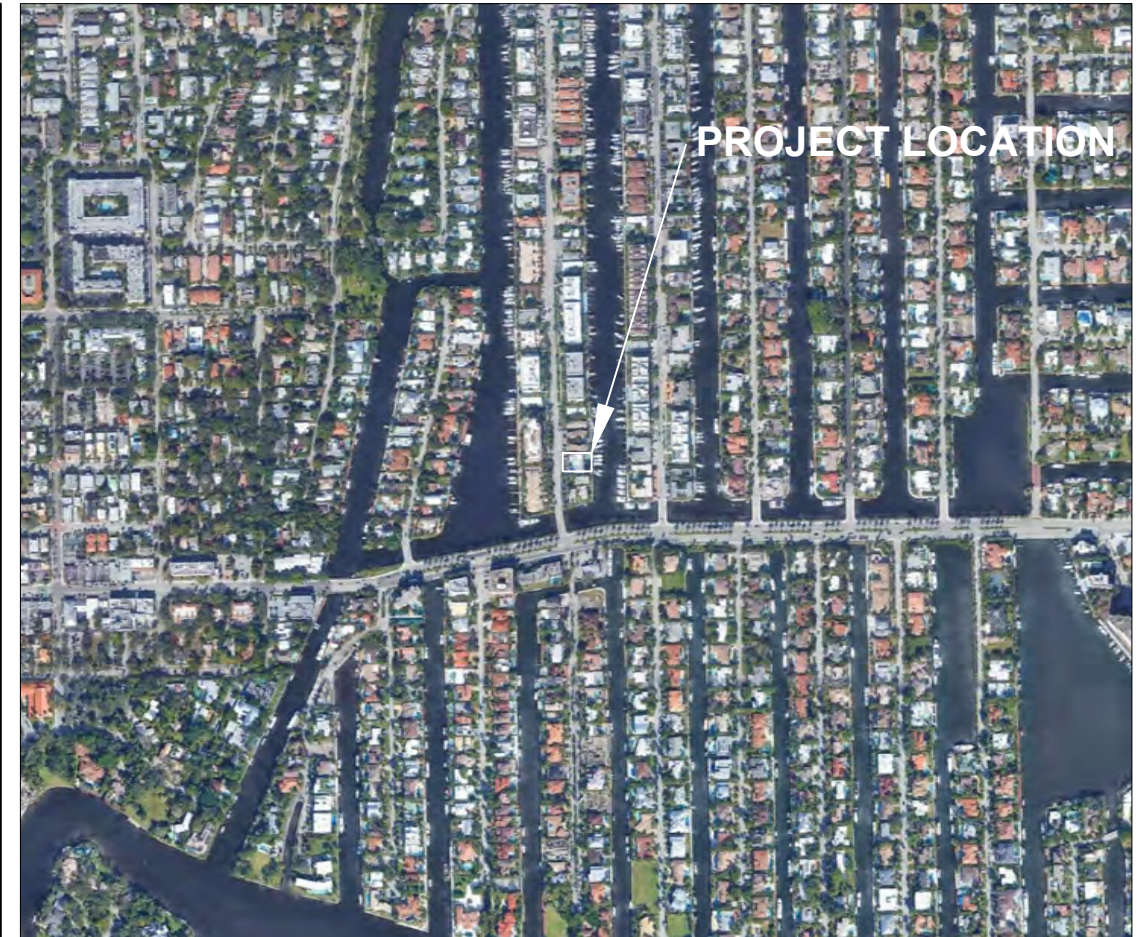
PLAN SET



LOCATION MAP (N.T.S.)

DRAWING INDEX

- SHEET 1: COVER**
- SHEET 2: EXISTING CONDITIONS**
- SHEET 3: PROPOSED CONDITIONS**
- SHEET 4: SECTION A-A**
- SHEET 5: DETAILS**



VICINITY AERIAL (N.T.S.)

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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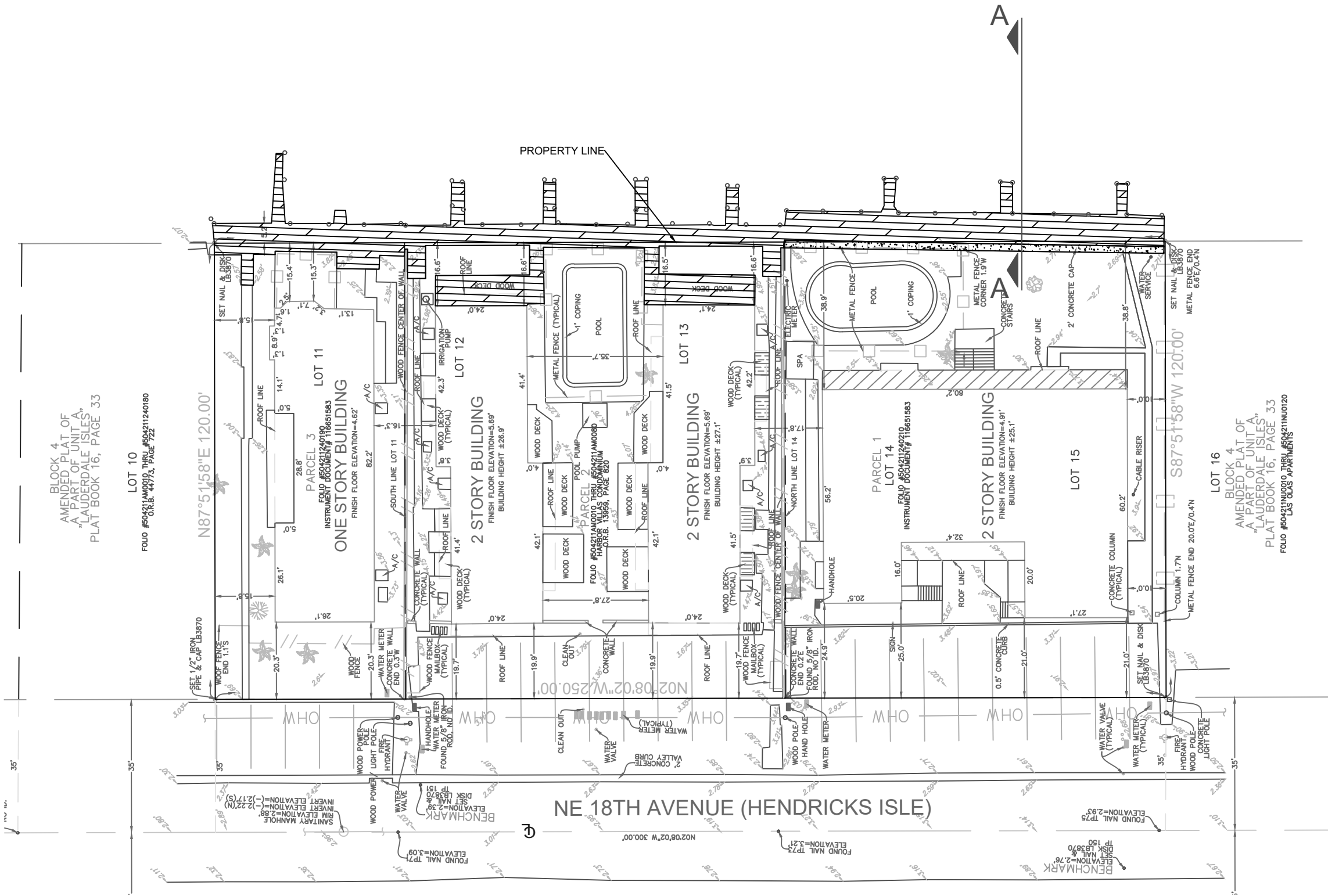
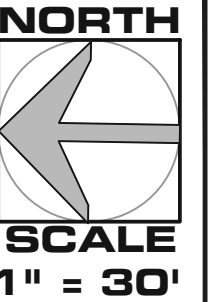
10 HENDRICKS ISLE

