

ITEM VI

MEMORANDUM MF NO. 22-21

DATE: September 22, 2022

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities Manager

RE: October 6, 2022 MAB – Application - Dock Waiver of Distance Limitations – Michael & Helen Scalisi / 2150 SW 23rd Avenue

Attached for your review is an application from Michael & Helen Scalisi / 2150 SW 23rd Avenue (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking to install two (2) 12” mooring piles extending a maximum of 45’ from the property line into the South Fork of the New River. The distances these pilings extend from the bulkhead into the South Fork of the New River are shown in the survey in **Exhibit 1** and summarized in Table 1 below:

TABLE 1

PROPOSED STRUCTURE	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING WAIVER
(2) 12” Mooring Piles	45’	25’	20’

The City’s Unified Land and Development Regulations (UDLR), Section 47-19.3.D. limits the maximum distance of dolphin or mooring pilings to 30% of the width of the waterway, or 25’, whichever is less. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant’s Summary Description specifies the mooring piles are needed to securely moor owner’s boat, due to significant wake resulting from multiple marinas and boat yards within close proximity.

PROPERTY LOCATION AND ZONING

The property is located within the Flamingo Park RS-8 Residential Single Family Low/Medium Density Zoning District. It is situated on the southern shore of the South Fork of the New River where the overall width of the waterway from wet face to wet face is identified as +/- 192'.

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 appropriate City staff 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 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
Jonathan Luscomb, Marine Facilities Supervisor

MARINE ADVISORY BOARD APPLICATION

726 SE 12th Court

Application for Waiver from ULDR Section 47-19.3(d)

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1401 EAST BROWARD BOULEVARD, SUITE 303
FORT LAUDERDALE, FLORIDA 33301
EMAIL: AScHEIN@LOCHRIELAW.COM
DIRECT LINE: 954.617.8919
MAIN PHONE: 954.779.1119
FAX: 954.779.1117

APPLICATION

**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: Andrew J. Schein, Esq. as agent of Michael and Helen Scalisi

TELEPHONE NO: 954-617-8919 954-617-8919 EMAIL: ASchein@Lochrielaw.com
(home/cellular) (business)

2. **APPLICANT'S ADDRESS** (if different than the site address): 1401 E. Broward Blvd.

3. **TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:** Waiver from ULDR Section 47-19.3(d) to permit mooring pilings 45' from the property line

4. **SITE ADDRESS:** 2150 SW 23RD AVENUE **ZONING:** RS-8

LEGAL DESCRIPTION AND FOLIO NUMBER: Flamingo Park Sec D 41-29 B Lot 34 Block 12, Folio No. 504217240620

5. **EXHIBITS** (In addition to proof of ownership, list all exhibits provided in support of the applications).
Survey showing proposed location of mooring pile, letters of support


Applicant's Signature

9/22/22
Date

The sum of \$ 1500.00 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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AGENT AUTHORIZATION LETTER

David Soloman, City Clerk
City of Fort Lauderdale
100 North Andrews Avenue
Fort Lauderdale, FL 33301

Re: Permitting for property located at 2150 SW 23 Avenue, identified with folio number 504217240620, located in the City of Fort Lauderdale, FL 33312 ("Property")

Dear City Clerk:

We hereby authorize Lochrie & Chakas, P.A. to act as agents in connection with all permitting, zoning and land use matters related to property referenced above.

Sincerely,

Michael L. Scalisi

By: Michael L. Scalisi

Printed Name: Michael L. Scalisi

Date: 9/14/22

STATE OF Florida)
) ss
COUNTY OF Broward)

The foregoing instrument was acknowledged before me, by means of (check one): ☒ physical presence or _____ online notarization, this _____ day of _____, 20__, by Michael L. Scalisi who is personally known to me or who has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of 9/14/22, 2022.



Cari Overcash
Comm.: HH 181563
Expires: Oct. 5, 2025
Notary Public - State of Florida

My Commission Expires:

Cari Overcash
Notary Public
Cari Overcash
Typed, printed or stamped name of Notary Public

Helen M. Scalisi

By: Helen M Scalisi

Printed Name: Helen Scalisi

Date: 9/14/22

STATE OF Florida)
) ss
COUNTY OF Broward)

The foregoing instrument was acknowledged before me, by means of (check one): ☒ physical presence or ☐ online notarization, this _____ day of _____, 20__, by Helen M. Scalisi who is personally known to me or who has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 14 day of September, 2022.

