MEMORANDUM MF NO. 14-08

DATE: March 20, 2014

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: April 3, 2014 MAB – Application - Dock Waiver of Distance Limitations –

Joseph and Susan Fallon, 505 Idlewyld Drive

Attached for your review is an application from Joseph and Susan Fallon, 505 Idlewyld Drive (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting a waiver to construct a 65' long by 8' wide floating concrete dock, access walkway/ramp, boatlift, and 2 mooring pilings extending a maximum of 68.5' from the property line into the New River Sound. The distances that these structures extend from the property line into the Intracoastal Waterway (New River Sound) are shown in the survey in **Exhibit 1** and summarized in Table 1:

TABLE 1

STRUCTURES	MAXIMUM	PERMITTED	DISTANCE
REQUIRING	SURVEYED	URVEYED DISTANCE	
WAIVER	DISTANCE OF	WITHOUT	WAIVER
	STRUCTURES	WAIVER	
Concrete Floating	46'	25'	21'
Dock			
Boat Lift	28'	25'	3'
2 Mooring Pilings	68.5'	25'	43.5'
Access	46'	25'	21'
Walkway/Ramp			

The City's Unified Land and Development Regulations (UDLR), Sections 47-19.3.C and D limits the maximum distance of the dock, boat lift, access walkway and mooring pilings at this location to 25'. Section 47.19.3.E authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances.

The applicant's narrative summary indicates shallow water depths insufficient for dockage purposes and sea grass avoidance necessitate mooring structures extending beyond Code.

PROPERTY LOCATION AND ZONING

The property is located within the Idlewyld Isles RS-8 Residential Low Density Zoning District. It is situated on the western shore of the Intracoastal Waterway where the overall width of the New River Sound is identified as approximately+/-420'.

WATERWAY DEPTH AND TIDAL CONDITIONS

The Idlewyld Drive waterfront has a history of dock waivers due to shallow water depths and extensive silting, as illustrated in Table 2.

DOCK PLAN AND BOATING SAFETY

Marine Facilities' records reflect that there have been fifteen (15) waivers of docking distance limitations approved by the City Commission since 1986 with the most recent at 721 Idlewyld approved by the City Commission at their meeting of February 4, 2014. A comparison of these follows:

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
1986	801 Idlewyld Drive	54.00'
1994	407 Idlewyld Drive	63.75'
1995	517 Idlewyld Drive	42.00'
2000	629 Idlewyld Drive	50.70'
2001	606 Idlewyld Drive	55.80'
2005	413 Idlewyld Drive	81.45'
2007	649 Idlewyld Drive	45.00'
2007	375 Idlewyld Drive	68.00'
2008	674 Idlewyld Drive	58.00'
2008	637 Idlewyld Drive	58.00'
2009	709 Idlewyld Drive	53.20'
2011	815 Idlewyld Drive	42.70'
2011	417 Idlewyld Drive	78.00'
2013	801 Idlewyld Drive	38.10'
2014	721 Idlewyld Drive	61.50'

RECOMMENDATIONS

Should the Marine Advisory Board consider approval of the application, the resolution under consideration for approval 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 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, and verification of receipt of all applicable Federal and State permits.
- 3. The applicant is required to install and affix reflector tape to the boatlift pilings in accord with Section 47.19.3.E of the Unified Land and Development Regulations (ULDR).

AC Attachment

cc: Carl Williams, Deputy Director of Parks and Recreation Jonathan Luscomb, Supervisor of Marine Facilities

APPLICANT

JOSEPH FALLON

505 IDLEWYLD

FORT LAUDERDALE, FLORIDA

TABLE OF CONTENTS

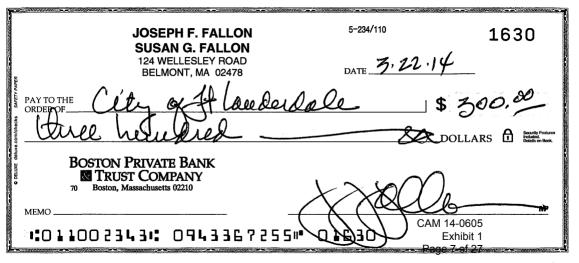
- 1. Application with fee payment
- 2. Zoning aerial map
- 3. Proof of ownership
- 4. Narrative summary
- 5. Survey 11x17
- 6. Photos
- 7. Site and Dock plans with cross sectional plans 11x17
- 8. Environmental Agencies response that application for permit has been made and in process

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.

1	and the second second	- application roo.						
			ICATION FORM	,				
1.	(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: Joseph F. Fallon							
	TELEPHONE NO:	617 484 1436 (home)	617 737 4100 (business)	FAX NO. 617 737 41	01			
2.	APPLICANT"S ADDRESS (if different than the site address): Same							
3.	TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: Request for approval to extend dock - "Waiver of limitations of section 47-19.3.C"							
4. SITE ADDRESS: 505 Idlewyld		·×	ZONING: RS 8					
E	Thereof as recor	e West 75' thereof, Bloded in plat book 1 at p	page 19, of the public	records of Broward Cou	•			
5.	EXHIBITS (In addition	See attached table		ed in support of the applicati	ons).			
Applic	ant's Signature	=======================================		3-22-2014 Date				
The s	sum of \$ <u>300.00</u> , <u>201</u>	was paid by Received by:	the above-named ap	oplicant on the				
===	=========	======For Official C	city Use Only======	City of Fort Lauderdale	=====			
Marine Advisory Board Action Formal Action taken on		Commission A						
	mendation			Activities of supply				

Action







505 Idlewyld Drive



Path: P:\13_CED_Dockmaster\arcgis\505 Idlewyld Drive.mxd

Date: 2/26/2014 CAM 14-0605 Exhibit 1

Page 8 of 27

QUIT CLAIM DEED THIS QUIT CLAIM DEED, made this 21 day of Jul 2012, A.D., between Joseph F. Fallon, a single man, whose post office address is One Marina Bark Drive, Boston, MA 02210, Grantor, and 505 Idlewyld, LLC, a Florida Limited Liability Company, whose post office address is 505 Idlewyld Drive, Fort Lauderdale, FL 33301, Grantee.

WITNESSETH, that said grantor, for and in consideration of the sum of TEN AND NO 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 the County of Broward State of Florida, to wit;

PROPERTY ADDRESS: 505 Idlewyld Drive, Fort Lauderdale, FL 33301

LEGAL DESCRIPTION: Lots 1 and 2, less the West 75 feet, Block 3, IDLEWYLD, according to the Plat thereof, as recorded in Plat Book 1, Hage 19, of the Public Records of Broward County, Florida.

