

ITEM VIII

MEMORANDUM MF NO. 23-23

DATE: September 15, 2023

TO: Marine Advisory Board

FROM: Andrew Cuba, Manager of Marine Facilities

RE: October 5, 2023 MAB - Dock Waiver of Distance Limitations
-Anita Blommestyn; Trustee of Anita Blommestyn Revocable Trust / 2765 NE
14th Street #32

Attached for your review is an application from Anita Blommestyn; Trustee of Anita Blommestyn Revocable Trust / 2765 NE 14th Street #32 (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for the installation of one (1) boat lift. The distance these structures will extend from the property line into the Rio Encarnado Canal is 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 A WAIVER
Boat Lift	31.0'+/-	25'	6.0'+/-

ULDR Section 47-19.3 C. limits the maximum distance of mooring structures to 25 feet or 25% of the width of the waterway, 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 has specified that the extra distance for the boat lift is necessary for safely mooring vessels, especially during high wind events and severe weather, and to protect vessels from high wave energy from excessive boat wakes.

PROPERTY LOCATION AND ZONING

The property is located within the RMM-25 Residential Mid-Rise Multifamily/Medium High Density Zoning District. It is situated on the Rio Encarnado Canal where the distance from wet face to wet face is 126 feet+/-, according to the Summary Description provided in **Exhibit 1**.

DOCK PLAN AND BOATING SAFETY

Marine Facilities records reflect that there have been at least fifteen (15) waivers of docking distance limitations approved by the City Commission since 1979 within close proximity. A comparison of these are shown in **Table 2**, including the maximum distances of all structures extending into the Rio Encarnado Canal:

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
1979	1280 Seminole Drive	42'
1980	1224 Seminole Drive	40'
1984	1224 Seminole Drive	51'
1985	1240 Seminole Drive	46'
1990	2701 East Sunrise Blvd	487.4'
1990	2800 Yacht Club Blvd	120'
1994	1256 Seminole Drive	33'
1995	1272 Seminole Drive	40'
2009	1256 Seminole Drive	58'
2009	1224 Seminole Drive	51'
2011	1200 Seminole Drive	50'
2013	1100/1120 Seminole Drive	54.7'
2021	1207 Seminole Drive	48.8'
2022	1215 Seminole Drive	39'
2023	1208 Seminole Drive	56.4'

RECOMMENDATIONS

Should the Marine Advisory Board consider approval of 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 City Staff with copies of "As Built" drawings from a certified and licensed contractor.

Marine Advisory Board
October 5, 2023
Page 3

AC
Attachment

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

**2765 NE 14TH STREET
APPLICATION FOR WATERWAY WAIVER**

**CITY OF FORT LAUDERDALE
MARINE FACILITIES
APPLICATION FOR WATERWAY PERMITS, WAIVERS AND LICENSES**

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, licenses, permits and approvals involving municipal docking facilities or private uses in the waterways as regulated by Section 8 of the City Code of Ordinances or Section 47-19.3 of the City's Urban Land Development Regulations, shall be preceded by the execution and filing of the following application form available at the Office of the Supervisor of Marine Facilities. The completed application must be presented with the applicable processing fee paid before the agreement is prepared or the application processed for formal consideration (see City of Fort Lauderdale Code Section 2-157). If legal publication is necessary, the applicant agrees to pay the cost of such publication in addition to the application fee.

**APPLICATION FORM
(Must be in Typewritten Form Only)**

1. LEGAL NAME OF APPLICANT - (If corporation, name and titles of officers as well as exact name of corporation. If individuals doing business under a fictitious name, correct names of individuals, not fictitious names, must be used. If individuals owning the property as a private residence, the name of each individual as listed on the recorded warranty deed):

NAME: **Anita Blommestyn; Trustee of Anita Blommestyn Revocable Trust**

TELEPHONE NO: 613 561 8403 EMAIL: anita@caraco.ca
(home) (business)

2. APPLICANT'S ADDRESS (if different than the site address): **2765 NE 14th Street #32, Fort Lauderdale, FL 33304**

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:
The applicant requests a waiver for the proposed construction of a boat lift beyond 25 feet from the property line.

4. SITE ADDRESS: **2765 NE 14th Street #32, Fort Lauderdale, FL 33304** ZONING: **RMM-25**

LEGAL DESCRIPTION AND FOLIO NUMBER:
**PORTO VENEZIA CONDO UNIT 32 (AKA 3E) PER CDO BK/PG: 45199/296
Folio No. 494236AE0040**

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

Anita Blommestyn July 25, 2023
Applicant's Signature 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
2765 NE 14th Street
TCG Project No. 23-0026

The project site is located along the Rio Encarnado Canal at 2765 NE 14th Street, in Section 36, Township 49, Range 42, in the City of Fort Lauderdale, Broward County, Florida.