Cari Overcash
Notary Public

Cari Overcash
Typed, printed or stamped name of Notary Public

My Commission Expires:



Cari Overcash
Comm.: HH 181563
Expires: Oct. 5, 2025
Notary Public - State of Florida



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NARRATIVE

OWNER: Michael and Helen Scalisi
APPLICANT: Andrew J. Schein, Esq.
ADDRESS: 2150 SW 23rd Avenue

Narrative to Accompany Marine Advisory Board Application

Waiver from ULDR Section 47-19.3(d)

This application is submitted to permit mooring piles 45' from the property line of 2150 SW 23rd Avenue. The proposed project will consist of new 5' x 20' wood finger pier extensions and two (2) 12" diameter wood mooring piles. The proposed mooring piles will be a maximum of 45' from the property line into the waterway. The proposed mooring piles are needed to securely moor Owner's boat, as this area is heavily trafficked due to its proximity to Marina Bay Marina, Marina Mile Yachting Center, and Lauderdale Marine Center. The boat traffic produced by these marinas can cause a significant amount of wake.

The overall width of the waterway at this location is +/- 192'. Absent approval by the City Commission, Section 47-19.3(d) of the ULDR permits mooring piles to extend no more than 30% of the width of the waterway or 25' beyond the property line, whichever is less. In this case, at 45' from the property line, the mooring pilings will extend a maximum of ~23.4% of the width of the waterway. Applicant understands that the 30% rule is to ensure navigability of the waterway, and at 23.4%, the mooring pilings will be well within this limitation.

PROPOSED STRUCTURE	DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING WAIVER
Single 12" Diameter Mooring Pile	45'	25'	20'
Single 12" Diameter Mooring Pile	45'	25'	20'



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TAX RECORD/PROOF OF OWNERSHIP



Site Address	2150 SW 23 AVENUE, FORT LAUDERDALE FL 33312	ID #	5042 17 24 0620
Property Owner	SCALISI, MICHAEL L & HELEN M	Millage	0312
Mailing Address	726 SE 12 CT FORT LAUDERDALE FL 33316-2090	Use	01-01
Abbr Legal Description	FLAMINGO PARK SEC D 41-29 B LOT 34 BLK 12		

The just values displayed below were set in compliance with **Sec. 193.011**, Fla. Stat., and include a reduction for costs of sale and other adjustments required by **Sec. 193.011(8)**.

* 2022 values are considered "working values" and are subject to change.

Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2022*	\$384,970	\$184,820	\$569,790	\$569,200	
2021	\$384,970	\$132,490	\$517,460	\$517,460	\$10,167.00
2020	\$384,970	\$115,750	\$500,720	\$492,630	\$9,710.87

2022* Exemptions and Taxable Values by Taxing Authority

	County	School Board	Municipal	Independent
Just Value	\$569,790	\$569,790	\$569,790	\$569,790
Portability	0	0	0	0
Assessed/SOH	\$569,200	\$569,790	\$569,200	\$569,200
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$569,200	\$569,790	\$569,200	\$569,200

Sales History

Date	Type	Price	Book/Page or CIN
3/16/2005	WD	\$732,000	39303 / 1575
9/19/2001	SWD	\$375,000	32238 / 651
4/1/1993	WD	\$100	20656 / 402
5/1/1969	WD	\$36,000	
10/1/1968	WD	\$32,400	

Land Calculations

Price	Factor	Type
\$28.00	13,749	SF
Adj. Bldg. S.F. (Card, Sketch)		1661
Units/Beds/Baths		1/3/2
Eff./Act. Year Built: 1964/1963		

Special Assessments

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

1						1		



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WARRANTY DEED

Prepared by and return to:

Stephan L. Cohen

Attorney at Law

Old Florida Title Company

20801 Biscayne Boulevard Suite 400

Aventura, FL 33180

305-792-9777

File Number: 05-0016

Will Call No.:

Parcel Identification No. 10217-24-06200

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 16 day of March, 2005 between Andrea L. Peterson f/k/a Andrea L. Mervine, and Theodore E. Peterson, wife and husband whose post office address is 3391 Collins Creek Road, Murrells Inlet, SC 29576 of the County of Georgetown, State of South Carolina, grantor*, and Michael L. Scalisi and Helen M. Scalisi, husband and wife whose post office address is 2150 SW 23rd Avenue, Fort Lauderdale, FL 33312 of the County of Broward, State of Florida, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Broward County, Florida, to-wit:

Lot 34, Block 12, of FLAMINGO PARK SECTION D, according to the Plat thereof, recorded in Plat Book 41, Page 29, of the Public Records of Broward County, Florida.

The Grantors hereby warrant that the property described herein was acquired by them prior to their marriage and during their marriage and they have remained married without interruption through the date of this conveyance.