FOLIO #:5042-12-02-0260

TO HAVE AND TO HOLD, the same together with all and singular the appurtenances belonging or in anywise appertaining, and all the estate, right, title, interest, llen, equity and claim whatsoever of grantors, wither 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.

Signed, sealed and delivered the presence of:

UTZIGEY

Leaceann Witness #2 Printed Name

STATE OF WASS

The foregoing instrument was acknowledged before me this , 2012, by Joseph F. Fallon, who is personally known to me or who produced

Notary Public

ignature

GRACEANN CIR

ONWEALTH OF WASSACHUSETT My Commission Expires August 10 2018

My Commission No./Exp

CAM 14-0605 Exhibit 1 Page 9 of 27

Subject: Fwd: Fwd: Hearing,505 IDLEWYLD **From:** Fred Blitstein <jfb4244@gmail.com>

Date: 3/24/2014 10:06 AM

To: ANDREW CUBA < ACuba@fortlauderdale.gov>

Andrew Cuba

City of Fort Lauderdale Manager of Marine Facilities 2 South New River Drive Fort Lauderdale, Florida 33301

Reference:

Application for construction of new boat dock at 505 Idlewyld

Applicant: Joseph and Susan Fallon

This application is a request for a waiver of the Limitations of Section 47-19.3.c of the Code of Ordinances of the City of Fort Lauderdale Please be advised of the following:

- 1. The applicant has a boat dock (needing repairs and corrections as proposed) located at the property fronting the Intercoastal waterway
- 2. There has been continuing shoaling/shallowing of the dock area
- 3. Access and use of the dock has been greatly limited allowing docking only for a smaller shallow draft boat at high tide.
- 4. The boat lift as presently located is unusable; at low tide there is no water; only exposed bottom
- 4. A required biological study indicates various seagrass habitats within the present boat dock location
- 5. The new dock plan allows for the following:
- .. docking location is now outside the surveyed seagrass areas
- .. docking location provides minimum but sufficient depth for the 60+/- foot vessel to be docked at this location
- .. the dock lines up exactly with the dock immediately to the north which received the approval as requested in this application; with no impact to navigation

The applicant is requesting:

The existing dock extends 36 feet from the face of the seawall; originally to accommodate the lessening depth of water. The condition has worsened. Because of the ongoing boat traffic along the waterway there will be a constant plume of sediments which, with the wave action, will continually settle along the seawalls which

act as a stop to the movement of the sediment; causing continuing shallowing. The City Building Code Section 47-19.3 allows docks, piers and lifts to extend from the

property line up to 25% of the waterway or 25 feet whichever is less

The 10 foot requested extension will allow the face of the new dock to be at 46 feet; aligned exactly with the dock immediately adjacent to the north; providing the same depth of water

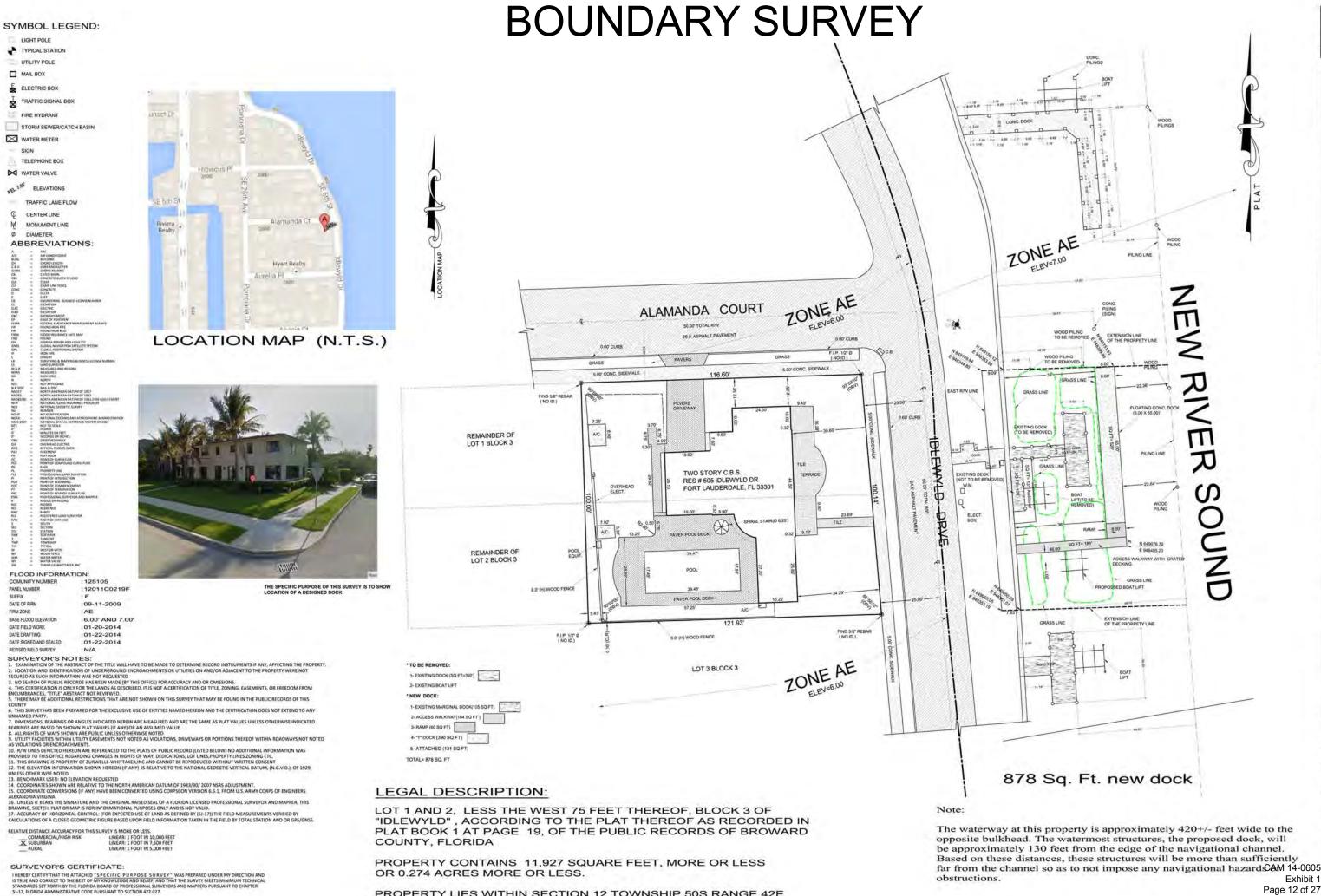
The configuration of the dock will allow also for the new placement of the boat lift while keeping the required 10 foot side yard setbacks