PREPARED FOR:
HENDRICKS GROUP, LLC.

COVER

Date: 3/7/2022	Sheet :	of :
Proj No.: 22-0007	1	5

RIO GRANDE WATERWAY



LEGEND

- SUBJECT SITE (±0.69 AC)
- EXISTING CORAL ROCK WALL TO REMAIN (±99 LN. FT.)
- EXISTING WOOD DOCK TO BE REMOVED (±2,705 ft², ±1,745 ft² OVERWATER)

M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD
 NOTE: SURVEY INFORMATION PROVIDED BY POLICE LAND SURVEYORS, INC. ELEVATIONS SHOWN AS NAVD88.

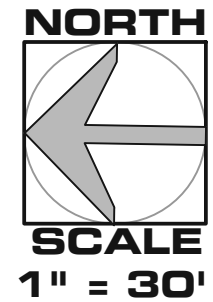
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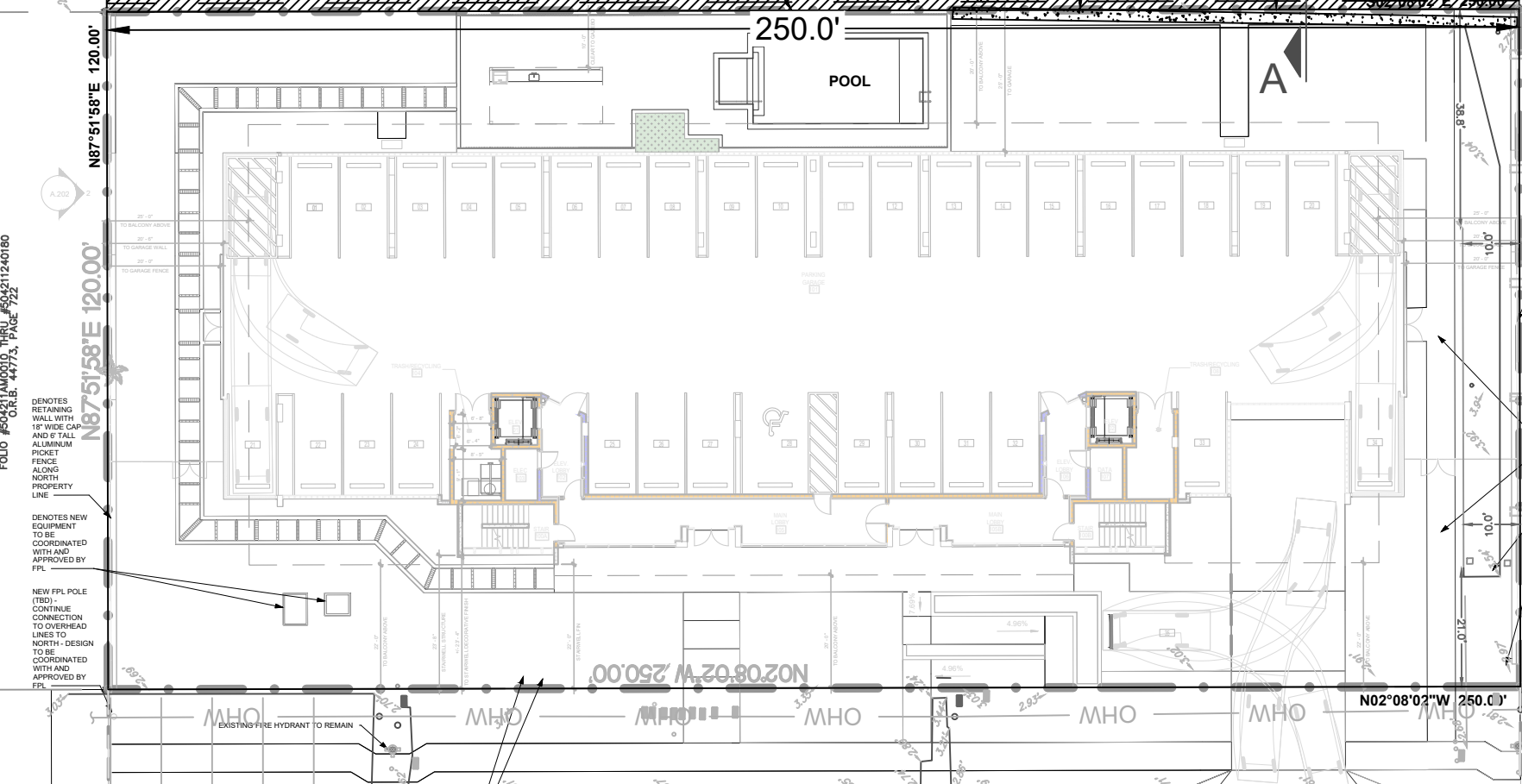
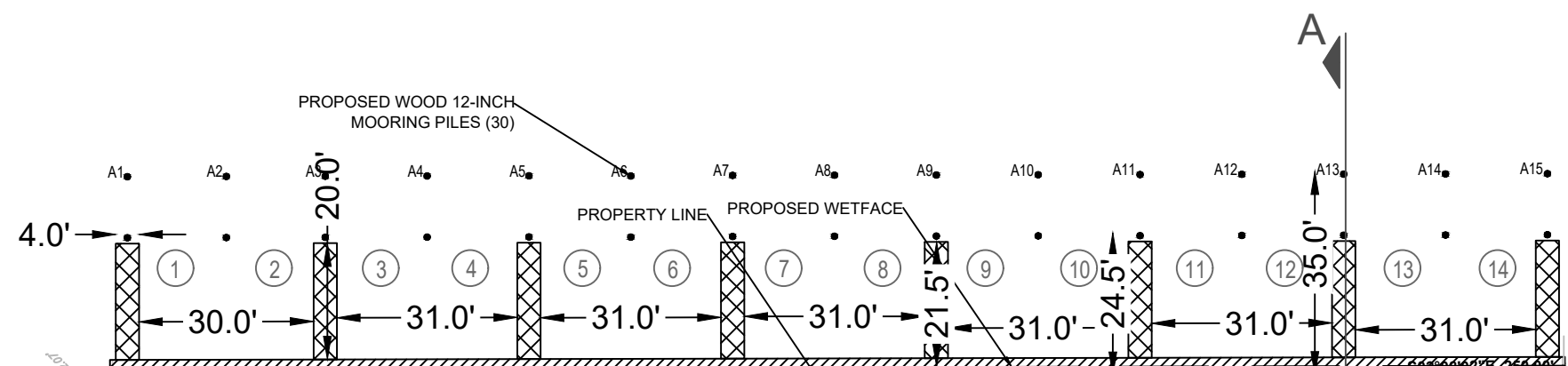
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EXISTING CONDITIONS		
Date: 3/7/2022	Sheet : 2	of : 5
Proj No.: 22-0007		