Subject to taxes for 2005 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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

②

DoubleTimes®

Signed, sealed and delivered in our presence:

Karen Teixeira
Witness Name: Karen Teixeira

Randy D. Hill
Witness Name: Randy D. Hill

Maylene E. Assael
Witness Name: Maylene E. Assael

Stephen L. Cohen
Witness Name: Stephen L. Cohen

Andrea L. Peterson (Seal)
Andrea L. Peterson

Theodore E. Peterson (Seal)
Theodore E. Peterson

State of South Carolina
County of Georgetown

The foregoing instrument was acknowledged before me this 14 day of March, 2005 by Andrea L. Peterson, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]

Sue W. Almers
Notary Public

Printed Name: SUE W. ALMERS

My Commission Expires: My Commission Expires August 19, 2014

State of Florida
County of Broward

The foregoing instrument was acknowledged before me this 16 day of March, 2005 by Theodore E. Peterson, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]

Stephan L. Cohen
Notary Public

Printed Name: Stephan L. Cohen

My Commission Expires: October 27, 2006

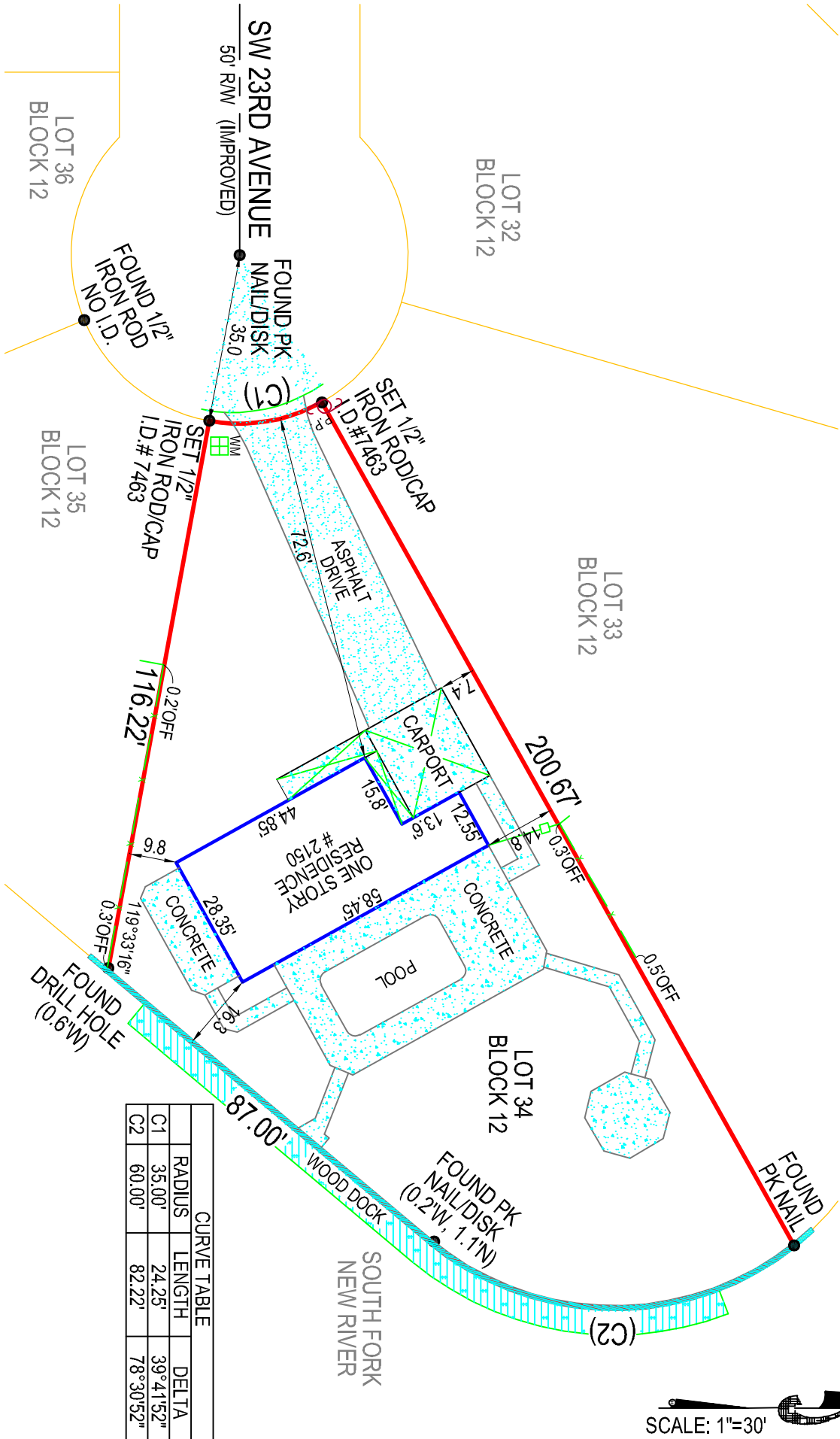


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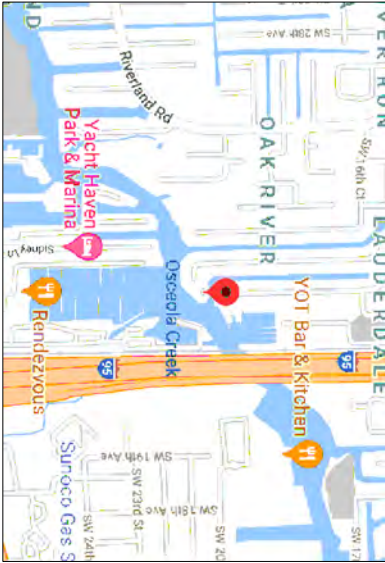
CURRENT SURVEY

LEGAL DESCRIPTION
LOT 34, BLOCK 12, FLAMINGO PARK SECTION D, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 41, PAGE 29, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FL.