The waterway at this location is approximately 420ft +/- wide. The proposed dock location will be approximately 100ft +/- from the edge of the navigational channel; not creating any navigational hazards

In order to have safe mooring of vessels at this location and for the reasons clearly explained above the applicant is requesting review and approval of the dock reconfiguration

- 1. The constant shallowing of the docking area does not allow the safe mooring of anything other than a smaller shallow draft vessel; which cannot accommodate the applicant's boat
- 2. The Environmental Agencies which issue permits for the dock are requiring the configuration in order to avoid seagrass habitat
- The shallow depth does not allow the use of the existing boat lift

Sincerely J.F.Blitstein PhD Authorized representative for the applicant



FORT LAUDERDALE, FL 33301 RES # 505 IDLEWYLD DR

FIELD BOOK: J.C.CAREAGA

1"=16" REVISED:

Exhibit 1 SHEET No. Page 12 of 27 1 0F 1

PROPERTY LIES WITHIN SECTION 12 TOWNSHIP 50S RANGE 42E









ALAMANDA COURT

ELECTRIC BOX

TRAFFIC SIGNAL BOX

STORM SEWER/CATCH BASIN

WATER METER

WATER VALVE

CENTER LINE

MONUMENT LINE

DIAMETER.

ABBREVIATIONS:

AIR CONDITIONER
BUILDING
CHORD LENGTH
CURB AND GUTTER
CHORD BEARING
CATCH BASIN
CONCRETE BLOCK STUCCO
CLEAR
CHARLLINK FEACE

CHAIN LINK FENCE

FOUND IRON PIPE FLORIDA POWER AND LIGHT CO

MEASURED AND RECORD NAIL & DISC

NORTH AMERICAN DATUM OF 1927

NORTH AMERICAN DATUM OF 1983 NORTH AMERICAN DATUM OF 1983,1990 ADJUSTMENT

PAGE PROPERTY LINE

POINT OF BEGINNING POINT OF COMMENCEMENT PROFESSIONAL SURVEYOR AND MAPPE RADIUS OR RECORD

RADIUS OR RECORD
RECORD
RESIDENCE
RANGE
REGISTERED LAND SURVEYOR
RIGHT OF WAY LINE
SOUTH
SECTION
STATION
SIDEWALK
TANGENT
TOWNSHIP
TYPICAL
WEST OR WITH

WOOD FENCE WATER METER WATER VALVE

FLOOD INFORMATION: COMUNITY NUMBER :125105 PANEL NUMBER :12011C0219F

DATE OF FIRM :09-11-2009 FIRM ZONE BASE FLOOD ELEVATION 6 00' AND 7 00' :01-20-2014 DATE FIELD WORK

:01-22-2014 DATE DRAFTING :01-22-2014 DATE SIGNED AND SEALED REVISED FIELD SURVEY

1. EXAMINATION OF THE ABSTRACT OF THE TITLE WILL HAVE TO BE MADE TO DETERMINE RECORD INSTRUMENTS IF ANY, AFFECTING THE PROPERTY. 2. LOCATION AND IDENTIFICATION OF UNDERGROUND ENCROACHMENTS OR UTILITIES ON AND/OR ADJACENT TO THE PROPERTY WERE NOT

3. NO SEARCH OF PUBLIC RECORDS HAS BEEN MADE (BY THIS OFFICE) FOR ACCURACY AND OR OMISSIONS

ENCUMBRANCES. "TITLE" ABSTRACT NOT REVIEWED

8. ALL RIGHTS OF WAYS SHOWN ARE PUBLIC UNLESS OTHERWISE NOTED

PROVIDED TO THIS OFFICE REGARDING CHANGES IN RIGHTS OF WAY, DEDICATIONS, LOT LINES, PROPERTY LINES, ZONING ETC 11. THIS DRAWING IS PROPERTY OF ZURWELLE-WHITTAKER, INC AND CANNOT BE REPRODUCED WITHOUT WRITTEN CONSENT 12. THE ELEVATION INFORMATION SHOWN HEREON (IF ANY) IS RELATIVE TO THE NATIONAL GEODETIC VERTICAL DATUM, (N.G.V.D.), OF 1929,

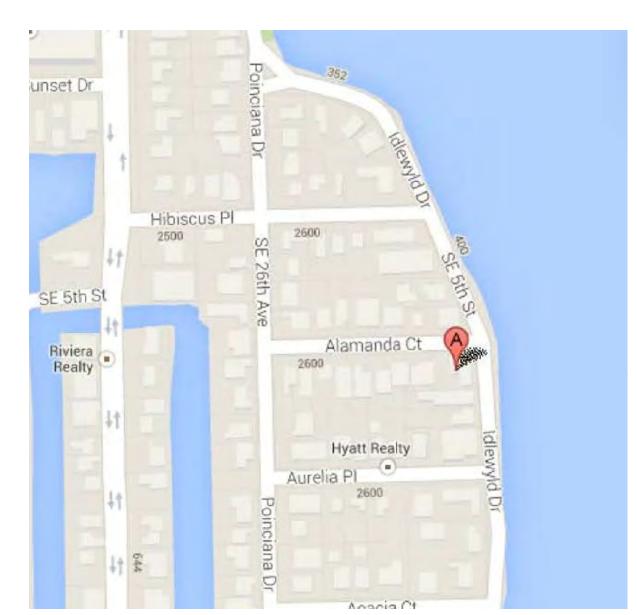
16. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

17. ACCURACY OF HORIZONTAL CONTROL: (FOR EXPECTED USE OF LAND AS DEFINED BY (5J-17)) THE FIELD MEASUREMENTS VERIFIED BY CALCULATIONS OF A CLOSED GEOMETRIC FIGURE BASED UPON FIELD INFORMATION TAKEN IN THE FIELD BY TOTAL STATION AND OR GPS/GNSS.

COMMERCIAL/HIGH RISK LINEAR: 1 FOOT IN 10,000 FEET X SUBURBAN LINEAR: 1 FOOT IN 7,500 FEET ___ RURAL

SURVEYOR'S CERTIFICATE:

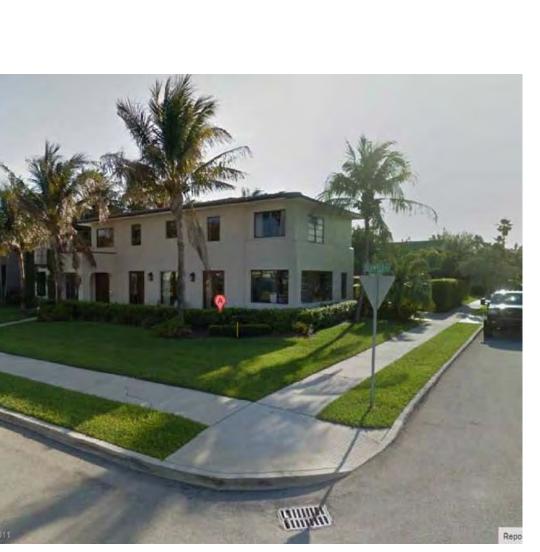
I HEREBY CERTIFY THAT THE ATTACHED "SPECIFIC PURPOSE SURVEY" WAS PREPARED UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THE SURVEY MEETS MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027.