The property is located along the Rio Encarnado Canal, which is a tidal water. The nearest direct connection to the Atlantic Ocean is approximately 3.6 miles to the south at the Port Everglades Inlet. As the project site is located along the Rio Encarnado Canal, 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 $\pm 1,189$ sq. ft. cobblestone dock with five (5) finger piers, two (2) 4-post boat lifts, and fifteen (15) 12-inch wood mooring piles. The proposed project consists of the removal of one (1) mooring pile and one (1) boat lift in the #4 slip and the installation of a new 16,000 lb. 4-post boat lift with four (4) 12-inch concrete piles. The boat lift will be consistent with the boat lifts and structures adjacent to the property along the Rio Encarnado Canal. As measured from the property line, the proposed boat lift will encroach more than 25' from the property line into the Rio Encarnado Canal. As this distance is over the allowable 25' distance into the waterway from the property line, the proposed boat lift will require a distance waiver.

The proposed structures will be applied with the Broward County Resilient Environmental Department, the Florida Department of Environmental Protection, and the US Army Corps of Engineers once approval is received from the Marine Advisory Board and Fort Lauderdale City Commission.

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

1. All structures will not exceed 25% of the width of the waterway.
2. Due to the extraordinary width of the waterway at this location from wetface to wetface ($\pm 126'$), the proposed project will not impede navigation within the Rio Encarnado Canal.
3. The proposed structures are necessary for safe mooring of a vessel, especially during high wind events and severe weather.

4. The proposed structure is also necessary to protect the vessel from high wave energy from excessive boat wakes along the Rio Encarnado Canal.
5. The boat lift is consistent with existing structures located along the Rio Encarnado Canal.

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
A	Boat lift	31.0'	25'	6.0'

EXHIBIT III WARRANTY DEED

Prepared by and return to:

Mary M. Earnest
Earnest/Tighe Law Firm, P.A.
103 N.E. 4th Street
Fort Lauderdale, FL 33301
954-525-5644
File Number: 2021-0273

Parcel Identification No. 4942-36-AE-0040

[Space Above This Line For Recording Data]

Warranty Deed

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

This Indenture made this 11th day of May, 2021 between Paul Dean Anagnostos and Brian Williams Price, a married couple, individually and as Trustees of the Paul Dean Anagnostos and Brian Williams Price Revocable Trust dated July 27, 2017 whose post office address is 2305 Edgewater Dr, #1410, Orlando, FL 32804 of the County of Orange, State of Florida, grantor*, and Anita Blommestyn as Trustee of the Anita Blommestyn Revocable Trust whose post office address is 1126 Unity Road, Glenburnie, ON KOH 150, Canada, 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:

Unit No. 32 (a/k/a Unit 3E) of PORTO VENEZIA, a Condominium, according to The Declaration of Condominium recorded in O.R. Book 45199, Page 296, and all exhibits and amendments thereof, Public Records of Broward County, Florida.

Subject to taxes for 2021 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

The Grantee, as trustee, has the full power and authority to protect, conserve, sell, convey, lease, encumber, and to otherwise manage and dispose of said real property pursuant to F.S. 689.073.

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.

Signed, sealed and delivered in our presence:

Witness Name: Cindy Reilly

Witness Name: TIFARA HYDE

Paul Dean Anagnostos
Paul Dean Anagnostos, a married man, individually and
as Trustee of the Paul Dean Anagnostos and Brian
Williams Price Revocable Trust dated July 27, 2017

Brian Williams Price
Brian Williams Price, a married man, individually and as
Trustee of the Paul Dean Anagnostos and Brian Williams
Price Revocable Trust dated July 27, 2017

State of Florida
County of Broward

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this
10 day of May, 2021 by Paul Dean Anagnostos and Brian Williams Price, a married couple, individually and as
Trustees of the Paul Dean Anagnostos and Brian Williams Price Revocable Trust dated July 27, 2017, who ☐ is
personally known or ☒ has produced a driver's license as identification.

[Notary Seal]



Cindy Reilly
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG289951
Expires 2/17/2023

Notary Public

Printed Name:

Cindy Reilly

My Commission Expires: _____

Z:\Molly\word documents\Daily 2021\April\Molly\bloommeestyn deed.rtf

Porto Venezia Condominium Association Inc

Certificate of Approval

Of
Purchaser

(Purchaser/Lessee/Owner)

THIS IS TO CERTIFY that Anita Blommestyn Rev Trust has been approved by Porto Venezia Condominium Association as the Purchaser of the following
(Purchaser/Lessee/Owner)
described property in Broward County, Florida.