FLOOD ZONE: X
COMMUNITY NUMBER: 125105
PANEL: 12011C0556
SUFFIX: H
FIRM DATE: 08/18/2014



CURVE TABLE			
	RADIUS	LENGTH	DELTA
C1	35.00'	24.25'	39°41'52"
C2	60.00'	82.22'	78°30'52"



VICINITY MAP
NOT TO SCALE

LEGEND

- A/C AIR CONDITIONER
- B.F.P. BACKFLOW PREVENTER
- C.B.S. CONCRETE BLOCK STRUCTURE
- E.E. ELEVATION
- F.F. FINISHED FLOOR
- I.D. IDENTIFICATION
- L. LENGTH
- L.B. LICENSED BUSINESS
- M. MEASURED
- N.A.V.D. NORTH AMERICAN VERTICAL DATUM
- N.G.V.D. NATIONAL GEODETIC VERTICAL DATUM
- O.R.B. OFFICIAL RECORDS BOOK
- P. PLAT
- PSM. PROFESSIONAL SURVEYOR AND MAPPER
- P.R.M. PERMANENT REFERENCE MONUMENT
- P.G. PAGE
- P.B. PLAT BOOK
- PK. PARKER KYLON NAIL
- R. RADIUS
- C. CENTERLINE
- Δ AND NUMBER
- Δ DELTA OR CENTRAL ANGLE
- CONCRETE
- X CHAIN LINK FENCE
- W WOOD FENCE
- MISCELLANEOUS FENCE

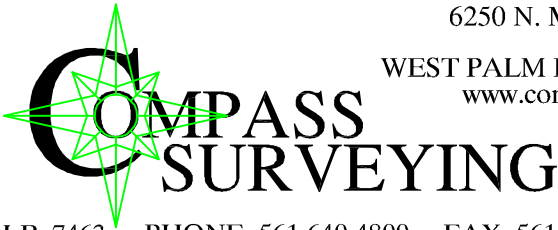
SURVEYORS CERTIFICATE:

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION, NOT VALID WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE.

(SIGNED)

KENNETH J. OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

6250 N. MILITARY TRAIL
SUITE 102
WEST PALM BEACH, FL 33407
www.compasssurveying.net



LB. 7463 PHONE: 561.640.4800 FAX: 561.640.0576

BOUNDARY SURVEY OF
2150 SOUTHWEST 23RD AVENUE
FORT LAUDERDALE, FL 33312
PREPARED FOR
MIKE SCALISI

Project	C-498825	Sheet	1 of 1
Date	08/31/2021	Scale	1"=30'