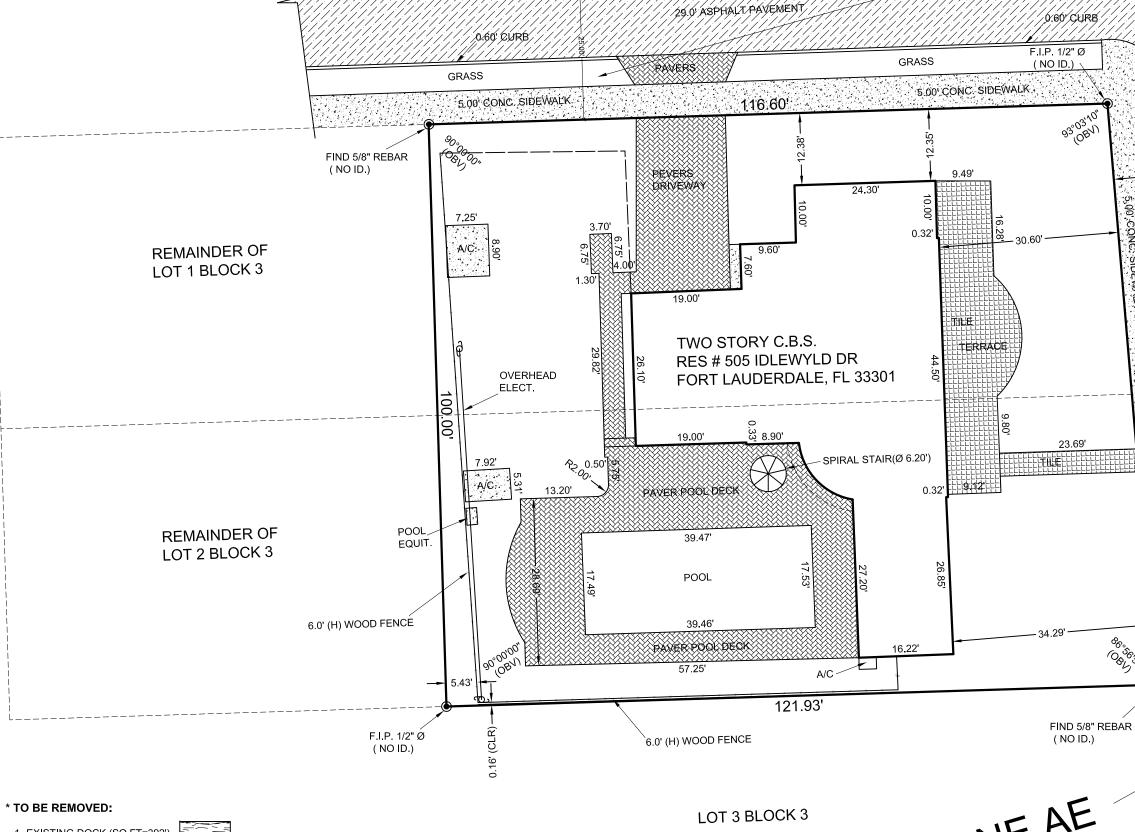


LOCATION MAP (N.T.S.)



THE SPECIFIC PURPOSE OF THIS SURVEY IS TO SHOW





1- EXISTING DOCK (SQ FT=392') 2- EXISTING BOAT LIFT NEW DOCK: 1- EXISTING MARGINAL DOCK(105 SQ FT) 2- ACCESS WALKWAY(184 SQ FT) 3- RAMP (60 SQ FT) 4- "T" DOCK (390 SQ FT) 5- ATTACHED (131 SQ FT)

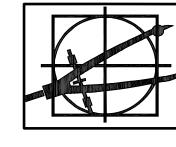
LEGAL DESCRIPTION:

TOTAL= 878 SQ. FT

LOT 1 AND 2, LESS THE WEST 75 FEET THEREOF, BLOCK 3 OF "IDLEWYLD", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1 AT PAGE 19, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

PROPERTY CONTAINS 11,927 SQUARE FEET, MORE OR LESS OR 0.274 ACRES MORE OR LESS.

PROPERTY LIES WITHIN SECTION 12 TOWNSHIP 50S RANGE 42E



PILINGS

WOOD PILING

WOOD PILING TO BE REMOVED

GRASS LINE

EAST R/W LINE

(NOT TO BE REMOVED)

obstructions.

TO BE REMOVED

EXTENSION LINE

FLOATING CONC. DOCK (6.00 X 65.00)'

PILING

ACCESS WALKWAY WITH GRATED

GRASS LINE

PROPOSSED BOAT LIFT

878 Sq. Ft. new dock

The waterway at this property is approximately 420+/- feet wide to the

Based on these distances, these structures will be more than sufficiently

opposite bulkhead. The watermost structures, the proposed dock, will

be approximately 130 feet from the edge of the navigational channel.