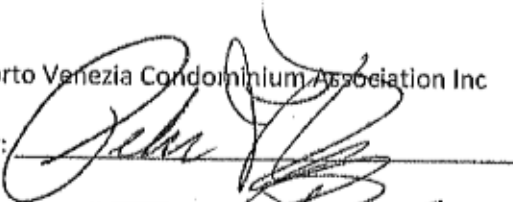
Unit # 32 of Porto Venezia, a condominium, according to the Declaration of Condominium recorded in the Official Record Books of Broward County, Florida.

Such approval has been given pursuant to the provisions of the Declaration of Condominium of such condominium.

DATED this 26 of APRIL, 2021
(day) (month) (year)

Porto Venezia Condominium Association Inc

By:



Title

President

Attest:



Title

Secretary

EXHIBIT IV ZONING AERIAL



CITY OF FORT LAUDERDALE

Map Created by GIS Mailer

2765 NE 14th Street



0 90 180 Feet

GIS
Fort Lauderdale

CAM 23-1017
Printed on: 7/21/2023

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EXHIBIT V SITE PHOTOGRAPHS



1. Eastern portion of the subject site, facing west along the Rio Encarnado Canal.



2. Northern portion of the subject site, facing south along the Rio Encarnado Canal.

EXHIBIT VI PROJECT PLANS

2765 NE 14TH STREET

CITY OF FORT LAUDERDALE

PLAN SET



LOCATION MAP (N.T.S.)

DRAWING INDEX

SHEET 1: COVER

SHEET 2: EXISTING
CONDITIONS

SHEET 3: PROPOSED
CONDITIONS

SHEET 4: SECTION A

SHEET 5: DETAILS



VICINITY AERIAL (N.T.S.)

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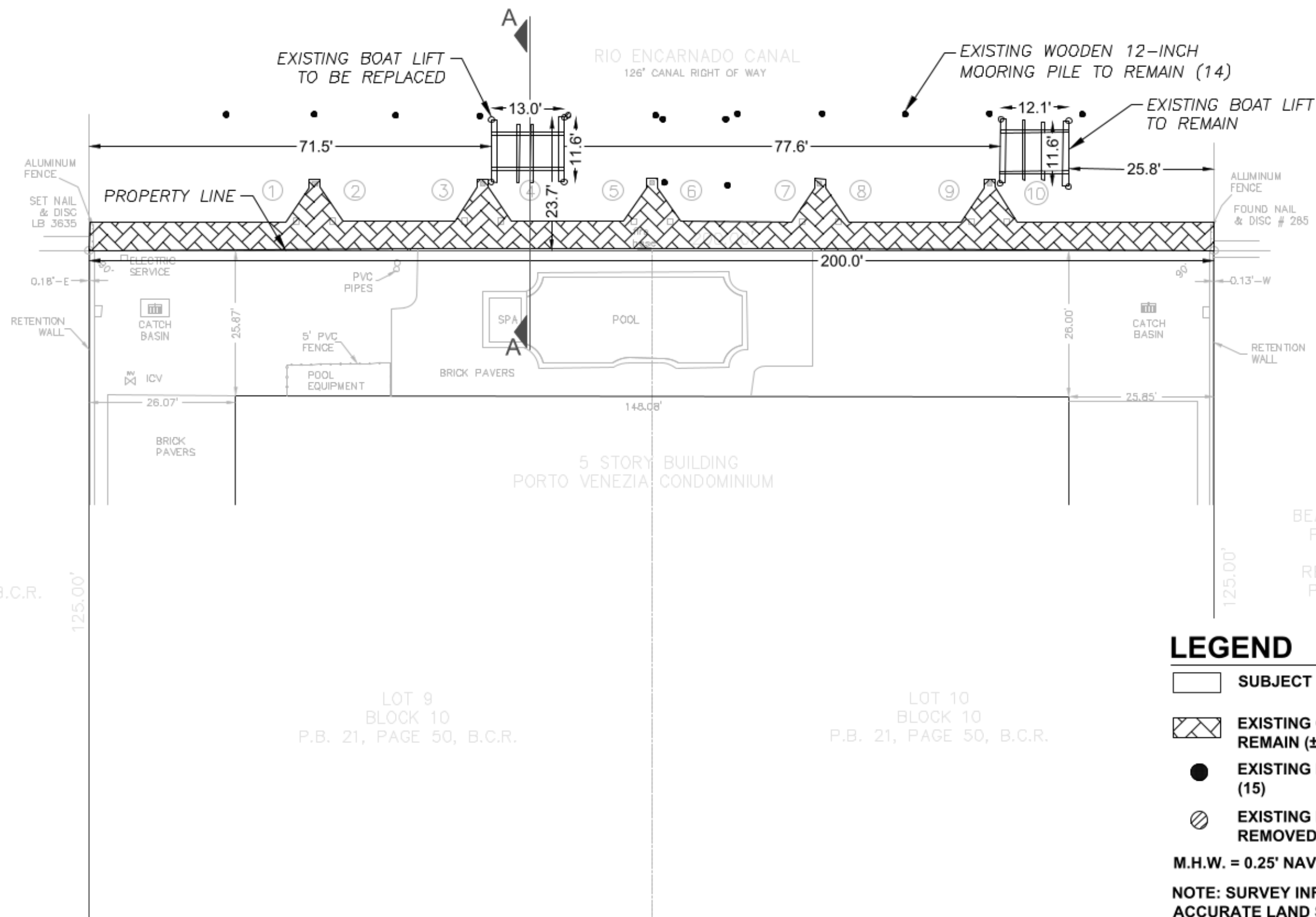
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- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Tree Surveys/Appraisals