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PROPOSED PLANS

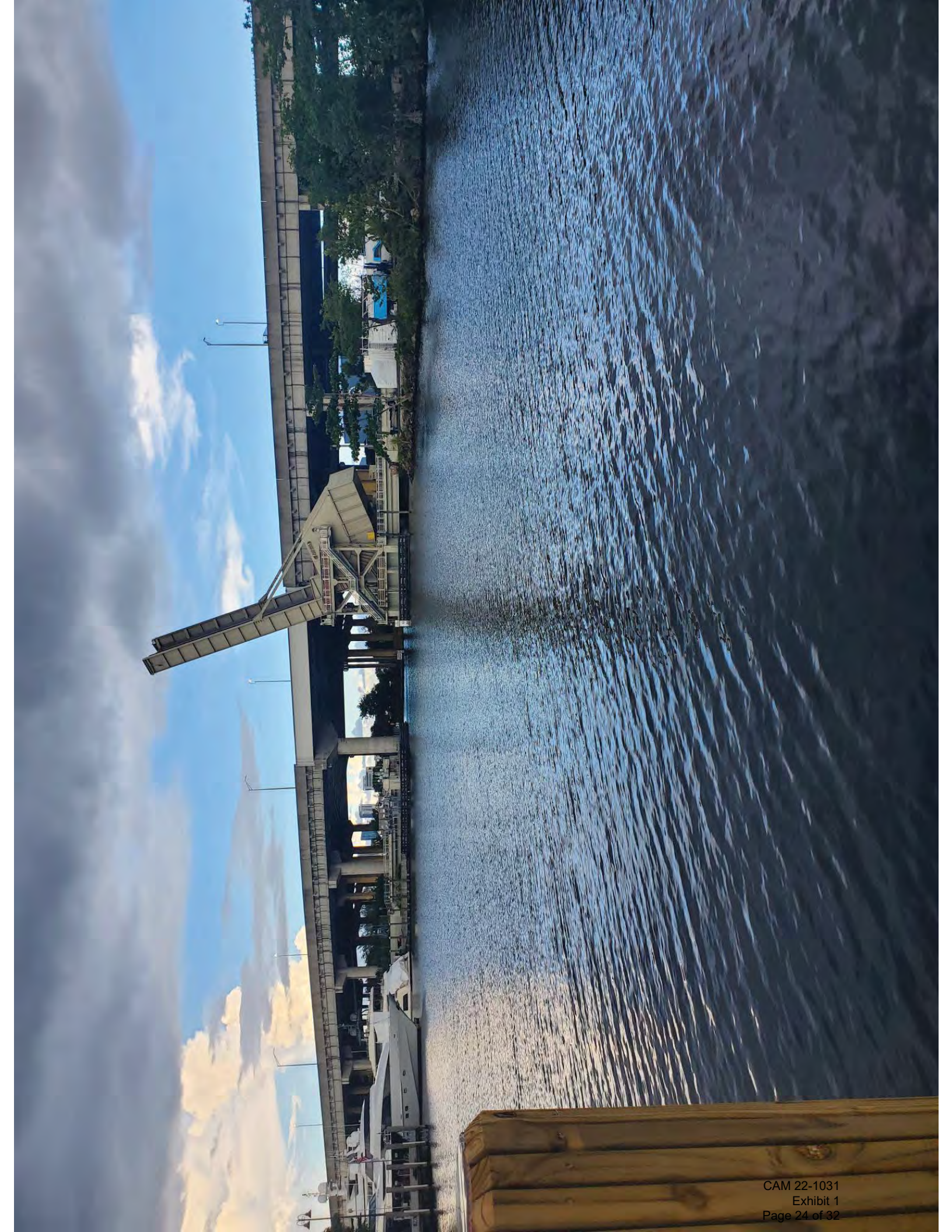


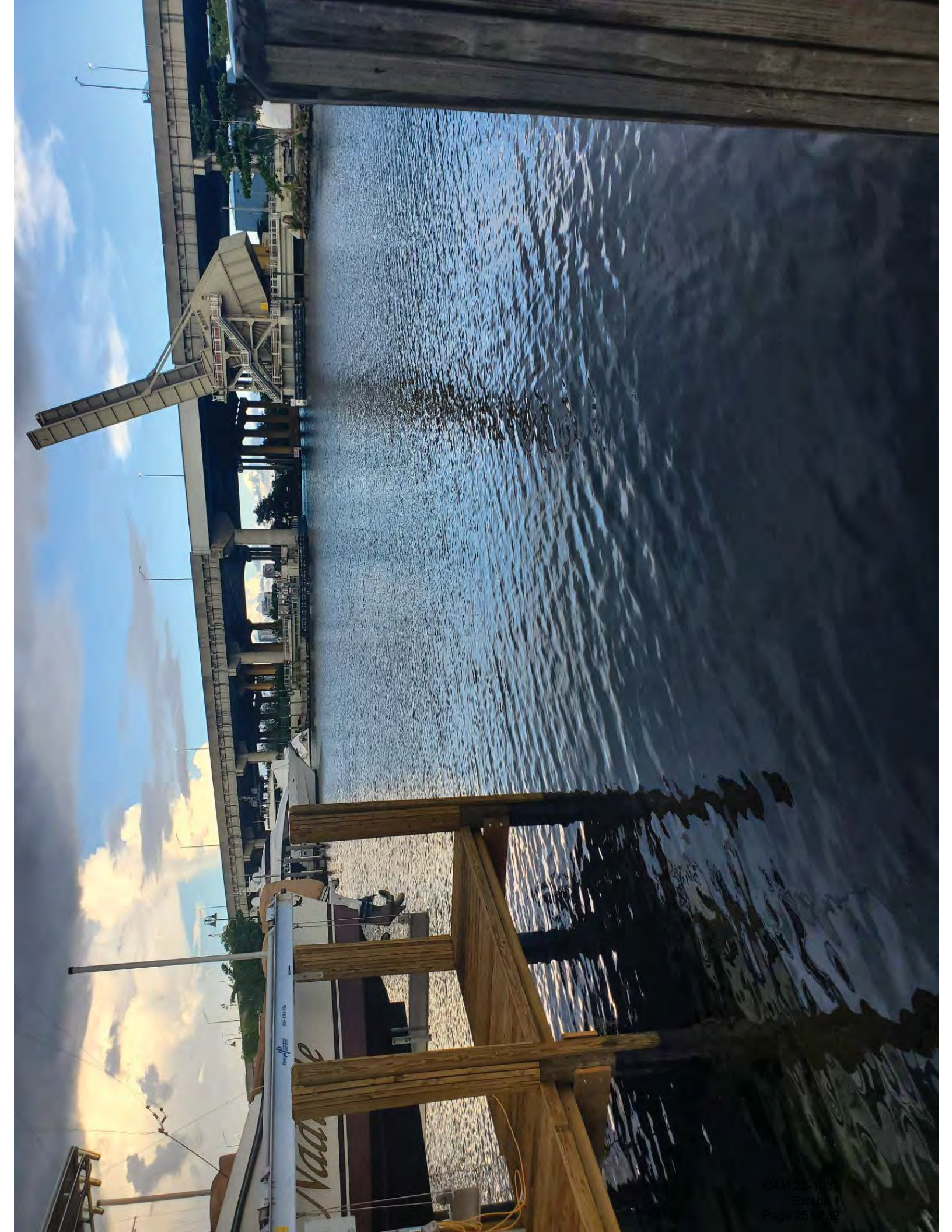
