

ITEM V

MEMORANDUM MF NO. 14-17

DATE: December 17, 2014

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: January 7, 2015 MAB – Application - Dock Waiver of Distance Limitations – 505 Idlewyld, LLC/Joseph F. Fallon, 505 Idlewyld Drive

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

APPLICATION AND BACKGROUND INFORMATION

At the June 3, 2014 City Commission meeting, the applicant was granted 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. Subsequently, due to Broward County and US Army Corps of Engineers requests, the Applicant has been asked to relocate the Boat Lift from a distance of 27'4" to 36'5" from the property line as shown in the revised survey in **Exhibit 1** and summarized in Table 1:

TABLE 1

STRUCTURES REQUIRING WAIVER	MAXIMUM SURVEYED DISTANCE OF STRUCTURES	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING WAIVER
Boat Lift	36'5"	25'	11'5"

The City's Unified Land and Development Regulations (UDLR), Sections 47-19.3.C limits the maximum distance of the boat lift 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 sixteen (16) 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'
2014	505 Idlewyld Drive	68.50'

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

505 Idlewyld, LLC

(Joseph and Susan Fallon)

505 Idlewyld,

Fort Lauderdale, Florida

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1. Application with fee payment
2. Zoning Aerial map
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4. Narrative summary
5. Original Marina Board action
6. City Commission Approval Resolution no 14-88
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8. Original City approved dock plans
9. Original boat lift location plan
10. Proposed boat lift location plan

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

EXHIBIT 1

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: Joseph F. Fallon

TELEPHONE NO. 617 484 1436 617 737 4100 FAX NO. 617 737 4101
(home) (business)

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

LEGAL DESCRIPTION:

Plot 1&2, less the West 75' 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
5. EXHIBITS (in addition to proof of ownership, list all exhibits provided in support of the applications).
9 attached table of Contents.

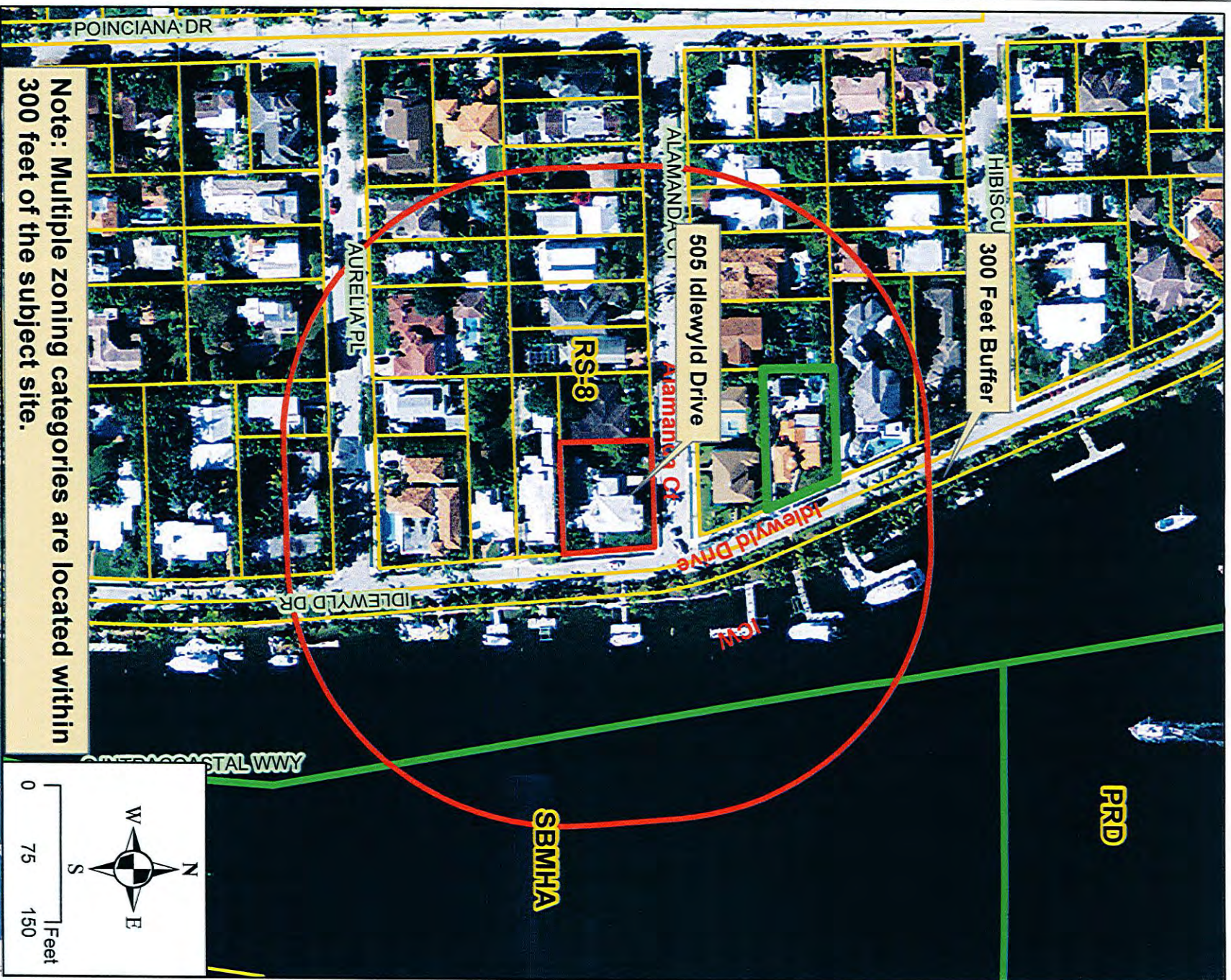
Applicant's Signature

Date

The sum of \$ 300.00 was paid by the above-named applicant on the 18-11-14
2014 Received by: 505 Idlewyld LLC

===== City of Fort Lauderdale
===== For Official City Use Only
=====

Marine Advisory Board Action Commission Action
Formal Action taken on _____ Formal Action taken on _____
Recommendation _____
Action _____



505 Idlewyld Drive



CITY OF FORT LAUDERDALE

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Date: 2/26/2014



This document prepared by:
Record and Return to:
Kenna D. Camp III
Camp & Camp, P.A.
111 SE 17th Street
Fort Lauderdale, Florida 33316

QUIT CLAIM DEED

THIS QUIT CLAIM DEED, made this 31 day of July, 2012, A.D., between Joseph F. Fallon, a single man, whose post office address is One Martha Clark 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.