far from the channel so as to not impose any navigational hazards or

-+-----

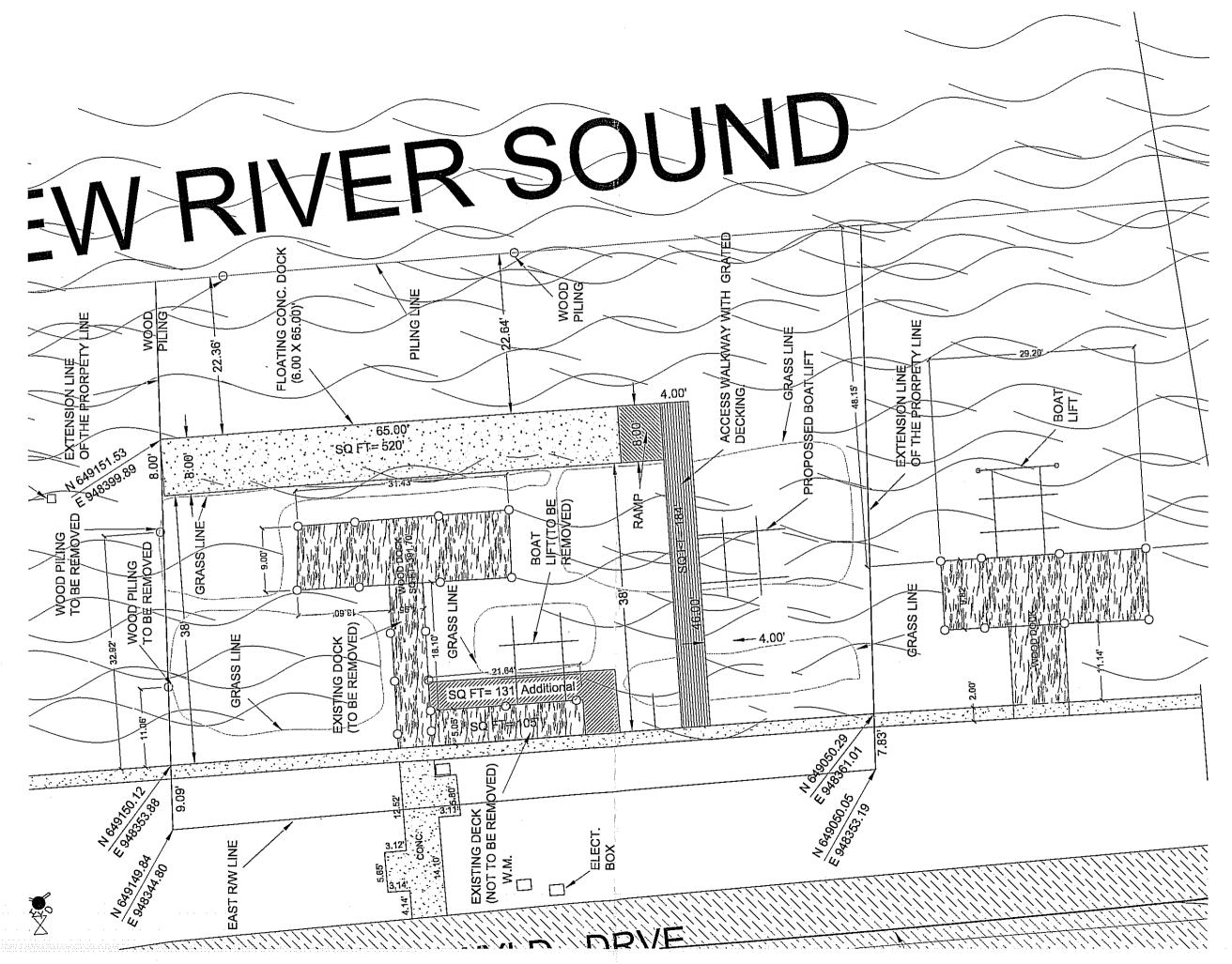
OF THE PRORPETY LINE

33301 DR **IDLEWYL** LAUDERDAL FOR R

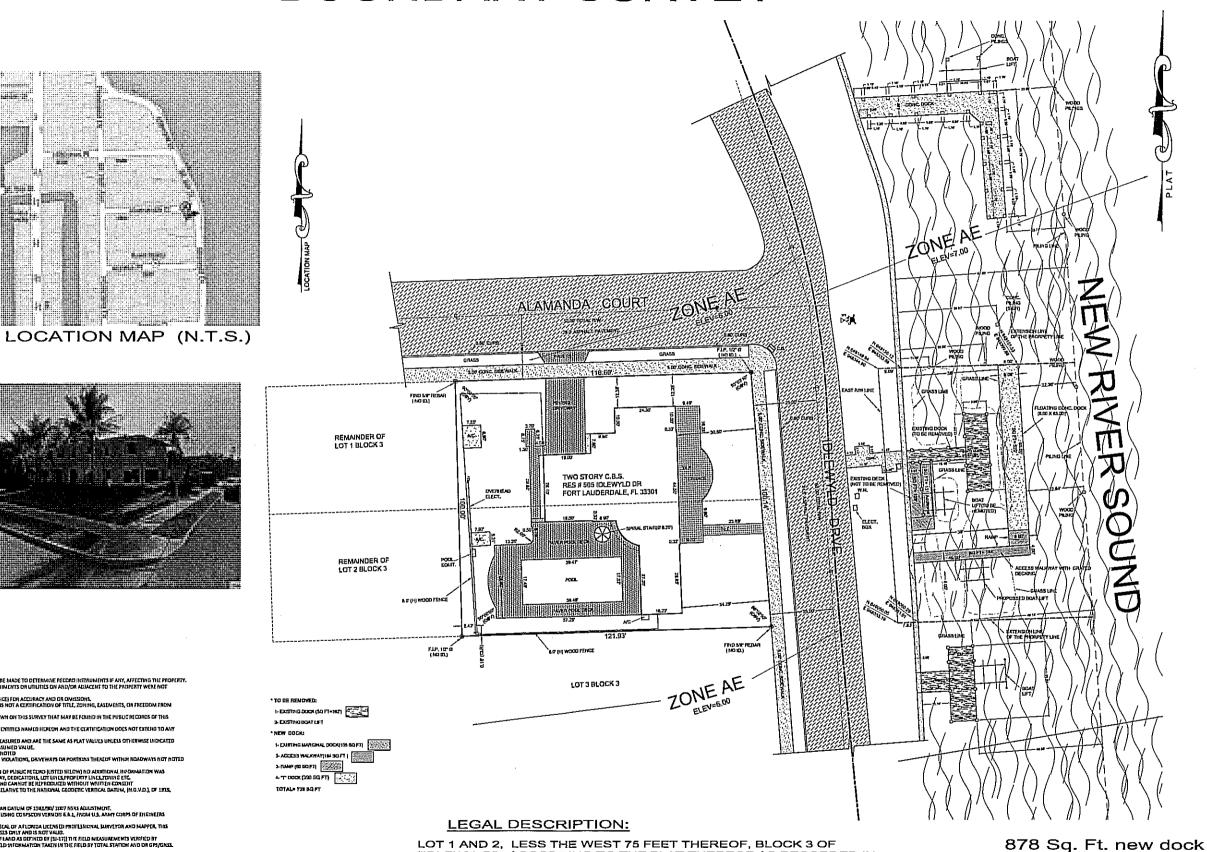
JOB No. FIELD BOOK: J.C.CAREAGA 1"=16' DRAWN:

REVISED: REVISIONS mm-dd-yyyy

1 OF 1



BOUNDARY SURVEY



SYMBOL LEGEND:

. Π tigaπegre

TYPICAL STATION O DILLITY POLE

E ELECTRIC BOX

TRAFFIC SIGNAL BOX

THE HYDRAG STORM SEWER/CATCH BASIN

WATER METER

CENTERINE MONUMENTLINE

ABBREVIATIONS:

:12011C0218F ITEM ZOKE :6.00° AND 7.00°

:01-20-2014 :01-22-2014

na. 15 the Signature and the Ongonal Masko Scal of a Florida Uncensio Professional Burytor and Mapper. This 1914 or Mapper for His Cramaticall, Purposes Drif and is not valid. Hongorifa. Curting: Hong Expected by Genation as definited by 1914 the Tree Drivaument's Yerifo by A Diese glocalities from Exame Expert University Professional Train in the Field by Tital Standin and on Grycal

SURVEYOR'S CERTIFICATE:

PROPERTY CONTAINS 11,927 SQUARE FEET, MORE OR LESS OR 0.274 ACRES MORE OR LESS.