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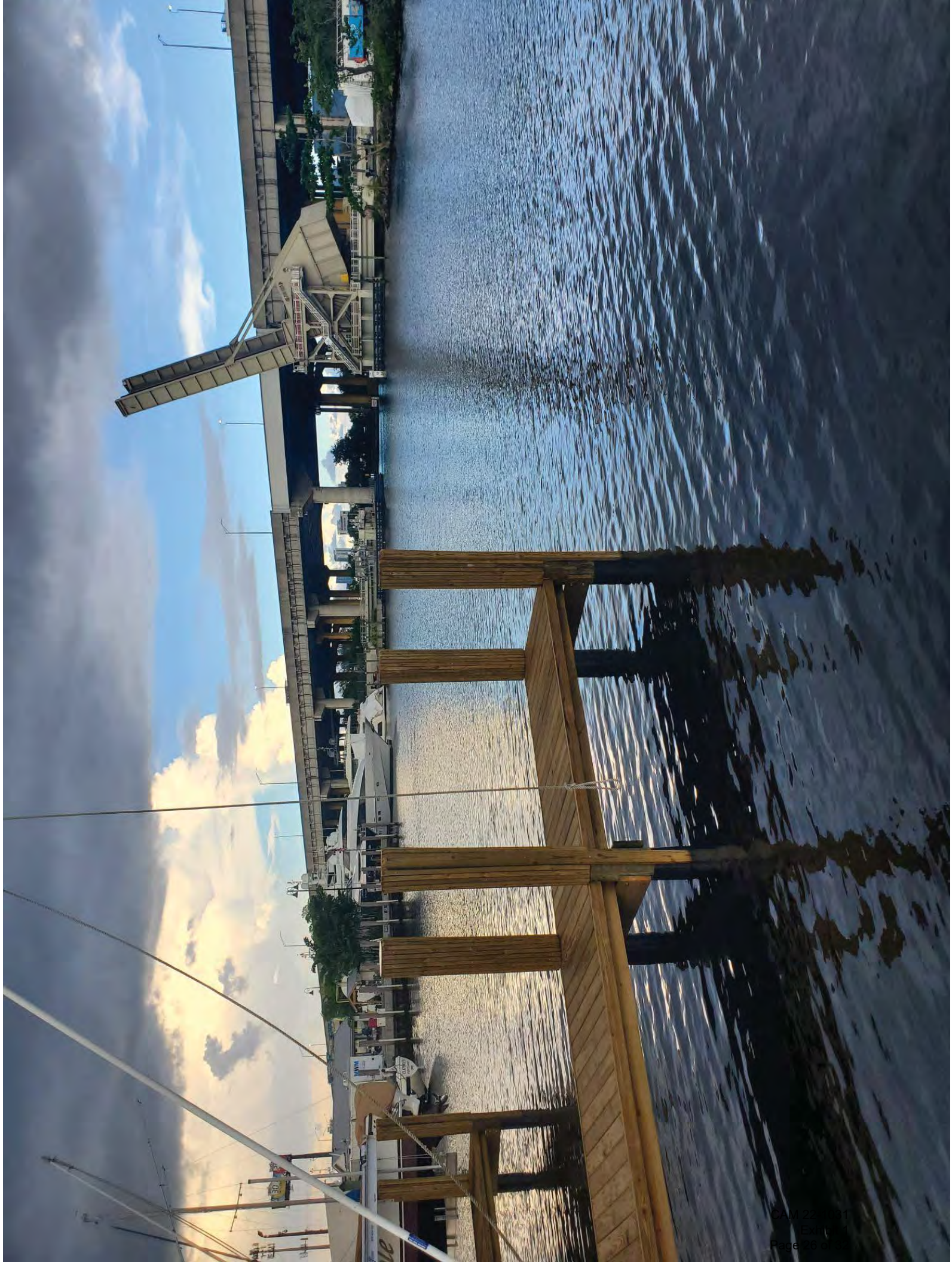
SITE PHOTOS