(Wherever said herein the terms "grantor" and "grantee" include all the parties to said instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and entities)

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 11, Page 19, of the Public Records of Broward County, Florida.

FOIL# 10-5042-12-01-0760

TO HAVE AND TO HOLD, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantor, whither 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:

Witness #1 Signature

Myrna Breiger
Witness #1 Printed Name

Witness #2 Signature

Graceann Crome
Witness #2 Printed Name

STATE OF MISS
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 31 day of July, 2012, by Joseph F. Fallon, who is personally known to me or who produced _____ as identification.

Notary Public
My Commission No./Exp. _____



December 17, 2014

Andrew Cuba

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

Reference: approved boat lift relocation at 505 Idlewyld
Applicant: **Joseph and Susan Fallon**

The City Commission approved (June 3, 2014) the boat dock and boat lift plan as submitted for 505 Idlewyld
Resolution no: 14-88

Marina Board approval issued March 20, 2014

All other County State and Federal permits have been issued

Broward County (issued for the State of Florida as well); License DF12-1148
US Army Corps of Engineers Permit: SAJ-2012-03075 (GP-JMC)

In issuing the permits both agencies requested that the boat lift be moved out from the approved 27'.4" to 36'.5"; a distance of only 9'.1"

This is the only change from the approved plans previously submitted

This is to establish a deeper water level in order to lessen any impact on the bottom habitat

Please note:

1. the boat lift remains fully within the approved dock footprint
2. The use is the same as approved
3. There is no impact on navigation
4. The setbacks remain the same

The applicant is requesting only this minor change as described in the plans submitted with this application

J.f. Blitstein, PhD
authorized representative

--



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: jfb424@gmail.com

ITEM VI

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

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'
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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

RESOLUTION NO. 14-88

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 47-19.3.E. OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE GRANTING A WAIVER OF THE LIMITATIONS OF SECTIONS 47-19.3.C. & D. TO ALLOW THE APPLICANT, 505 IDLEWYLD, LLC, A FLORIDA LIMITED LIABILITY COMPANY, TO CONSTRUCT AND MAINTAIN A CONCRETE FLOATING DOCK WITH ACCESS WALKWAY / RAMP, BOATLIFT, TWO (2) MOORING PILINGS AND FINGER PIERS EXTENDING A MAXIMUM OF 68.5 FEET INTO NEW RIVER SOUND FROM APPLICANT'S PLATTED PROPERTY LINE; SAID PROPERTY BEING LOCATED AT 505 IDLEWYLD DRIVE, MORE PARTICULARLY DESCRIBED BELOW; SUBJECT TO CERTAIN TERMS AND CONDITIONS; REPEALING ANY AND ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 505 Idlewyld, LLC, a Florida limited liability company, (hereinafter "Applicant") owns the following described Property located in the City of Fort Lauderdale, Broward County, Florida:

Lots 1 & 2, Block 4, less the West 75 feet. Block 3, IDLEWYLD, according to the plat thereof, recorded in Plat Book 1, Page 19 of the Public Records of Broward County, Florida.

Street Address: 505 Idlewyld Drive
Fort Lauderdale, FL 33301

(hereinafter "Property")

WHEREAS, Applicant is requesting approval to construct and maintain a concrete floating dock with access walkway / ramp, boatlift and associated mooring pilings extending a maximum of 68.5 feet from Applicant's platted property line into the New River Sound; and

WHEREAS, the City's Marine Advisory Board on April 3, 2014 reviewed the application for dock waiver filed by Applicant and voted unanimously to approve this application;

RESOLUTION NO. 14-88

PAGE 2

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That pursuant to the provisions of ULDR Section 47-19.3.E. of the Code of Ordinances of the City of Fort Lauderdale, the City Commission hereby grants a waiver of the limitations of ULDR Section 47-19.3.C & D., to allow Applicant to construct and maintain a concrete floating dock with access walkway / ramp, boatlift and associated mooring pilings extending a maximum of 68.5 feet from Applicant's platted property line into the New River Sound; and, such distances being more specifically set forth in the Table of Distances set forth below:

TABLE 1

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

SECTION 2. That the above waiver is subject to the following additional conditions to be performed by the Applicant:

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

RESOLUTION NO. 14-88

PAGE 3

"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 47.19.3E of the Unified Land and Development Regulations (ULDR).

SECTION 3. That all Resolutions or parts of Resolutions in conflict with this Resolution are hereby repealed.

SECTION 4. That this Resolution shall be in full force and effect upon and after its final passage.

ADOPTED this the 3rd day of June, 2014.