RIO GRANDE WATERWAY



PROPOSED SLIP TABLE		
SLIP #	LENGTH	WIDTH
1-2	45'	14'
3-14	45'	15'

LEGEND

- SUBJECT SITE (±0.69 AC)
- EXISTING CORAL ROCK WALL TO REMAIN (±99 LN. FT.)
- PROPOSED CONCRETE PANEL SEAWALL (±250 LN. FT.)
- PROPOSED CONCRETE FINGER PIERS (±640 ft²)

M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD
 NOTE: SURVEY INFORMATION PROVIDED BY PULICE LAND SURVEYORS, INC. ELEVATIONS SHOWN AS NAVD88.

CITY WAIVER REQUEST			
PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
MOORING PILES (A1-A15)	35.0'	25'	10.0'

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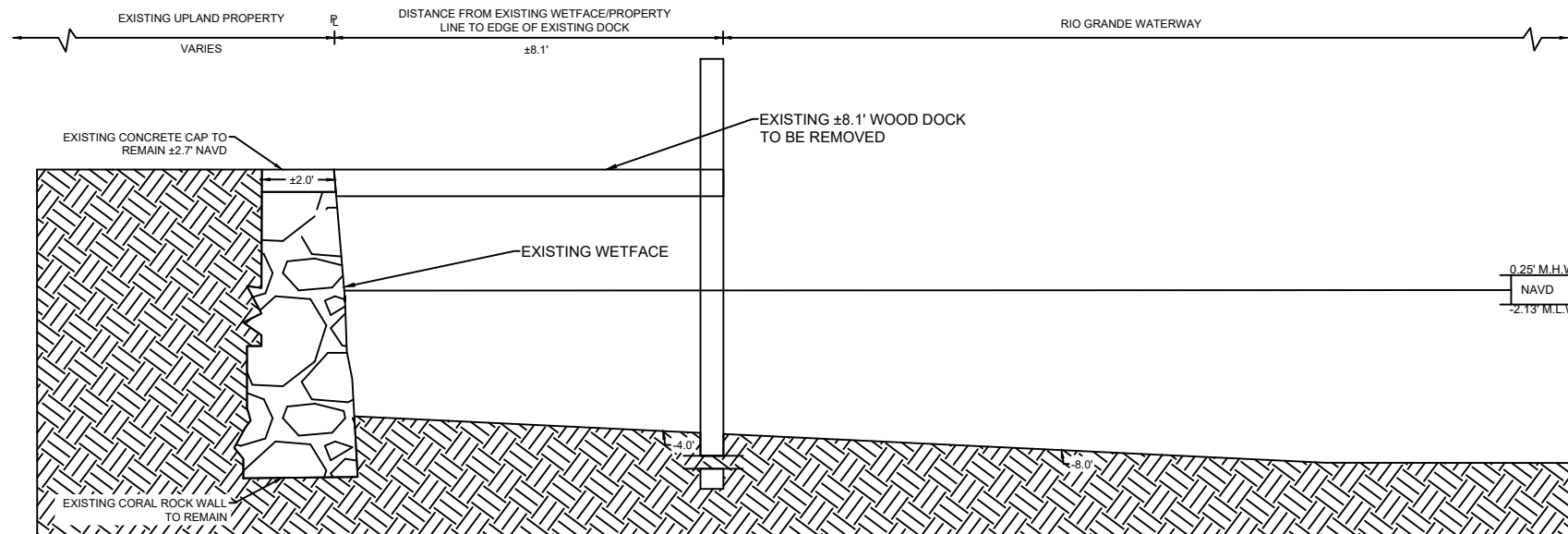
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PROPOSED CONDITIONS		
Date: 3/7/2022	Sheet : 3	of : 5
Proj No.: 22-0007		

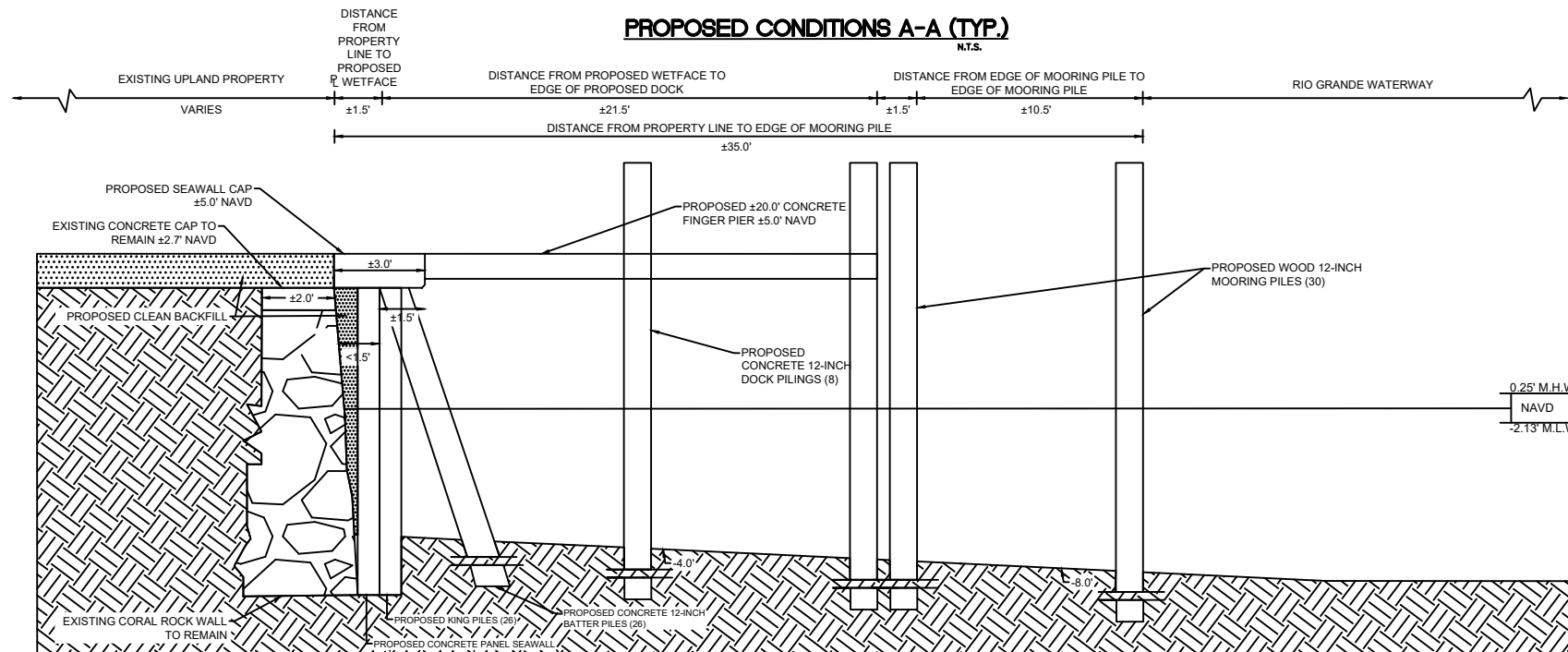
EXISTING CONDITIONS A-A (TYP.)