2765 NE 14TH STREET

PREPARED FOR:
MS. ANITA BLOMMESTYN

COVER

Date: 7/18/2023	Sheet : 1	of : 5
Proj No.: 23-0026		



LEGEND

- SUBJECT SITE (0.57 AC)
- EXISTING COBBLESTONE DOCK TO REMAIN (±1,189 SQ. FT.)
- EXISTING MOORING PILES TO REMAIN (15)
- EXISTING MOORING PILES TO BE REMOVED (1)

M.H.W. = 0.25' NAVD88 M.L.W. = (-)2.13' NAVD88

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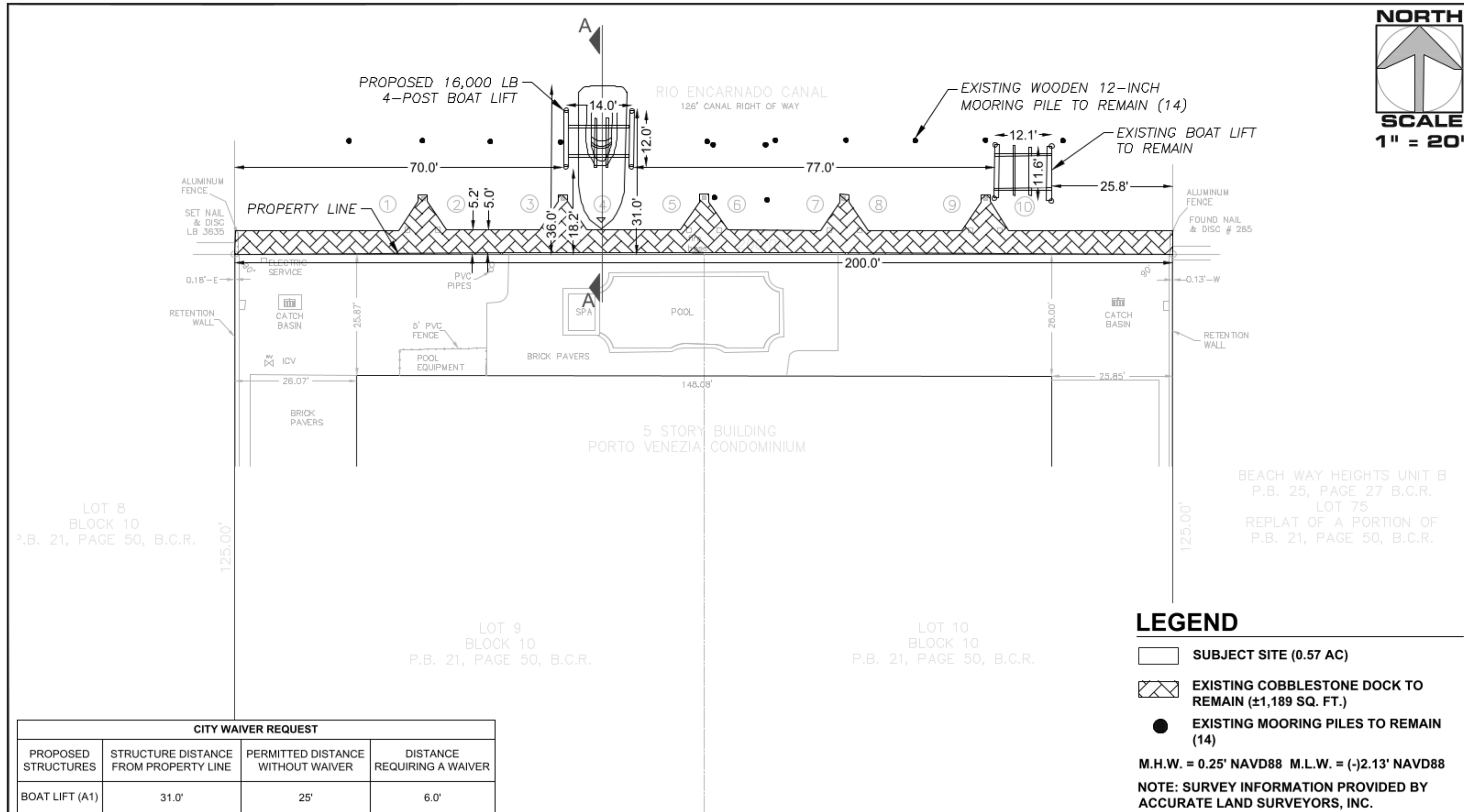
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2765 NE 14TH STREET