Mayor
JOHN P. "JACK" SELER

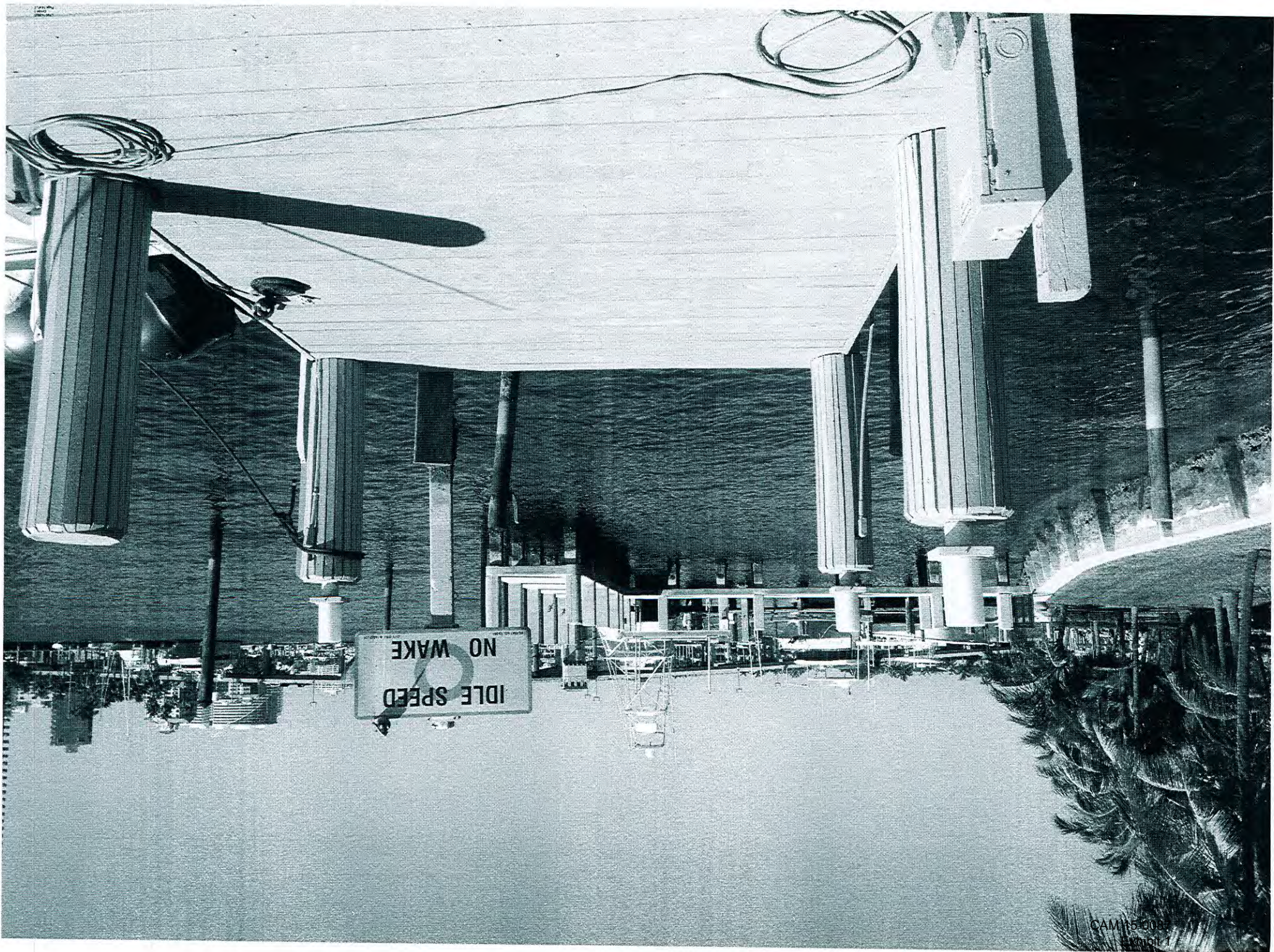
ATTEST:


City Clerk
JONDA K. JOSEPH

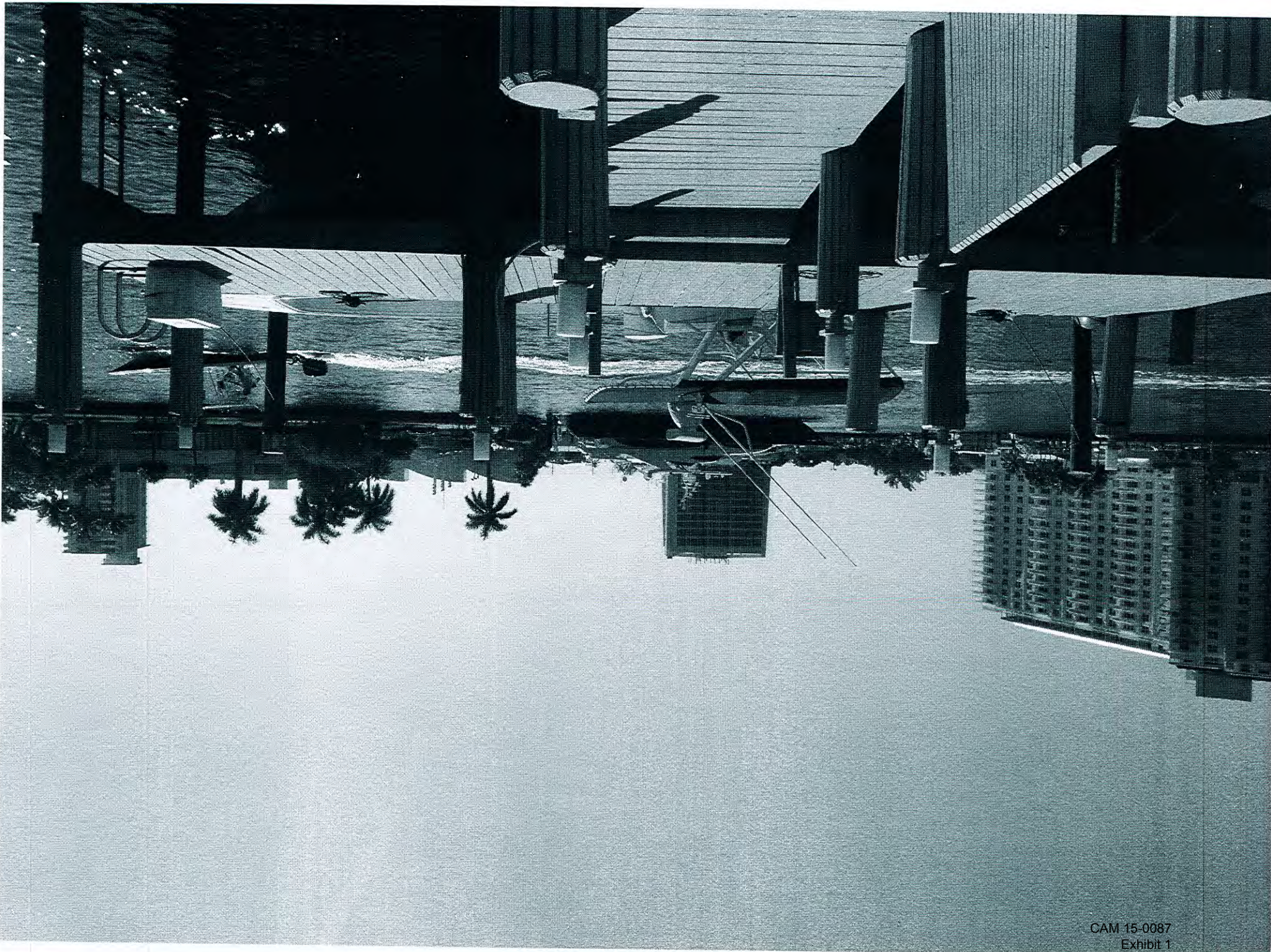
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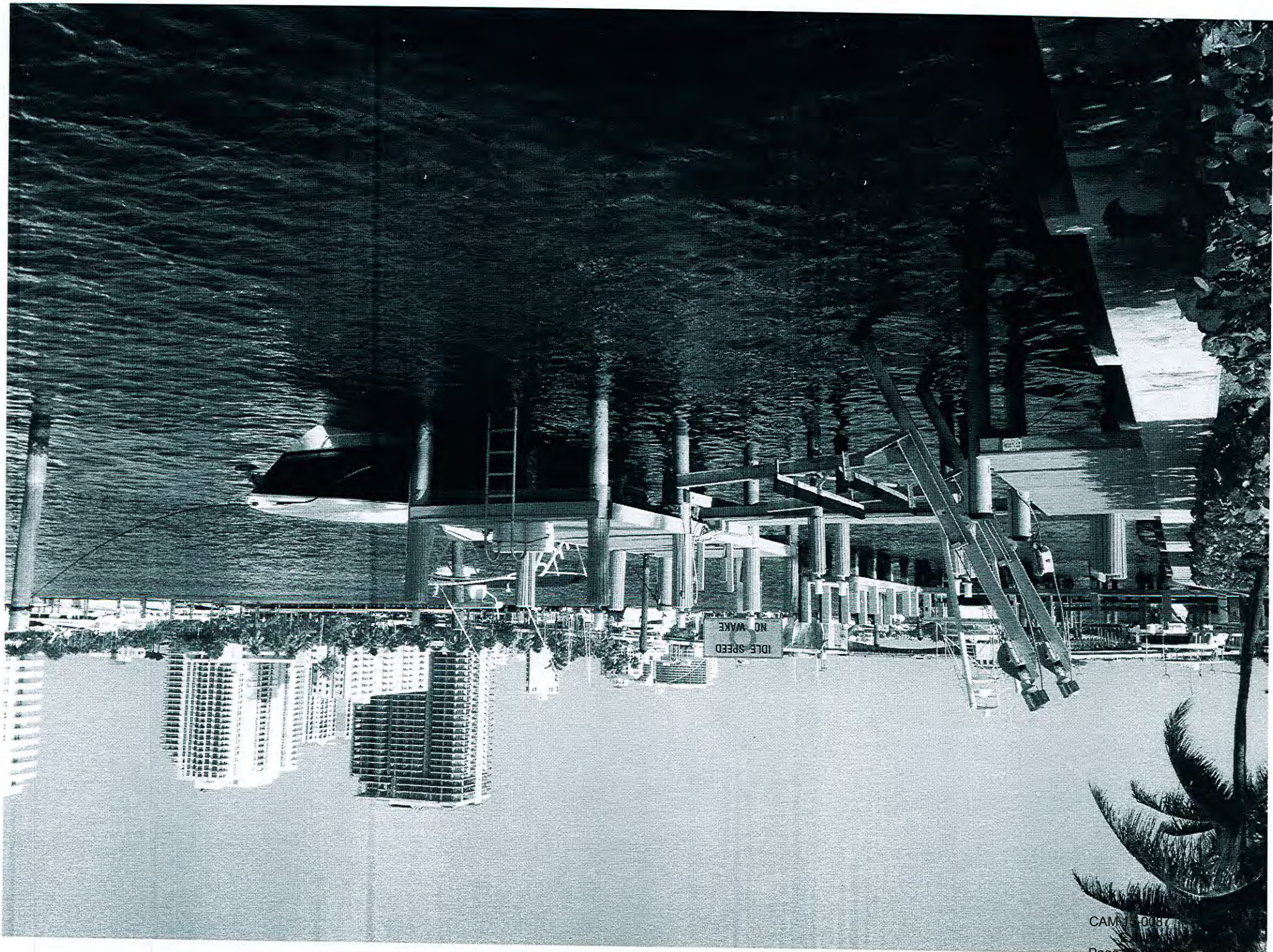
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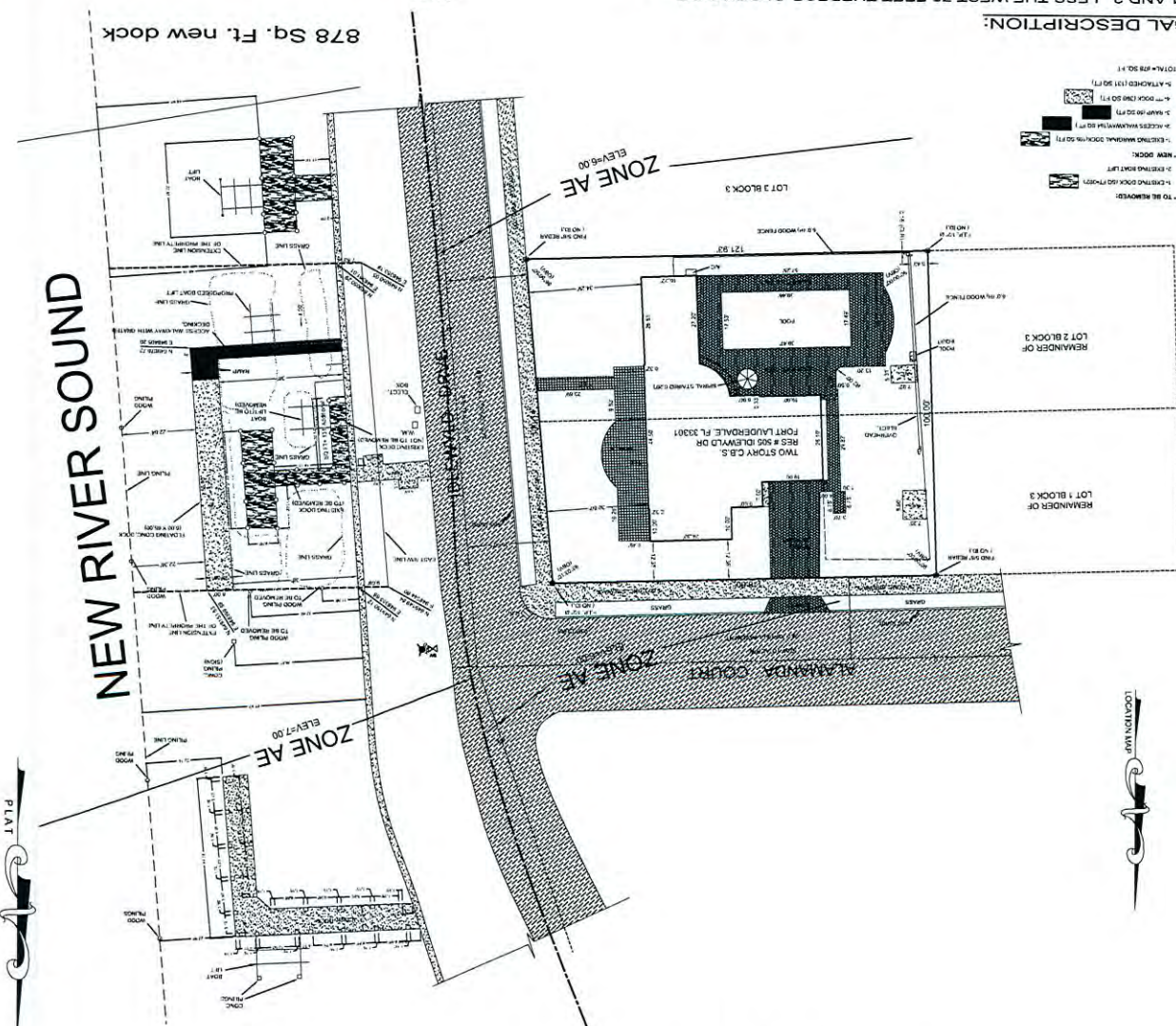