N.T.S.



PROPOSED CONDITIONS A-A (TYP.)

N.T.S.



NOTE PROPOSED WETFACE TO BE NO GREATER THAN 18" FROM EXISTING WETFACE

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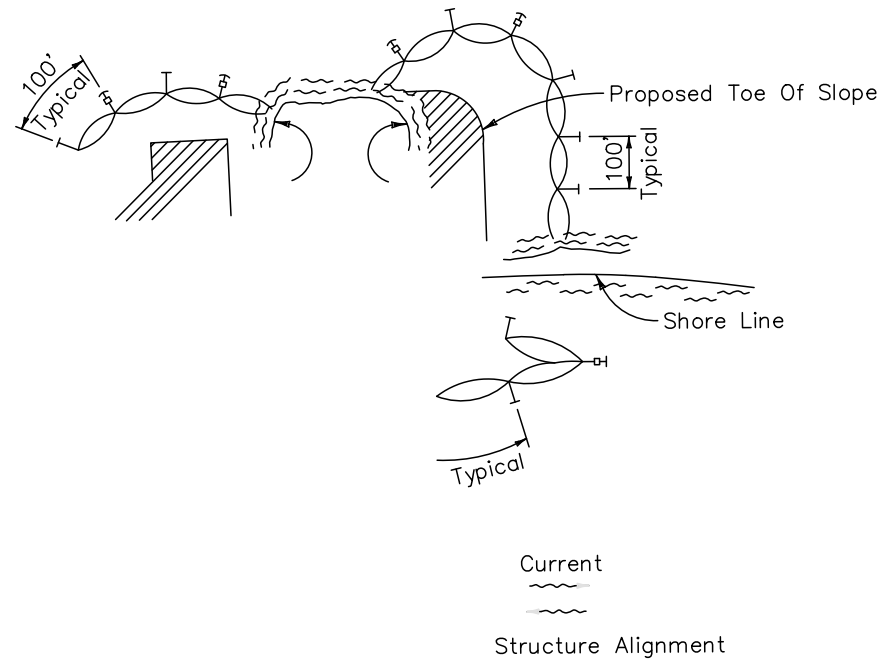
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SECTIONS

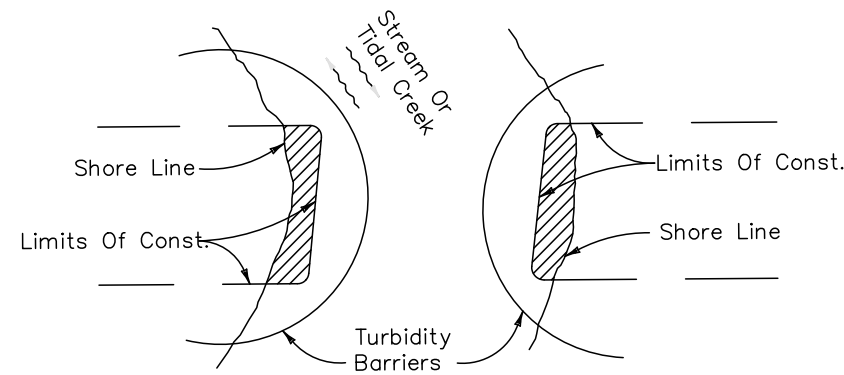
Date: 3/7/2022	Sheet :	of :
Proj No.: 22-0007	4	5

CONSTRUCTION BARGE (TYP.)



LEGEND

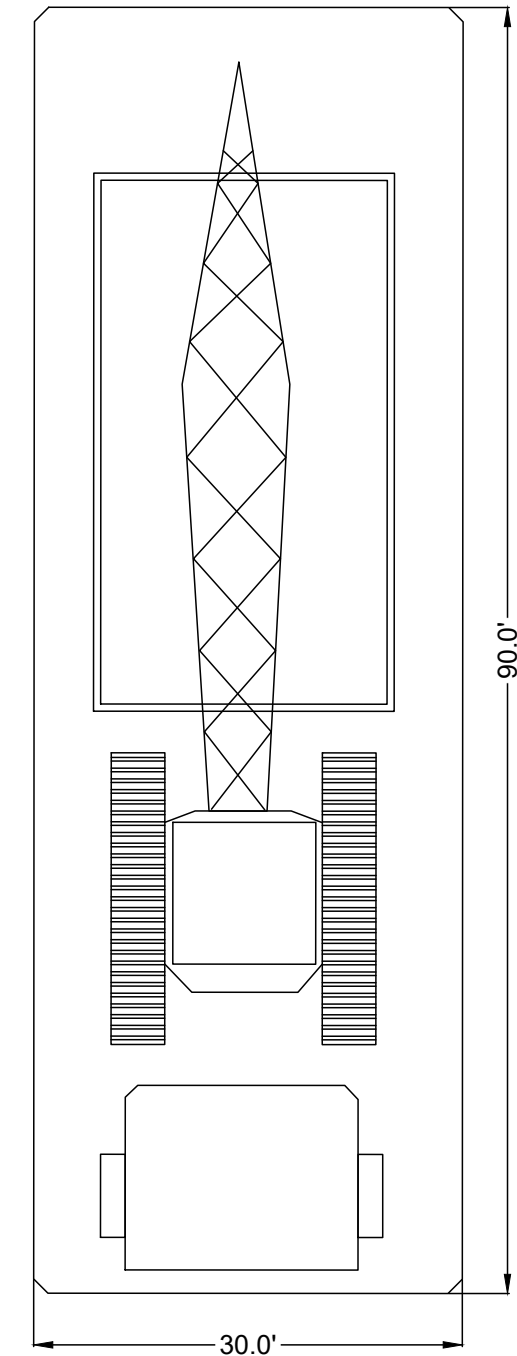
- Pile Locations
- ▨ Dredge Or Fill Area
- ⊕ Mooring Buoy w/Anchor
- ⊖ Anchor
- ⊖ Barrier Movement Due To Current Action