PREPARED FOR:
MS. ANITA BLOMMESTYN

EXISTING CONDITIONS

Date: 7/18/2023	Sheet : 2	of : 5
Proj No.: 23-0026		



LEGEND

- SUBJECT SITE (0.57 AC)
- EXISTING COBBLESTONE DOCK TO REMAIN (±1,189 SQ. FT.)
- EXISTING MOORING PILES TO REMAIN (14)

M.H.W. = 0.25' NAVD88 M.L.W. = (-)2.13' NAVD88

NOTE: SURVEY INFORMATION PROVIDED BY
ACCURATE LAND SURVEYORS, INC.

CITY WAIVER REQUEST

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
BOAT LIFT (A1)	31.0'	25'	6.0'

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2765 NE 14TH STREET

PREPARED FOR:
MS. ANITA BLOMMESTYN

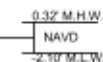
PROPOSED CONDITIONS

Date: 7/18/2023	Sheet : 3	of : 5
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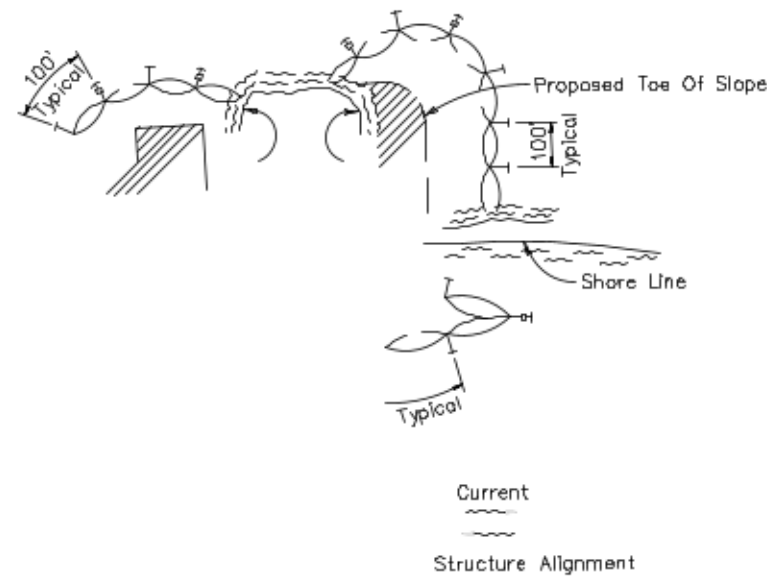


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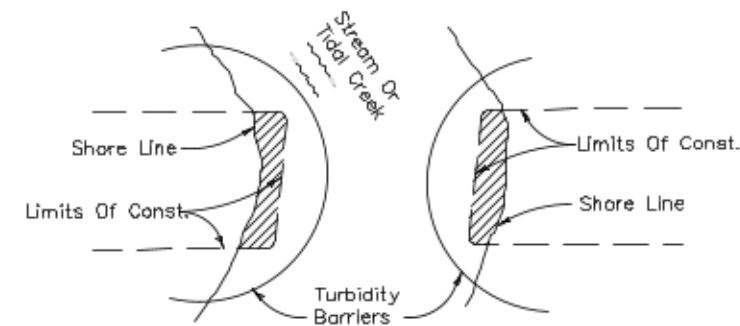


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| Date:
7/18/2023 | Sheet :
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| Proj No.:
23-0026 | | |