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DISTANCE EXHIBIT





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SUPPORT LETTERS

STEEL MARINE TOWING & SALVAGE LLC

To Whom It May Concern,

The purpose of this letter is to provide an assessment of potential maritime issues on the New River as it relates to proposed dolphin pilings for 2150 SE 23rd Avenue (attached).

I am the owner/operator of Steel Marine Towing, working on the New River since 2006. I have walked the property and reviewed the attached plans.

It is my professional opinion that the proposed pilings will not impede commercial boat traffic or recreational boating. This location is at the widest section of the New River which allows bigger vessels to pass side by side freely.

Please let me know if you need anything further.

Kind Regards,

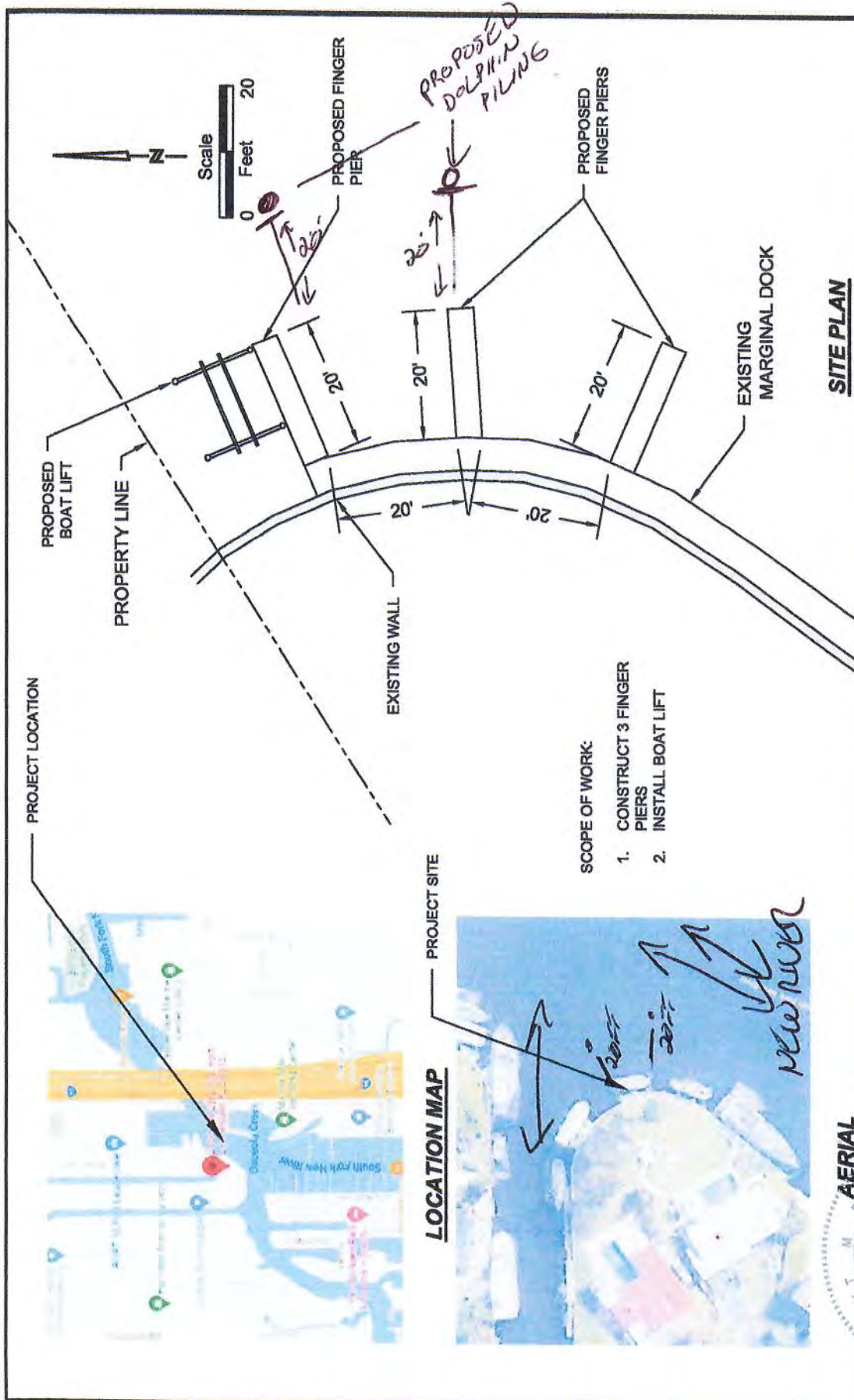


Jim Steel
Owner/Operator
Steel Marine Towing and Salvage LLC



PO Box 460156
Fort Lauderdale, FL
33346

PHONE (954) 536-1207
BILLING (954) 536-2366
EMAIL jimsteel@steeltowing.com



AERIAL

**MCR PROFESSIONAL
ENGINEERING, INC.**

OF: (561)863-3393
CERTIFICATE OF AUTHORIZATION # 26867

MICHAEL BASER, FL PE# 52575

FINGER DOCK EXTENSIONS

SCALISI RESIDENCE
2150 SW 23RD AVE
FT LAUDERDALE, FL 33312

DATE

REVISIONS

SHEET 1 OF 4

10/11/21 INITIAL DRAWINGS COMPLETED

FLOOD ZONE: X
COMMUNITY NUMBER: 125105
PANEL: 12011C0558
SUFFIX: H
FIRM DATE: 08/18/2014

BOUNDARY SURVEY OF
2150 SOUTHWEST 23RD AVENUE
FORT LAUDERDALE, FL 33312