COUNTY, FLORIDA

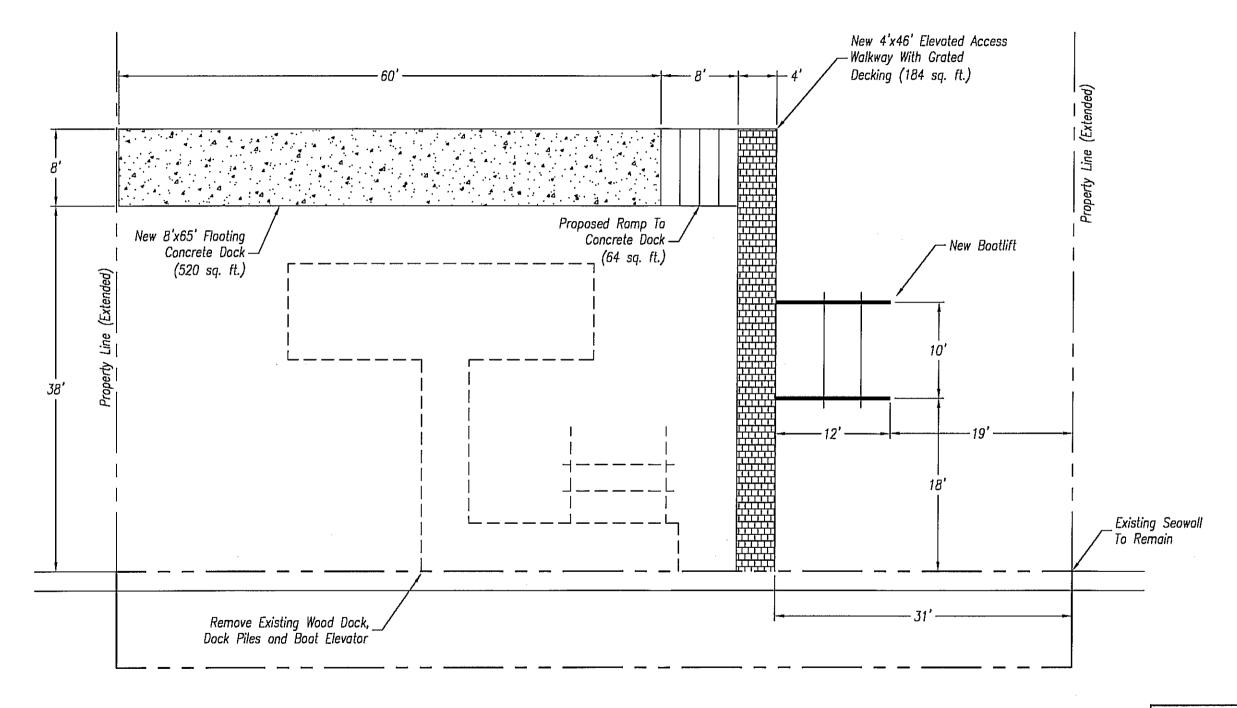
"IDLEWYLD", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1 AT PAGE 19, OF THE PUBLIC RECORDS OF BROWARD

505 IDLEWYLD DR LAUDERDALE, FL RES# FORT

J.C.CAREAGA 1"=16'

Page 19 of 27

New River Sound





Lot 1 Block 3

IDLEWYLD

Plat Book 1 Page 19 Broward County Flarido

Site Plan Existing Conditions Scole: 1" = 10'