SITE PLAN



LEGAL DESCRIPTION:
LOT 1 AND 2, LESS THE WEST 75 FEET THEREOF, BLOCK 3 OF
"BIDEAWAY", AC 19.0, OF THE PLAT THEREOF AS RECORDED IN
PLAT BOOK "A" PAGE 19, OF THE PUBLIC RECORDS OF BROWARD
COUNTY, FLORIDA
OR 0.274 ACRES MORE OR LESS,
PROPERTY LIES WITHIN SECTION 12 TOWNSHIP 50S RANGE 42E

The waterway at this property is approximately 420+/- feet wide to the opposite bulkhead. The watermost structures, the proposed dock, will be approximately 130 feet from the edge of the navigational channel. Based on these distances, these structures will be more than sufficiently far from the channel so as to not impose any navigational hazards or obstructions.

Note:

LEGAL DESCRIPTION:

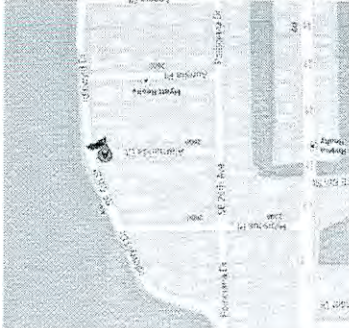
- TO BE REMOVED!
1- EXISTING DOCK (150 FT) = 0571
2- EXISTING ROAT LIFT
3- EXISTING DOCK (131 SQ FT)
4- EXISTING MATERIAL DOCK (150 SQ FT)
5- ACCESS WALKWAY (114 SQ FT)
6- RAMP (10 SQ FT)
7- GATE (10 SQ FT)
8- DOCK (250 SQ FT)
9- ATTACHED (131 SQ FT)
TOTAL = 928 SQ. FT.