PREPARED FOR
MIKE SCALISI

PREPARED FOR
MIKE SCALISI

Page	C498525	Date	03/31/2021	Time	1:01
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6250 N. MILITARY TRAIL,
SUITE 102
WEST PALM BEACH, FL 33407
www.compassinvesting.net
YING
00 FAX: 561.640.0576

COMPASS SURVEY
 T.B. 7463
 PHONE: 561.640.48

SURVEYORS CERTIFICATE:
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A
TRUE AND CORRECT REPRESENTATION OF A SURVEY
PREPARED UNDER MY DIRECTION, NOT VALID
WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE.

(SIGNED) _____
KENNETH J. OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

DATE OF FIELD WORK: 08/31/2021
DATE OF MAP: 09/14/2021

3. NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY
4. ALL ANGLES OR BEARINGS AND DISTANCES SHOWN HEREON ARE BOTH RECORDED AND MEASURED UNLESS OTHERWISE NOTED
5. SOME FEATURES MAY NOT BE AT SCALE IN ORDER TO SHOW DETAIL.

NOTES:

NOTES:

1. LEGAL DESCRIPTION PROVIDED BY CLIENT
THE NATURE OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING THE SAME WAS DETERMINED BY THIS OFFICE

2. NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING IT

3. NO SURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY

4. ALL ANGLES OR BEARINGS AND DISTANCES SHOWN HEREON ARE BOTH RECORDED AND SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY

5. SOME FEATURES MAY NOT BE AT SCALE IN ORDER TO SHOW DETAIL.

PROPOSED CONDITIONS
(3) 20' x 5' finger piers
13k cradle boardlift

CURVE TABLE		
	RADIUS	DELTA
C1	35.00'	39°41'52"
C2	50.00'	78°30'52"