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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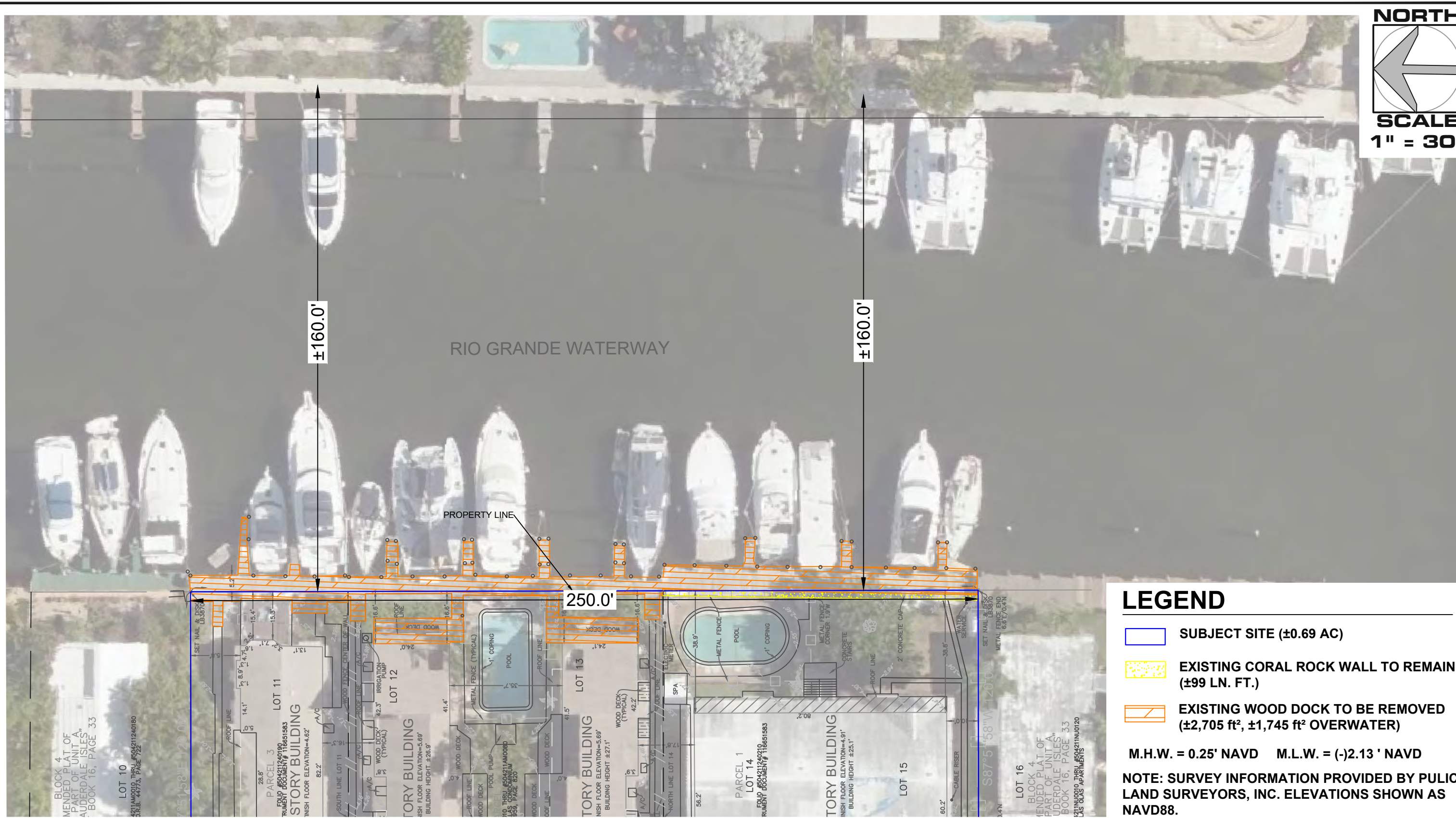
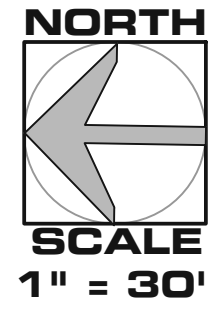
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HENDRICKS GROUP, LLC.

DETAILS

Date: 3/7/2022	Sheet : 5	of : 5	
Proj No.: 22-0007			

EXHIBIT VIII DISTANCE EXHIBIT



LEGEND

- SUBJECT SITE (±0.69 AC)
- EXISTING CORAL ROCK WALL TO REMAIN (±99 LN. FT.)
- EXISTING WOOD DOCK TO BE REMOVED (±2,705 ft², ±1,745 ft² OVERWATER)