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

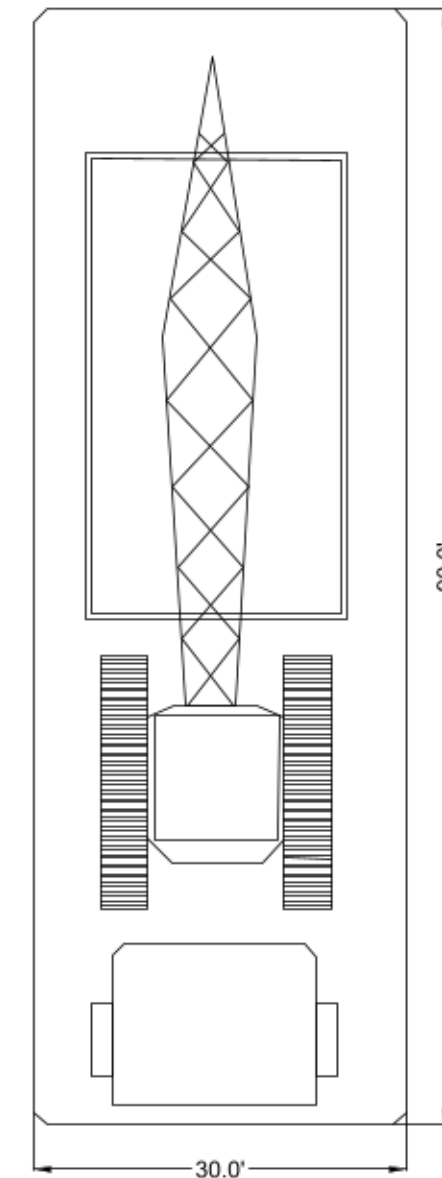


Note:
Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractors option unless otherwise specified in 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

CONSTRUCTION BARGE (TYP.)



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2765 NE 14TH STREET

PREPARED FOR:
MS. ANITA BLOMMESTYN

DETAILS

Date: 7/18/2023	Sheet : 5	of : 5
Proj No.: 23-0026		

EXHIBIT VII DISTANCE EXHIBIT



LEGEND

- SUBJECT SITE (0.57 AC)
- EXISTING COBBLESTONE DOCK TO REMAIN (±1,189 SQ. FT.)
- EXISTING MOORING PILES TO REMAIN (14)
- EXISTING MOORING PILES TO BE REMOVED (1)
- EXISTING SLIPS

M.H.W. = 0.25' NAVD88 M.L.W. = (-)2.13' NAVD88

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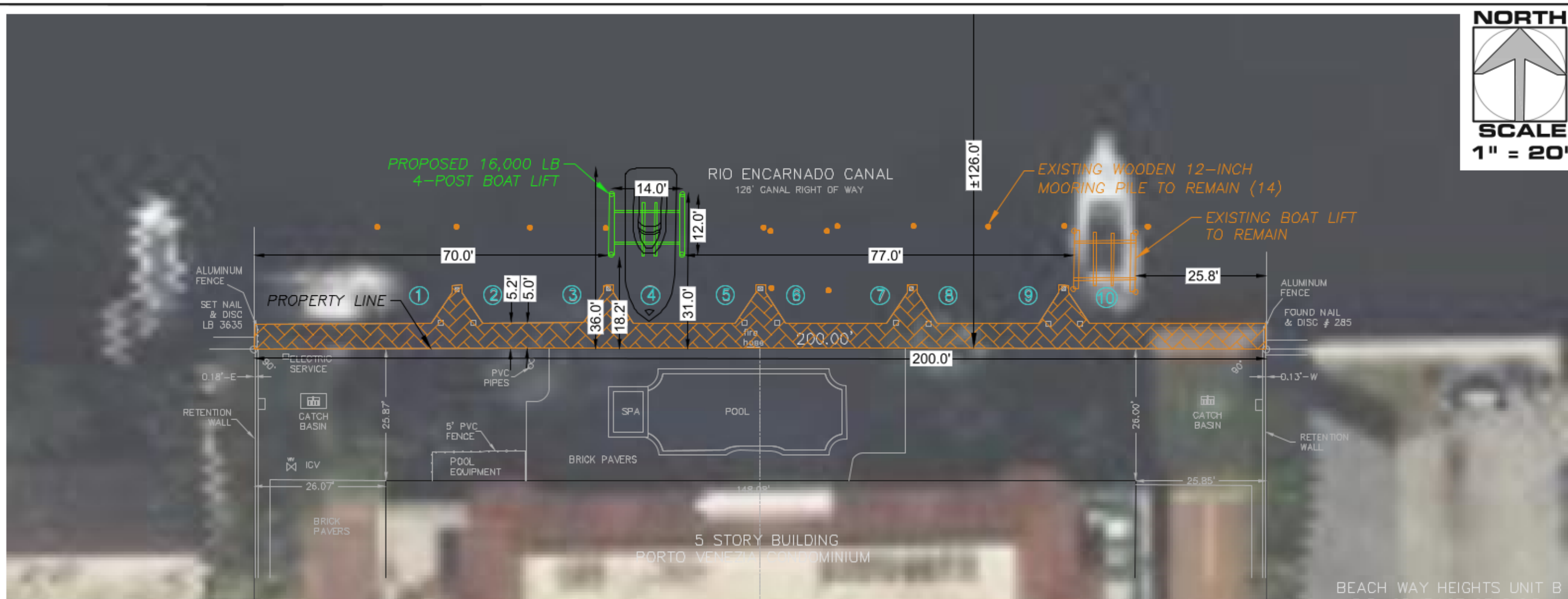
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DISTANCE EXHIBIT