Dock Replacement
Joe Fallan
505 Idlewyld Drive
Fort Lauderdale, Florido 33301

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

DSN DWN WRT

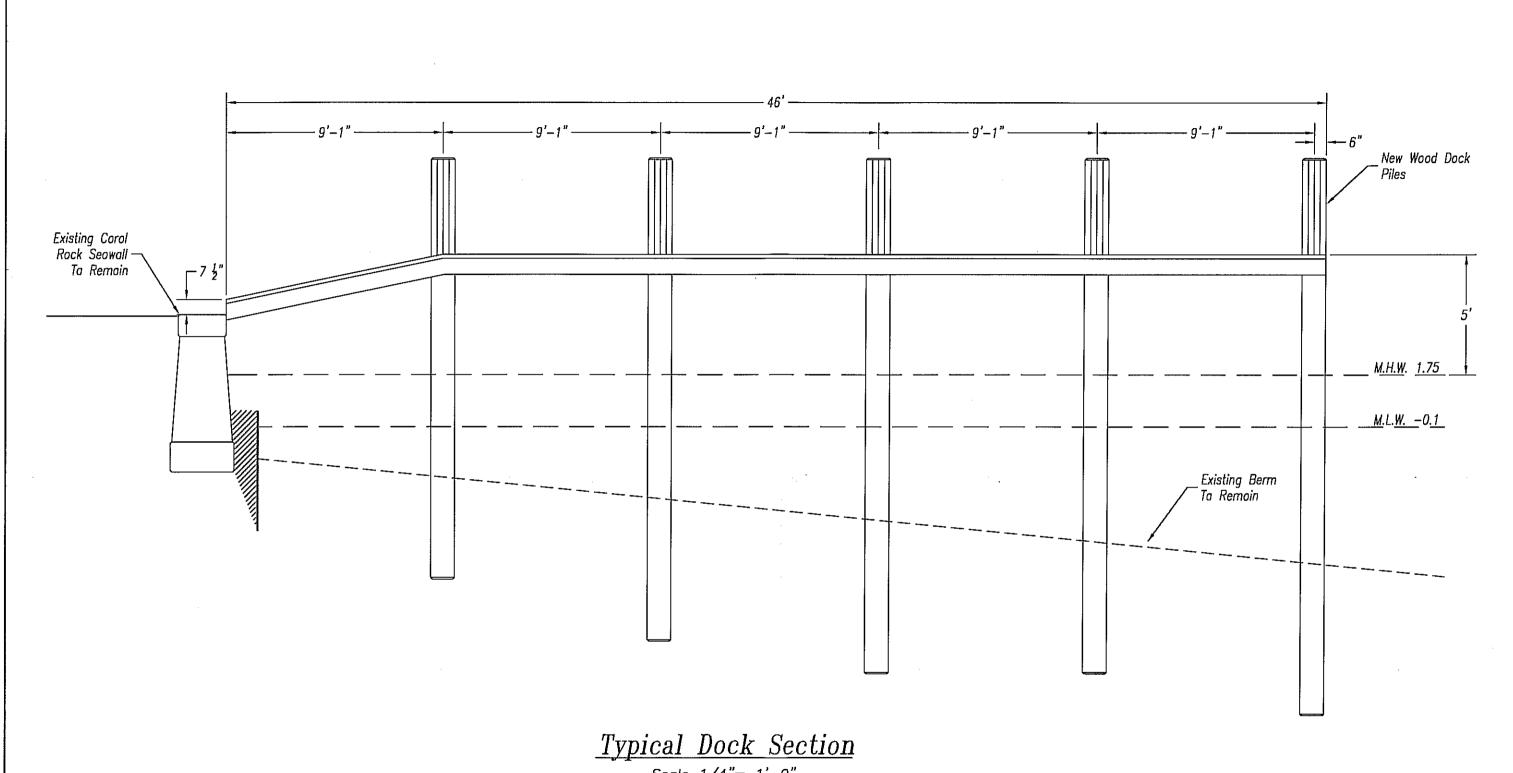
DATE

10.01.12

PLOT

DWG No. 505 Site

DIRECTORY SEM\Docks

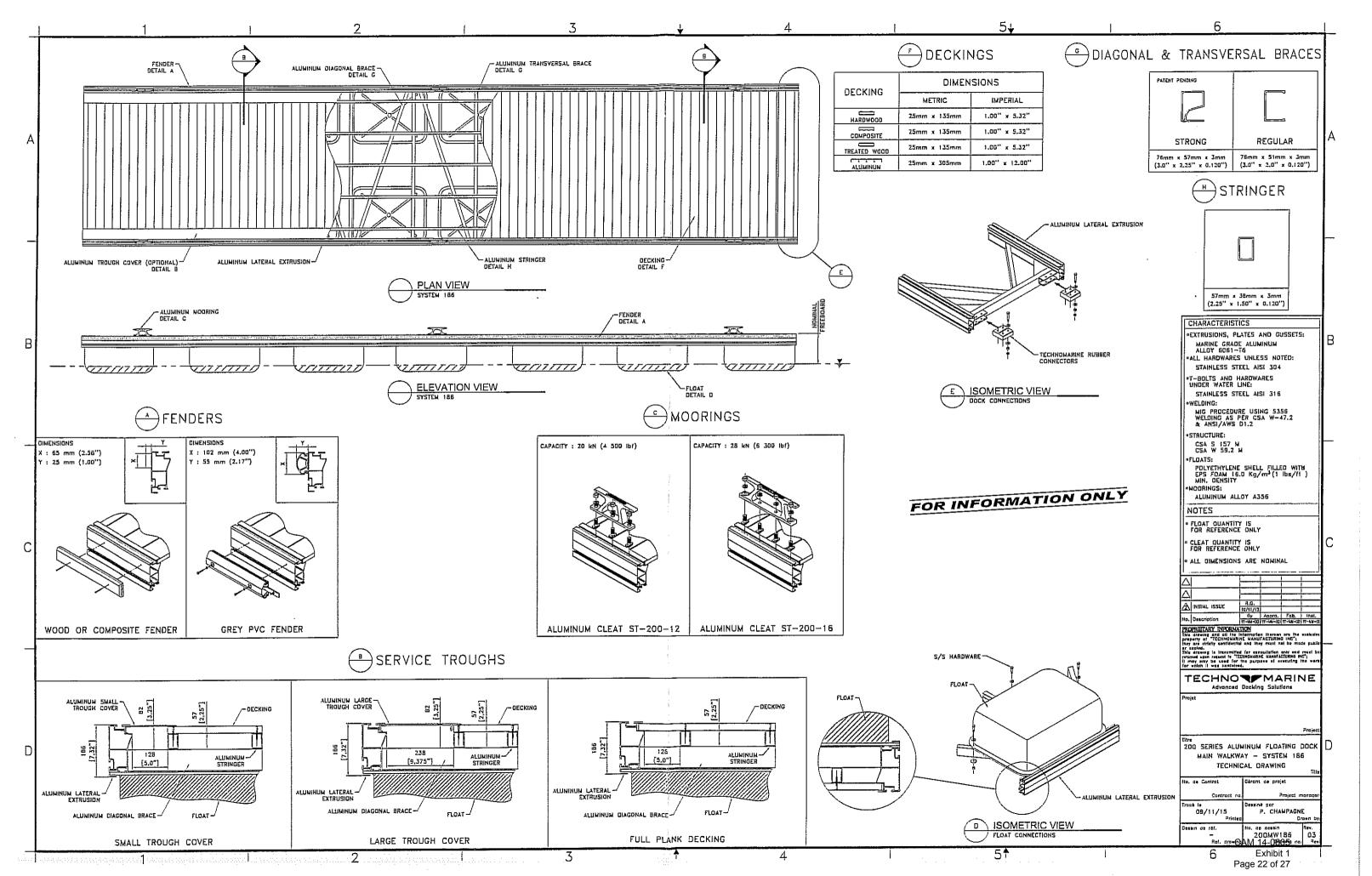


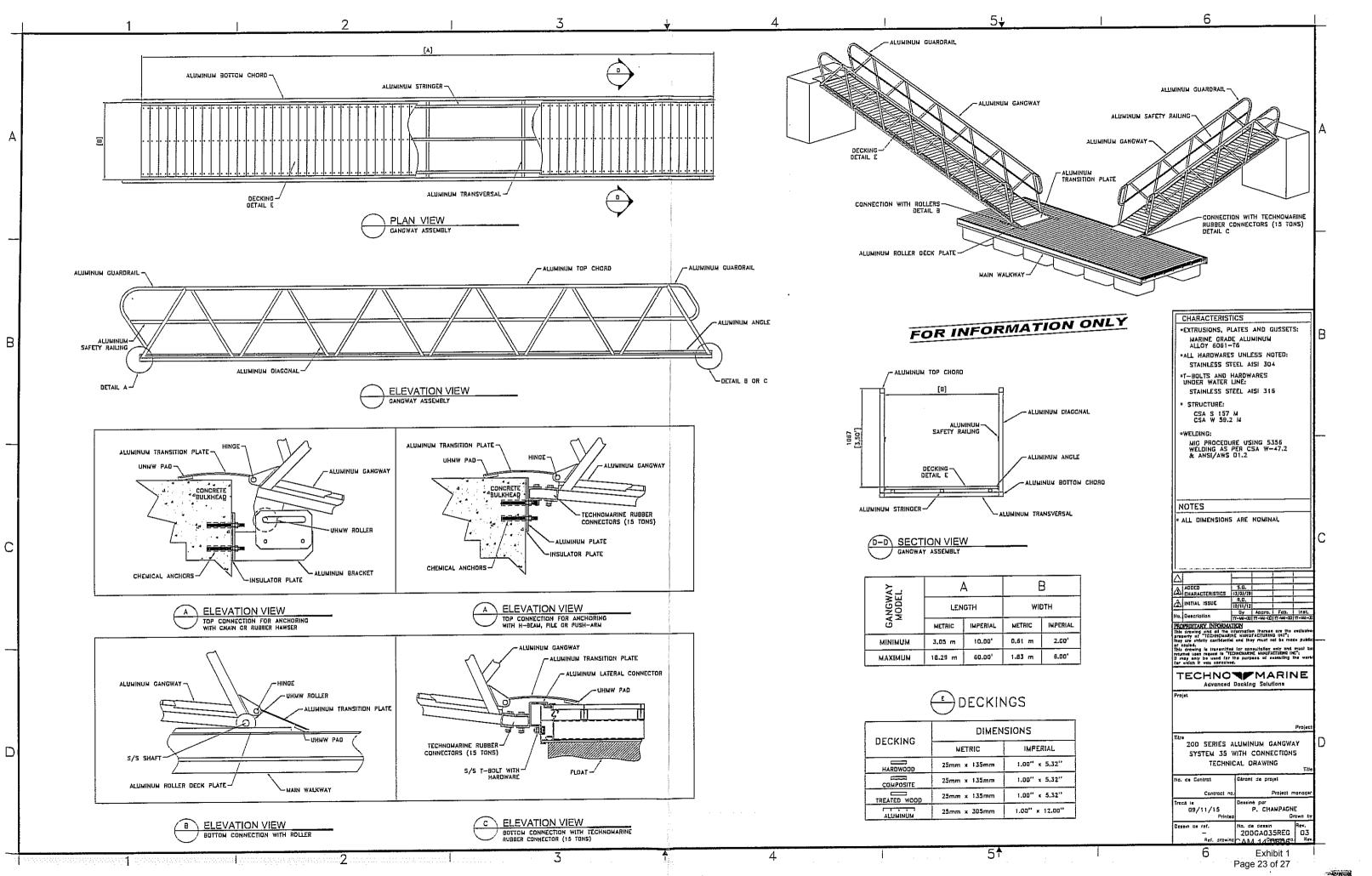
Scale 1/4"= 1'-0"



DWG No. 505 Conc Dock DIRECTORY SEM\Docks 4 0605 2

DSN DWN WRT DATE 10.01.12 PLOT 48





Subject: SAJ-2012-03075 (505 Idlewyld LLC/Fallon, Joe/Ft.

Lauderdale/Dock and Boatlift) (UNCLASSIFIED)

From: "Carothers, James M SAJ" < James.M.Carothers@usace.army.mil>

Date: 3/21/2014 2:31 PM

To: "ifb4244@gmail.com" <ifb4244@gmail.com>

Classification: UNCLASSIFIED

Caveats: NONE

Fred,

I have received your revised submittals for the subject project. The permit file has been reactivated for processing.

Thanks,

Mike Carothers, Project Manager U.S. Army Corps of Engineers Palm Beach Gardens Regulatory Office 4400 PGA Boulevard, Suite 500 Palm Beach Gardens, Florida 33410 (561) 472-3526 work (561) 626-6971 fax

We invite you to take a few minutes to visit the following link and complete our automated Customer Service Survey: http://corpsmapu.usace.army.mil/cm apex /f?p=regulatorysurvey.

Your input is appreciated - favorable or otherwise.

Classification: UNCLASSIFIED

Caveats: NONE

Subject: FW: 505 Idlewyld DF12-1148

From: "Magrino, Marisa" < MMAGRINO@broward.org>

Date: 3/24/2014 9:45 AM

To: "Fred Blitstein (jfb4244@gmail.com)" <jfb4244@gmail.com>

Hi Fred,

I am responding back so you know that I received the attachment and email below. The file is still active; however, staff has <u>not</u> deemed the file complete or reviewed the response yet.

Thank you,



Marisa Magrino
Environmental Protection and Growth Management Dept.
Environmental Licensing and Building Permitting Division