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THE SPECIFIC PURPOSE OF THIS SURVEY IS TO SHOW
LOCATION OF A DESIGNED DOCK



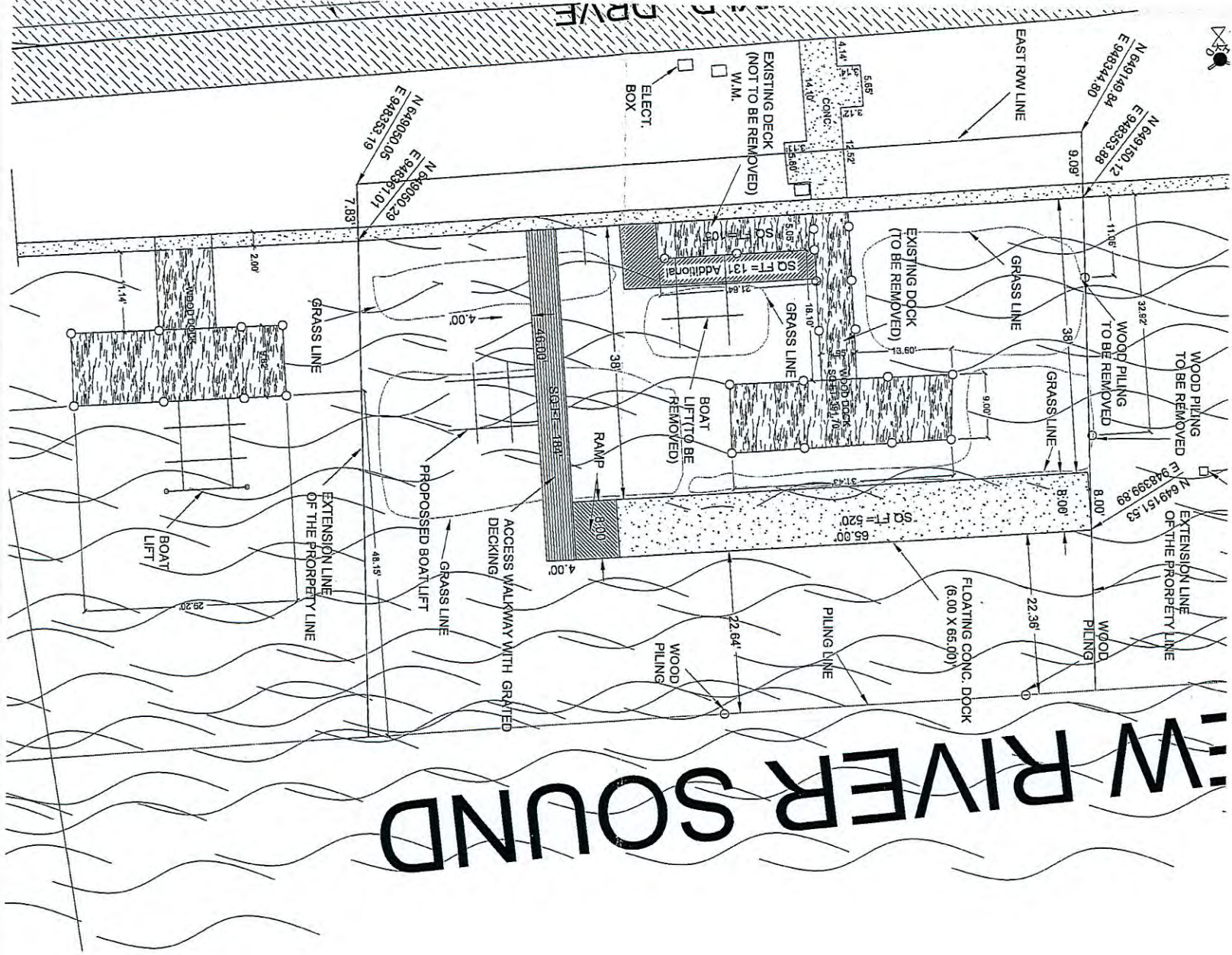
LOCATION MAP (N.T.S.)