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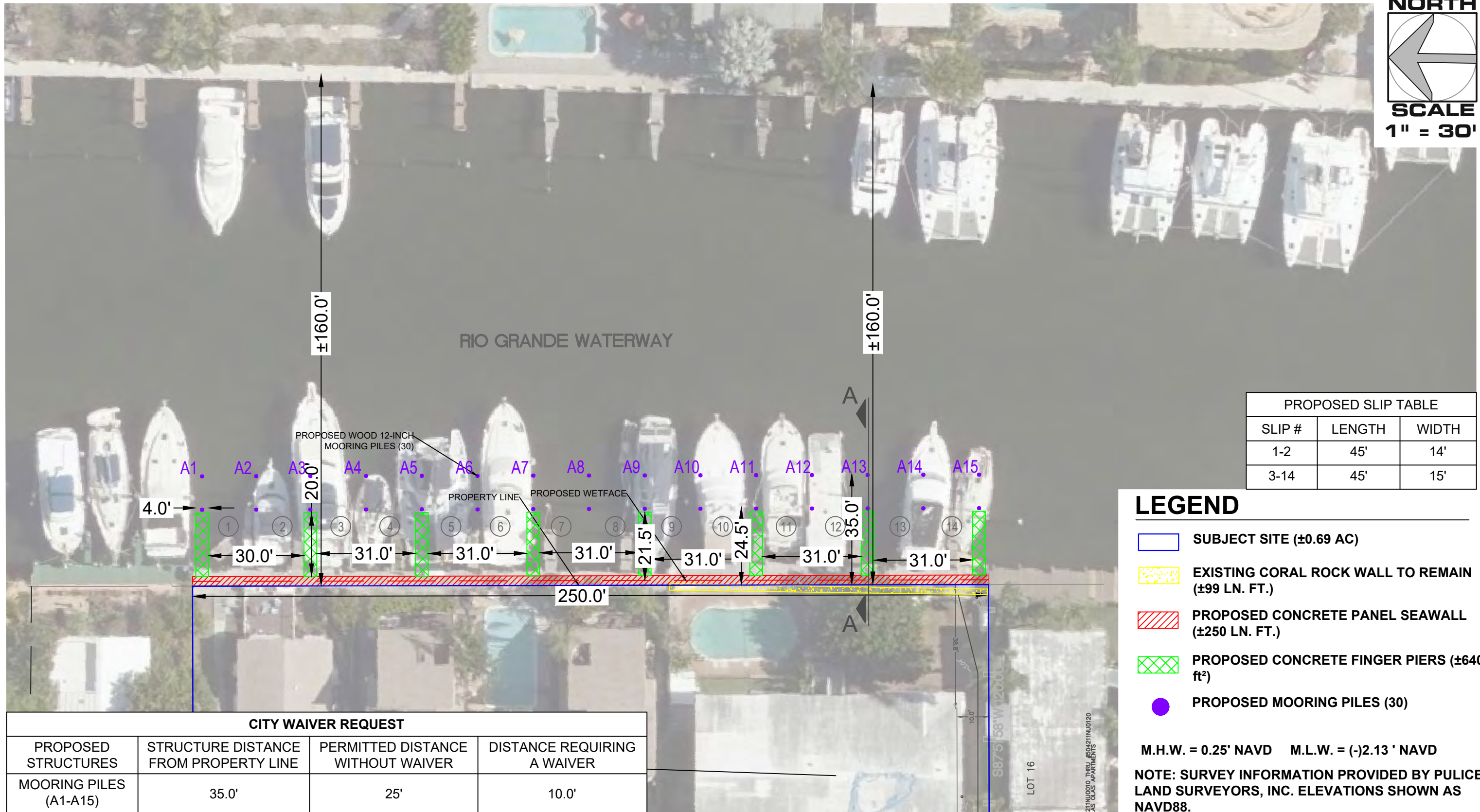
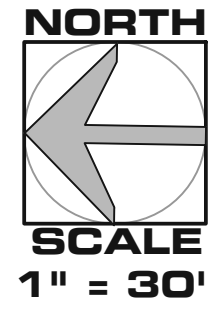
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DISTANCE EXHIBIT		
Date: 3/7/2022	Sheet : 1	of : 3
Proj No.: 22-0007		



PROPOSED SLIP TABLE		
SLIP #	LENGTH	WIDTH
1-2	45'	14'
3-14	45'	15'

- ### LEGEND
- SUBJECT SITE (±0.69 AC)
 - EXISTING CORAL ROCK WALL TO REMAIN (±99 LN. FT.)
 - PROPOSED CONCRETE PANEL SEAWALL (±250 LN. FT.)
 - PROPOSED CONCRETE FINGER PIERS (±640 ft²)
 - PROPOSED MOORING PILES (30)

M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD
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CITY WAIVER REQUEST			
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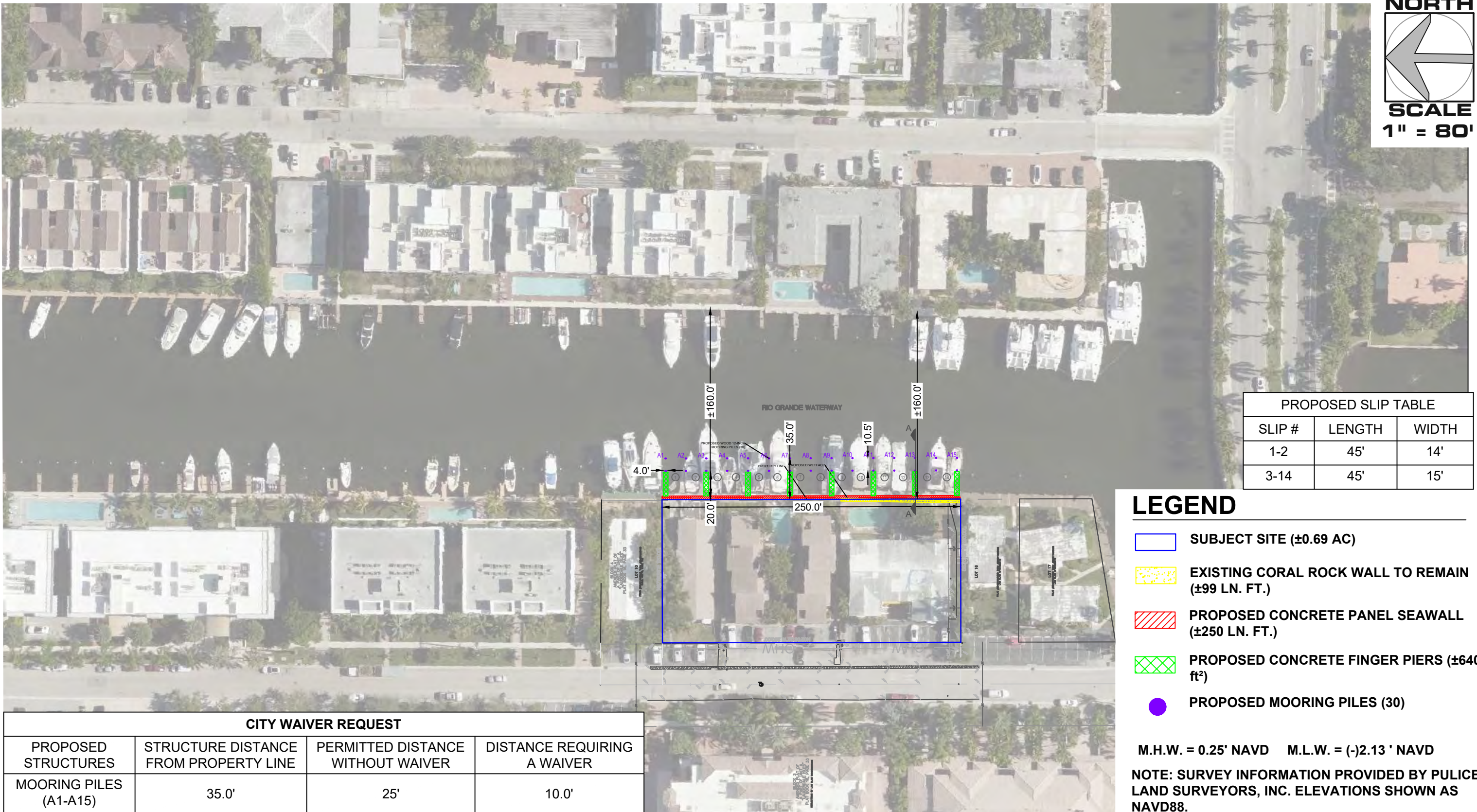
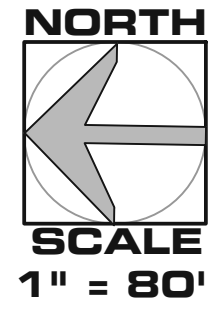
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DISTANCE EXHIBIT		
Date: 3/7/2022	Sheet :	of :
Proj No.: 22-0007	2	3