Date: 8/18/2023	Sheet : 1	of : 3
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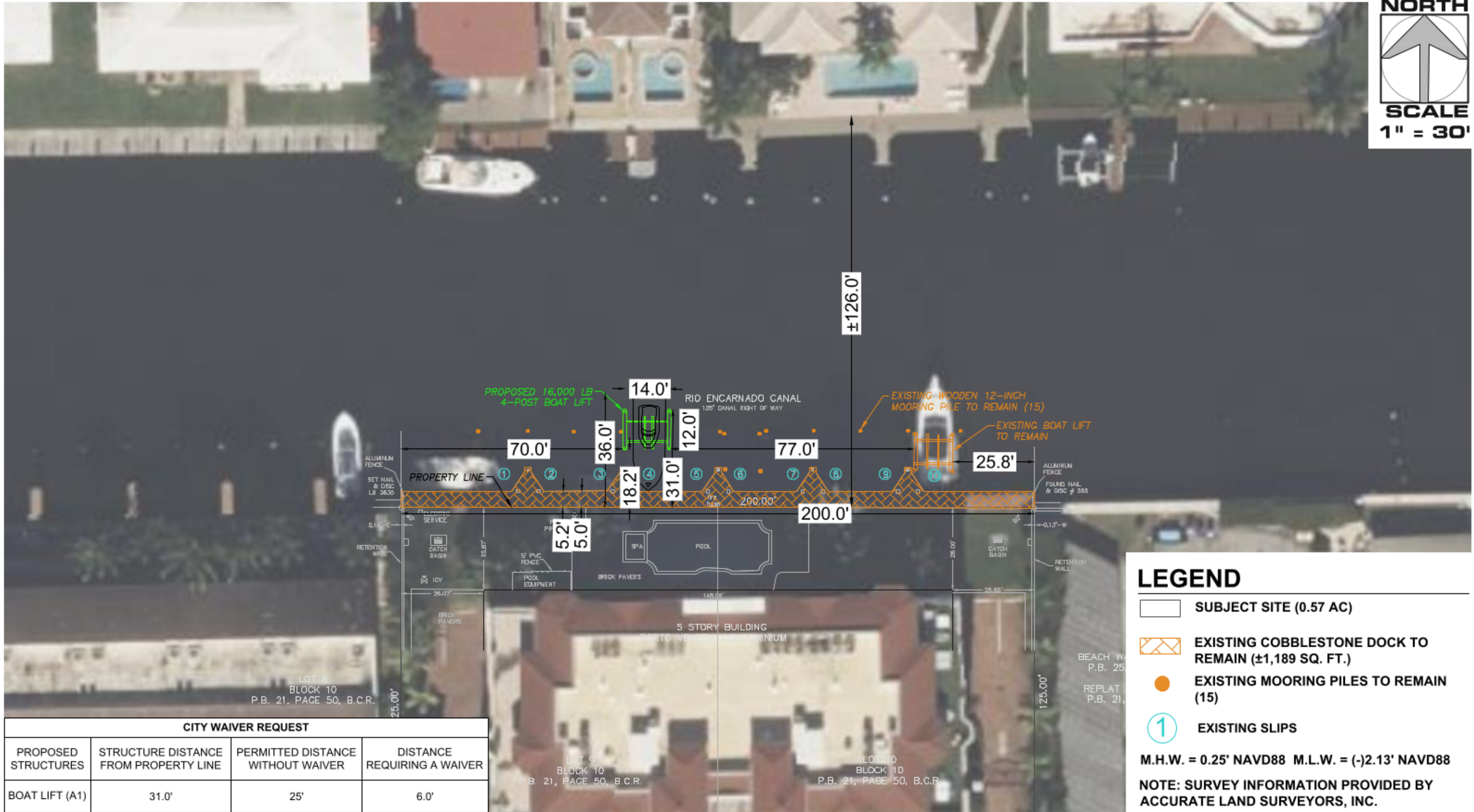
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2765 NE 14TH STREET

PREPARED FOR:
MS. ANITA BLOMMESTYN

DISTANCE EXHIBIT

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2765 NE 14TH STREET
PREPARED FOR:
MS. ANITA BLOMMESTYN

DISTANCE EXHIBIT		
Date: 8/18/2023	Sheet : 3	of : 3
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EXHIBIT VIII EXISTING WAIVERS IN THE VICINITY