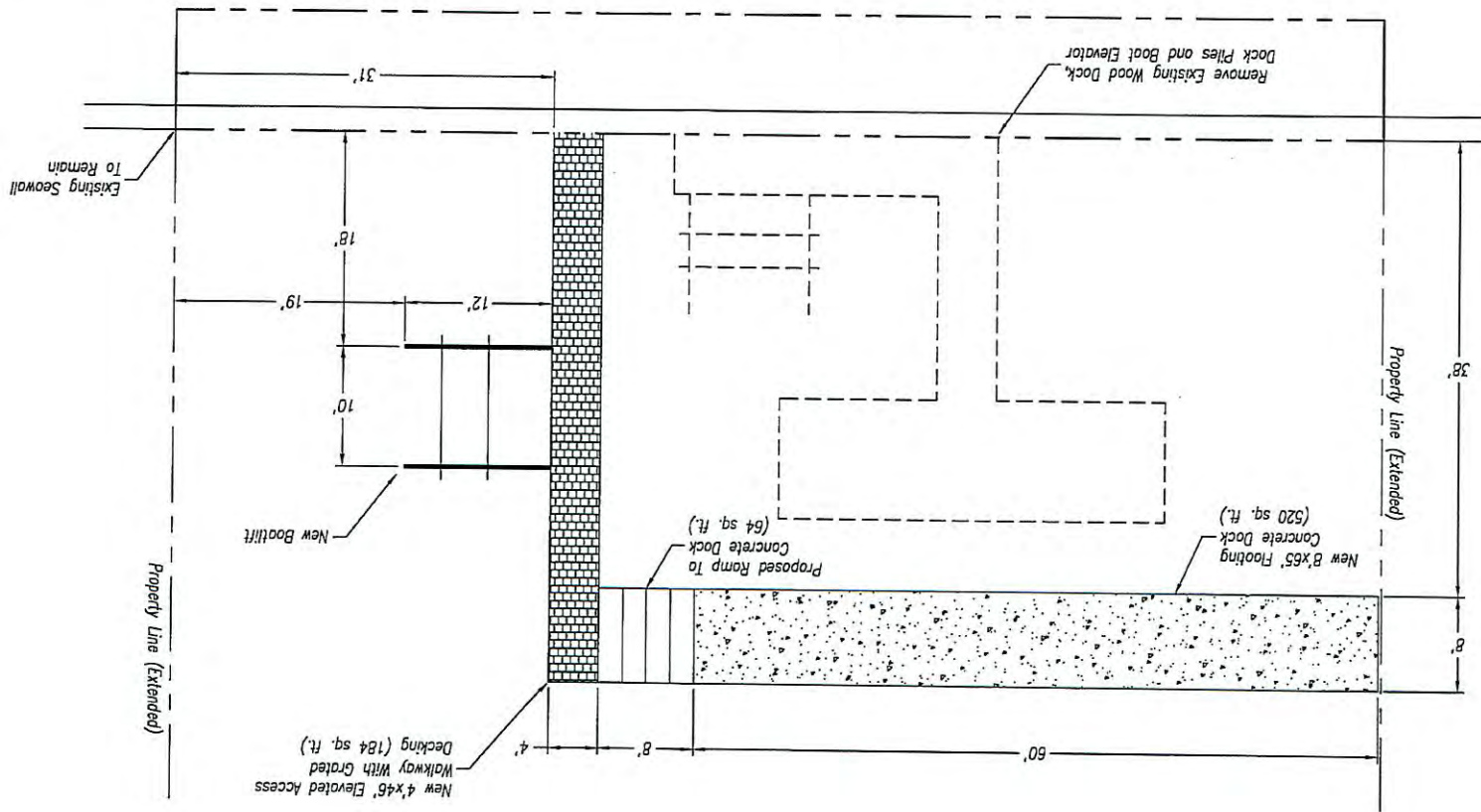
- SYMBOL LEGEND:**
- | | |
|--|-------------------------|
| | LIGHT POLE |
| | TYPICAL STATION |
| | UTILITY POLE |
| | MAIL BOX |
| | ELECTRIC BOX |
| | TRANSFORMER BOX |
| | FIRE HYDRANT |
| | STORM DRAIN CATCH BASIN |
| | WATER METER |
| | SHED |
| | TELEPHONE BOX |
| | WATCH VALVE |
| | ELEVATIONS |
| | THUNDER PLANE FLOW |
| | CENTER LINE |
| | MONUMENT LINE |
| | QUARTER |
| | ABBREVIATIONS: |

[illegible]

W RIVER SOUND



New River Sound



Site Plan
Existing Conditions
Scale: 1" = 10'
Lot 1 Block 3
IDLEWYLD
Pilot Book 1 Page 19
Broward County
Florida



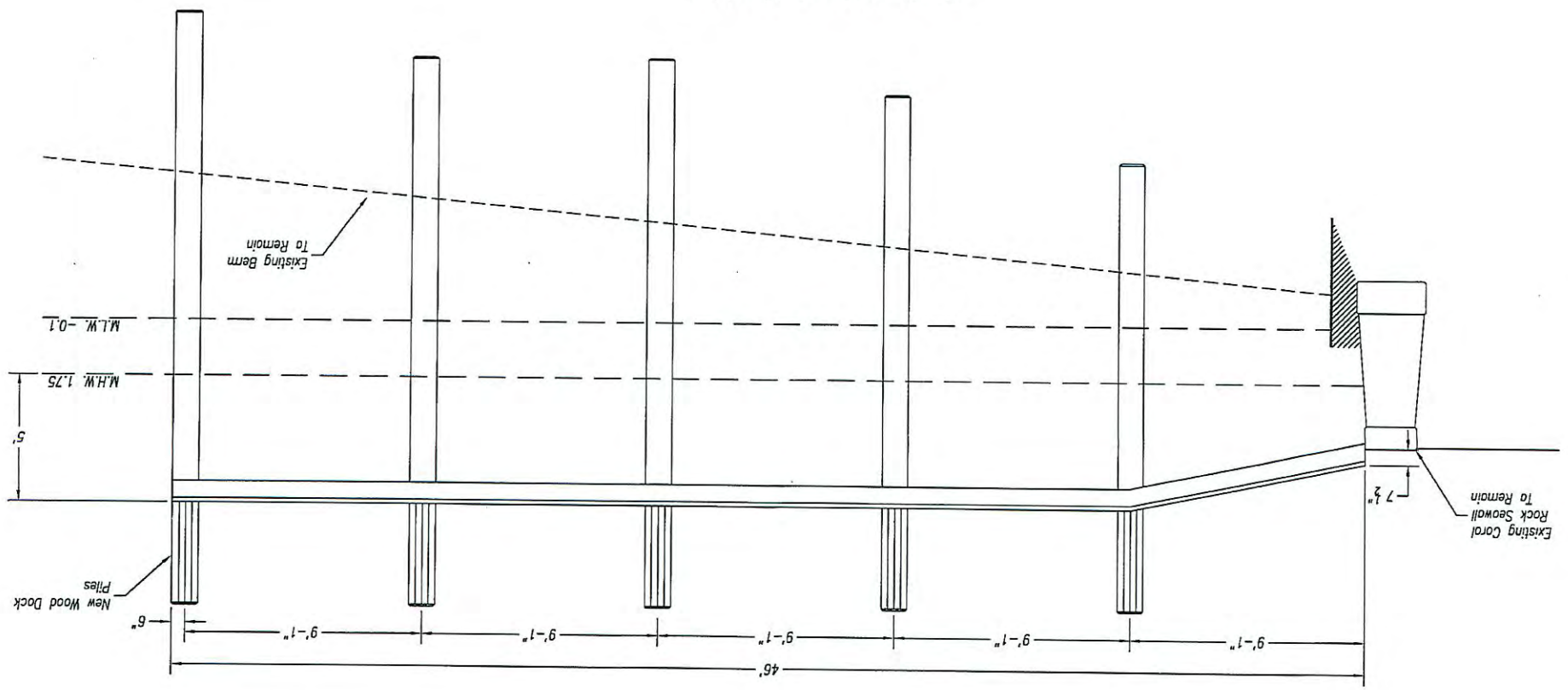
Dock Replacement
Joe Fallon
505 Idlewild Drive
Fort Lauderdale, Florida 33301
Dynamic Engineering Solutions, Inc.
E.B. #28829, License #32733
550 N. Federal Highway Suite 212
Fort Lauderdale, Florida 33302
(954) 545-1740
John H. Gombert, CMAA
140605
Exhibit 1