1 North University Drive, Suite 102-A
Plantation, Florida 33324
Phone (954) 519-1205
Fax (954) 519-1412

From: Fred Blitstein [mailto:jfb4244@gmail.com]

Sent: Friday, March 21, 2014 2:01 PM **To:** Magrino, Marisa; William Thomas **Subject:** 505 Idlewyld DF12-1148

Importance: High

Marisa,

I am now working with Bill Thomas to complete this application and have submitted to you the updated dock plans

I have been working closely with Mike Carothers of the Army Corps and the new dock plan meets the requirements of the Corps

The plan includes a current survey.

We are submitting a package to the City of Fort Lauderdale no later than next Wednesday; as required for the placement of the new dock

Can I please confirm with you that you have received the plans and that the file is active

The square footage is less than 1000

The old dock will be removed; but is shown on the plan

The 10 foot side yard setbacks are retained

The new configuration aligns with the approved built dock to the north and provides the depth of water required for the vessel proposed for the dock

I look forward to speaking with you as soon as possible

Thanks, Fred

CAM 14-0605 Exhibit 1 Page 26-04/2014 9:57 AM



J. Frederic Blitstein PhD

285 Sevilla Ave. Coral Gables, Florida, 33134

Office: 305 361 9062; Cell: 305 785 4919; Fax 305 444 0181

e-mail: jfb4244@gmail.com

Under Florida law, most e-mail messages to or from Broward County employees or officials are public records, available to any person upon request, absent an exemption. Therefore, any e-mail message to or from the County, inclusive of e-mail addresses contained therein, may be subject to public disclosure.

Attachments:

CCF_0115505 IDLEWYLD DOCK.pdf

7.4 MB



J. Frederic Blitstein PhD

285 Sevilla Ave. Coral Gables, Florida, 33134

Office: 305 361 9062; Cell: 305 785 4919; Fax 305 444 0181

e-mail: jfb4244@gmail.com