PROPOSED SLIP TABLE		
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1-2	45'	14'
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LEGEND

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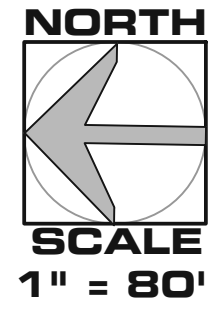
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DISTANCE EXHIBIT		
Date: 3/7/2022	Sheet :	of :
Proj No.: 22-0007	3	3



PROPOSED SLIP TABLE		
SLIP #	LENGTH	WIDTH
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3-14	45'	15'

- LEGEND**
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NAVIGATION EXHIBIT		
Date: 3/7/2022	Sheet : 1	of : 1
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EXHIBIT IX EXISTING WAIVERS IN THE VICINTY

EXISTING WAIVERS IN THE VICINITY



ADDRESS	MAXIMUM DISTANCE
141 Isle of Venice	35'
95 Hendricks Isle	35'
9 Hendricks Isle	43.4'
1 Hendricks Isle	43'
2407 Aqua Vista Blvd	34.5'
435 Bayshore Dr	48.5'
321 N Birch Rd	75'
215 N Birch Rd	47.5'
209 Grand Birch	45.5'
1627 SE 7 th St	47.2'
1801 SE 7 th St	52'
540 Lido Drive	45.5'
333 Sunset Drive	61.7'

ADDRESS	MAXIMUM DISTANCE
353 & 363 Sunset Drive	54.9'
375 Idlewyld Drive	68'
407 Idlewyld Drive	63.75'
413 Idlewyld Drive	81.45'
417 Idlewyld Drive	78'
505 Idlewyld Drive	68.5'
515 Idlewyld Drive	89.3'
517 Idlewyld Drive	42'
606 Idlewyld Drive	55.8'
629 Idlewyld Drive	50.7'
637 Idlewyld Drive	58'
649 Idlewyld Drive	45'
709 Idlewyld Drive	53.2'
Subject Site	35'

Sec. 47-19.3. - Boat slips, docks, boat davits, hoists and similar mooring structures.

(a) The following words when used in this section shall, for the purposes of this section, have the following meaning:

- (1) *Mooring device* means a subset of mooring structures as defined herein including boat davits, hoists, boat lifts and similar devices that are erected on or adjacent to a seawall or dock and upon which a vessel can be moored. A mooring device does not include docks, slips, seawall or mooring pile.
- (2) *Mooring structure* means a dock, slip, seawall, boat davit, hoist, boat lift, mooring pile or a similar structure attached to land more or less permanently to which a vessel can be moored.
- (3) *NGVD 29* or the National Geodetic Vertical Datum of 1929 means the vertical control datum established for vertical control surveying in the United States of America by the General Adjustment of 1929. The datum is used to measure elevation or altitude above, and depression or depth below, mean sea level (MSL).
- (4) *NAVD88* or the North American Vertical Datum means the vertical control datum of orthometric height established for vertical control surveying in the United States of America based upon the General Adjustment of the North American Datum of 1988.
- (5) *Seawall* means vertical or near vertical structures placed between an upland area and a waterway. For the purposes of Section 47-19.3(f), rip rap is not considered a seawall.
- (6) *Rip rap* means a foundation of unconsolidated boulders, stone, concrete or similar materials placed on or near a shoreline to mitigate wave impacts and prevent erosion.

(b) Boat davits, hoists and similar mooring devices may be erected on a seawall or dock subject to the following limitations on the number and location as follows:

- (1) Except as provided herein, only one (1) mooring device per the first one hundred (100) feet of lot width or portion thereof, and one mooring device for each additional one hundred (100) feet of lot width. A second mooring device may be permitted within the lot area greater than one hundred (100) feet but less than two hundred (200) feet if approved as a Site Plan Level II permit, subject to the following criteria:
 - a. The location of the proposed mooring device will not interfere with the view from adjacent properties to a degree greater than the intrusion already permitted as a result of the berthing of a vessel at applicant's property within the setback and extension limitations provided in the Code.
 - b. The type of mooring device is the least intrusive and most compatible with the view from the waterway.
 - c. No conflict with a neighboring property owner's usage of the waterway will be created as a result of the additional mooring device.

Pursuant to Site Plan Level II review, the development review committee ("DRC") shall determine whether the proposed additional mooring device meets the criteria based on its location and the relationship of applicant's property to abutting properties with regard to height, angle of view of the device from abutting properties and the height, width and length of the mooring device proposed.

Approval of a Site Plan Level II development permit for an additional mooring device shall not be final until thirty (30) days after preliminary DRC approval and then only if no motion is approved by the City Commission seeking to review the application pursuant to the process provided in Section 47-26. The denial of an application for an additional mooring device may be appealed to the City Commission in accordance with the provisions of Section 47-26.