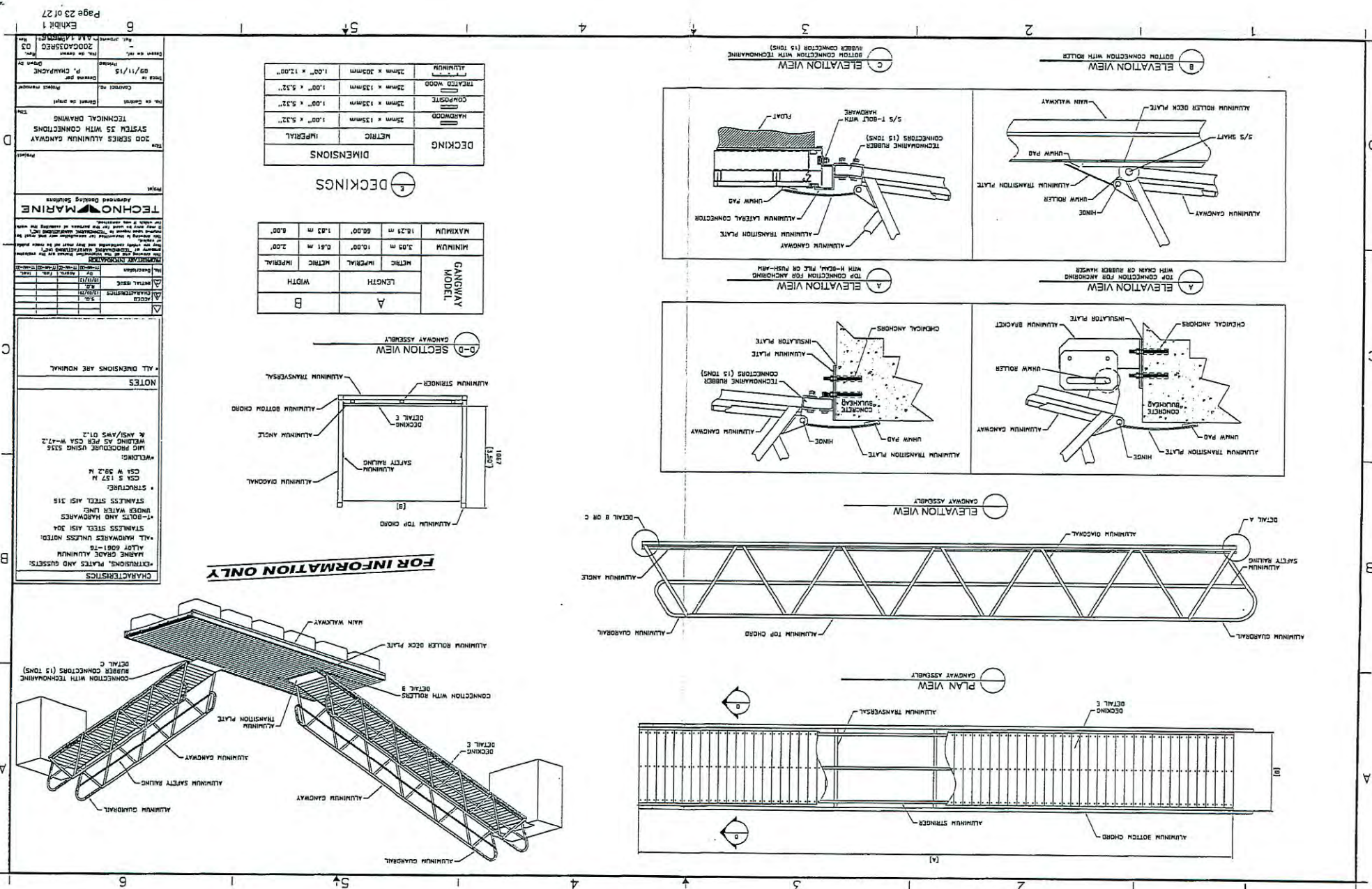
DSN	OWN
WRT	
DATE	
10.01.12	
PLT	
120	
DWG No.	
SCS	
DIRECTOR	
140605	

DSM	DWN
WRT	
DATE	10.01.12
PLAT	48
DWG NO.	505 Core Dock
DIRECTORY	SPN/Docks
Sheet 2	140605

Dock Replacement
 Joe Fallon
 505 Idlewild Drive
 Fort Lauderdale, Florida 33301
 Dynamic Engineering Solutions, Inc.
 C.E. #20029, License #05723
 550 N. Federal Highway, Suite 212
 Pompano Beach, Florida 33062
 (954) 543-1740

Typical Dock Section
 Scale 1/4" = 1'-0"





Approved