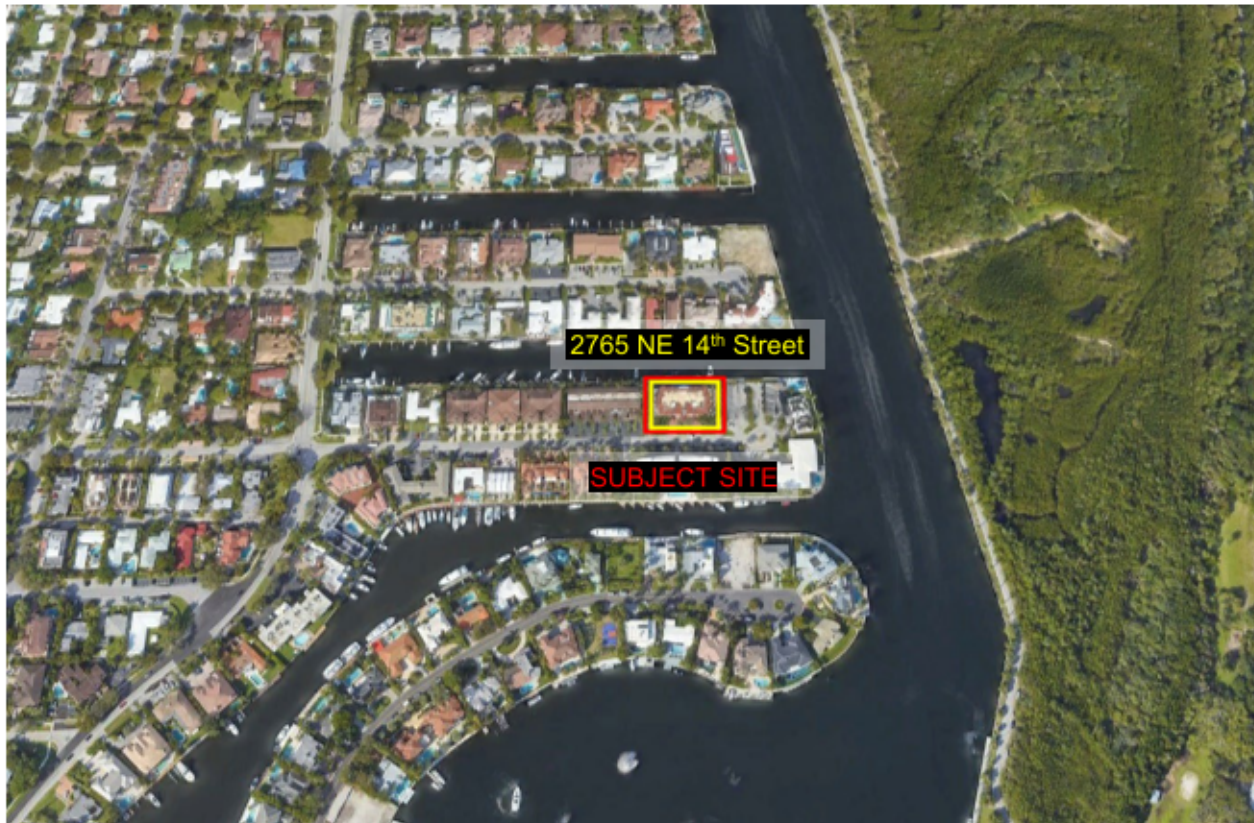
EXISTING WAIVERS IN THE VICINITY



ADDRESS	MAXIMUM DISTANCE
1030 Seminole Drive	487.4'
1110 Seminole Drive	54.7'
1200 Seminole Drive	50'
1207 Seminole Drive	48.8'
1208 Seminole Drive	56.4'
1215 Seminole Drive	39'
1224 Seminole Drive	51'
1240 Seminole Drive	46'
1272 Seminole Drive	40'
1280 Seminole Drive	42'
2800 Yacht Club Blvd	120'
Subject Site	31.0'

EXHIBIT IX LETTERS OF SUPPORT

LETTER OF SUPPORT



ADDRESS	OWNER
2765 NE 14 th Street	Porto Venezia Condominiums, RMS



August 24, 2023

The City of Fort Lauderdale
C/o City of Fort Lauderdale Building Department

Re: Porto Venezia Condominiums
2765 NE 14th St. Fort Lauderdale, FL 33304

To whom this may concern:

We have reviewed the attached scope of work to have a boatlift installed for the dock at Porto Venezia

We approve the owner of unit 32, Anita Blommestyn, at Porto Venezia to have a boatlift installed for dock space #4 at Porto Venezia contingent on proof of variance from the City of FT.Lauderdale and acquiring a licensed and fully insured vendor to complete the installation. The selected vendor must adhere to The City of Fort Lauderdale building codes and regulations.

- Permits are the responsibility of the owner and contractor.
- As per the condominium association, since current regulations prohibit boats to be docked that exceed 30% of the average width of the canal, unit owners are advised not to dock boats that exceed 37 feet in total length unless owner is successful in obtaining a variance to allow a bigger boat or bigger space in feet for dockage.

Feel free to contact me if you have any questions or concerns.

Best Regards,

Willie Henderson

Willie Henderson, LCAM
Field Services Manager

2319 N Andrews Avenue ♦ Fort Lauderdale Florida 33311
Local Phone 954-563-1269 ♦ Toll Free 800-382-1040
www.royalemanagement.com