- (2) In addition to the mooring device described in paragraph (b)(1) of this section, one (1) lift designed and used solely for the lifting of a personal watercraft (PWC) per development site is permitted. For purposes of this subsection (2) a PWC is as defined in F.S. Ch. 327.
 - (3) The cross section of the davit, hoist or other mooring device shall not exceed one (1) square foot and have a maximum height of six and one-half (6½) feet above lot grade.
 - (4) The lowest appendage of a vessel may not be hoisted greater than one (1) foot above a seawall cap or if no seawall, above the average grade of the upland property and properties abutting either side of the upland property, whichever is less.
- (c) No boat slips, docks, boat davits, hoists, and similar mooring structures not including mooring or dolphin piles or a seawall, may be constructed by any owner of any lot unless a principal building exists on such lot and such lot abuts a waterway. Mooring structures, not including mooring or dolphin piles, shall not extend into the waterway more than twenty-five (25) percent of the width of the waterway or twenty-five (25) feet whichever is less as measured from the property line.
- (d) Mooring or dolphin piles, shall not be permitted to extend more than thirty (30) percent of the width of the waterway, or twenty-five (25) feet beyond the property line, whichever is less.
- (e) The City Commission may waive the limitations of Sections 47-19.3.(c), 47-19.3.(d) and 47-39.A.1.b.(12).(a) and 47-39.A.1.b.(12).(b) under extraordinary circumstances, provided permits from all governmental agencies, as required, are obtained after approval of the City Commission, after a public hearing and notification to property owners within three hundred (300) feet. In no event shall the extension exceed thirty (30) percent of the width of the waterway and no variance may be approved by the Board of Adjustment or other agency permitting an extension beyond the thirty percent (30%) limitation. Reflector tape shall be affixed to and continually maintained on all mooring or dolphin piles authorized under this subsection to extend beyond the limitations provided in subsection (d). The reflector tape must be formulated for marine use and be in one (1) of the following uniform colors: international orange or iridescent silver. On all such piles, the reflector tape shall be at least five (5) inches wide and within eighteen (18) inches of the top of the pile.
- (f) The top surface of a seawall shall have a minimum elevation of 3.9 feet NAVD88 (see table). The elevation of a seawall or dock shall not exceed a maximum of the base flood elevation (BFE) as identified in the corresponding FEMA Flood Insurance Rate Map (FIRM) for the property, except as specifically set forth herein. For properties with a BFE of 4.0 feet NAVD88, the minimum seawall elevation shall meet 3.9 feet NAVD88 and the maximum seawall or dock elevation shall be 5.0 feet NAVD88. For waterfront properties with a habitable finished floor elevation of less than 3.9 feet NAVD88, a seawall may be constructed at less than the stated minimum elevation if a waiver is granted by the City Engineer. For properties within an X zone, the minimum seawall elevation shall meet 3.9 feet NAVD88 and the maximum seawall or dock elevation shall meet the definition of grade as determined by subsection 47-2.2 (g)(1)(a). The maximum height of related structures attached to a seawall shall not exceed the elevation of the seawall to which the structure is attached. In the event of a conflict between subsection 47-19.5.B.Table 1, Note G: subsection 1.a.ii. and the requirements of this section, this section shall govern. Property owners choosing to construct seawalls at less than 5.0 feet NAVD88 are strongly encouraged to have the foundation designed to accommodate a future seawall height extension up to a minimum elevation of 5.0 feet NAVD88.

Property's FEMA Flood Insurance Rate Map Location	Minimum Allowable Seawall Elevation	Maximum Allowable Seawall or Dock Elevation
In a floodplain with a base flood elevation greater than or	3.9 feet NAVD88	Base flood elevation of the property

equal to 5.0 feet NAVD88		
In a floodplain with a base flood elevation equal to 4.0 feet NAVD88	3.9 feet NAVD88	5 feet NAVD88
In an X zone, not in a floodplain	3.9 feet NAVD88	Meet the definition of grade as determined by Section 47-2.2(g)(1)(a)

- (1) Seawalls must be designed and built in a substantially impermeable manner to prevent tidal waters from flowing through the seawall while still allowing for the release of hydrostatic pressure from the upland direction.
- (2) Fixed docks may be constructed at an elevation less than the elevation of the seawall to which it is attached but shall not be constructed at an elevation more than ten (10) inches above the seawall's elevation. The dock elevation may not exceed the maximum elevation as described in subsection (f) of this section. Floating docks shall be allowed and must be permitted and permanently attached to a marginal dock, finger pier, mooring pilings, or seawall.
- (3) Seawall improvements constituting substantial repair at the time of permit application shall meet the minimum elevation and consider the design recommendations (see subsection (f) above) for the continuous seawall for the length of the property. For the purposes of this section, the substantial repair threshold shall mean the following:
 - (i) Any improvement to the seawall of more than fifty percent (50%) of the length of the structure, which for the purposes of this section, shall include both the seawall and cap; or
 - (ii) Any improvement to the seawall which results in an elevation change along more than fifty percent (50%) of the length of the structure.
- (4) All property owners must maintain their seawalls in good repair. A seawall is presumed to be in disrepair if it allows for upland erosion, transfer of material through the seawall or allows tidal waters to flow unimpeded through the seawall to adjacent properties or public right-of-way. Property owners failing to maintain their seawalls may be cited. The owner of the property on which the seawall is constructed is required to initiate a process, including but not limited to hiring a contractor or submitting a building permit, and be able to demonstrate progress toward repairing the cited defect within sixty (60) days of receiving notice from the city and complete the repair within three hundred sixty-five (365) days of citation. If the required repair meets the substantial repair threshold, the property owner shall design, permit, and construct the seawall to meet the minimum elevation requirement and design requirement (see subsection 47-19.3(f)) within three hundred sixty-five (365) days of citation.
- (5) Property owners with seawalls below the minimum elevation, or permeable erosion barriers such as rip rap, or a land/water interface of another nature shall not allow tidal waters entering their property to impact adjacent properties or public rights-of-way. Property owners failing to prevent tidal waters from flowing overland and leaving their property may be cited. The owner of the property is required to initiate a process, including but not limited to, hiring a contractor or submitting a building permit, and be able to demonstrate progress toward addressing the cited concern within sixty (60) days of receiving notice from the city and complete the proposed remedy within three hundred sixty-five (365) days of citation.

- (g) No boathouse, permanent covering, or temporary covering for a boat shall be permitted within the setback area required for the zoning district in which such shelter is to be located, nor shall any boathouse, permanent covering or temporary covering for a boat, or any other structure not otherwise specifically permitted, be permitted within or cover any public waterway.
- (h) No watercraft shall be docked or anchored adjacent to residential property in such a position that causes it to extend beyond the side setback lines required for principal buildings on such property, as extended into the waterway, or is of such length that when docked or anchored adjacent to such property, the watercraft extends beyond such side setback lines as extended into the waterway. The owner of real property which would be entitled to the density limitation of a maximum of forty (40) units per acre pursuant to the terms for habitation of floating homes or vessels, Section 47-19.6, may apply for an exception to the setback requirements contained herein. An application for such exception shall be heard by the Planning and Zoning Board (board) at a public hearing called for that purpose. After the public hearing, the board shall make a recommendation to the City Commission that the application be granted or denied, or granted subject to conditions. If the board recommends that the application be either granted or granted subject to conditions, the City Clerk shall place the recommendation on the agenda of the City Commission for a public hearing at a regular meeting. The City Commission shall, by resolution, either grant the application, deny the application, or grant the application subject to such conditions as it finds necessary to the health, safety and general welfare of the citizens of the city. In deciding whether to grant or deny the application, the City Commission shall consider the neighborhood within which the applicant's property lies and the effect that the exception to the setbacks would have on the following:
 - (1) The surrounding property.
 - (2) The ability of adjacent property owners to enjoy abutting waterways.
- (i) Waiver of limitations. Property owners of lands located on the Isle of Venice and Hendricks Isle may dock or anchor watercraft adjacent to their respective properties in a manner which extends beyond side setback lines, required by this section as approved by Resolution No. 85-270.

(Ord. No. C-97-19, § 1(47-19.3), 6-18-97; Ord. No. C-04-2, § 4, 1-12-04; [Ord. No. C-10-44, § 2, 12-7-10](#); [Ord. No. C-13-18, § 2, 6-4-13](#); Ord. No. [C-16-13](#), § 1, 6-21-16; [Ord. No. C-16-27](#), § 1, 12-6-16)