



COMMISSION AGENDA ITEM
DOCUMENT ROUTING FORM

Today's Date: 6/14/16

DOCUMENT TITLE: Letter of Concurrence for Setback Waiver

COMM. MTG. DATE: 06/07/16 CAM #: 16-0685 ITEM #: R-3 CAM attached: ☐ YES ☒ NO

Routing Origin: CAO Router Name/Ext: _____

CIP FUNDED: ☐ YES ☒ NO

Capital Investment / Community Improvement Projects defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, or fixtures) that add value and/or extend useful life, including major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, or real.

2) City Attorney's Office # of originals attached: 1 Approved as to Form: ☒ YES ☐ NO

Date to CCO: 6/14/16 RBD
Initials

5) City Clerk's Office: # of originals: 1 Routed to: Gina Ri/CMO/X5013 Date: 6/14/16

6) City Manager's Office: CMO LOG #: JUN 23 Date received from CCO: 6/14/16

Assigned to: L. FELDMAN ☒ S. HAWTHORNE ☐ C. LAGERBLOOM ☐
L. FELDMAN as CRA Executive Director ☐

☐ APPROVED FOR LEE FELDMAN'S SIGNATURE ☐ N/A FOR L. FELDMAN TO SIGN

PER ACM: S. HAWTHORNE _____ (Initial/Date) C. LAGERBLOOM _____
(Initial/Date) ☐ PENDING APPROVAL (See comments below)

Comments/Questions: _____

Forward 1 originals to ☐ Mayor ☒ CCO Date: 6/14/16

7) Mayor/CRA Chairman: Please sign as indicated. Forward _____ originals to CCO for attestation/City seal (as applicable) Date: _____

INSTRUCTIONS TO CLERK'S OFFICE

City Clerk: Retains 1 original and forwards 1 copy to: Shaniece/ Ext. 5036 (Name/Dept/Ext) ✓

Attach _____ Reso # 16-95 ☒ YES ☐ NO Original Route form to CAO

LETTER OF CONCURRENCE FOR SETBACK WAIVER

TO: **RAHN BAHIA MAR, LLC**, a Delaware limited liability company
By: Bahia Mar Manager, LLC, a Delaware limited liability company
By: J. Kenneth Tate, Manager
(Owner/Applicant)

801 Seabreeze Blvd, Bldg. 8349, #R
Fort Lauderdale, FL 33316
(address of project)

File No.: **06-082328-009**

FROM: **CITY OF FORT LAUDERDALE**
By: Lee R. Feldman, City Manager
100 North Andrews Avenue, Floor 7
Fort Lauderdale, FL 33301

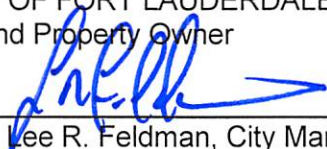
Section 18-21.004(3)(d), Florida Administrative Code, provides:

Except as provided herein, all structures, including mooring pilings, breakwaters, jetties and groins, and activities must be set back a minimum of 25 feet inside the applicant's riparian rights lines. Marginal docks, however, must be set back a minimum of 10 feet. Exceptions to the setbacks are: private residential single-family docks or piers associated with a parcel that has a shoreline frontage of less than 65 feet, where portions of such structures are located between riparian lines less than 65 feet apart, or where such structure is shared by two adjacent single-family parcels; utility lines; bulkheads, seawalls, riprap or similar shoreline protection structures located along the shoreline; structures and activities previously authorized by the Board; structures and activities built or occurring prior to any requirement for Board authorization; **when a letter of concurrence is obtained from the affected adjacent upland riparian owner;** or when the Board determines that locating any portion of the structure or activity within the setback area is necessary to avoid or minimize adverse impacts to natural resources.

I hereby state, as City Manager of the CITY OF FORT LAUDERDALE, that the CITY OF FORT LAUDERDALE IS the owner of the Adjacent Upland Riparian Property located to the south of the facility or activity proposed to be constructed or conducted by Rahn Bahia Mar, LLC, a Delaware limited liability company, (the Applicant/Owner) (Broward County Property Appraiser's Folio # 5042 12 27 0-012) as shown in the above referenced file (and on the attached drawing). By Resolution No. 16-95 the City Manager, Lee R. Feldman, has been granted authority to execute this Letter of Concurrence for Setback Waiver on behalf of the CITY OF FORT LAUDERDALE, Adjacent Upland Riparian Property Owner. The CITY OF FORT LAUDERDALE, Adjacent Upland Property Owner, understands **that the subject project will be located within the riparian rights area of 801 Seabreeze Blvd, Fort Lauderdale and I do not object to the proposed activity being located within the area required as a setback distance from the common riparian rights line, as required by Chapter 18-21.004(3)(d), F.A.C.** This file shows the dredging will be located entirely within the Applicant's/Owner's riparian rights area and within 0.0 feet of the common riparian rights line between our parcels.

CITY OF FORT LAUDERDALE, Adjacent
Upland Property Owner

BY: _____


Lee R. Feldman, City Manager

6/15/16

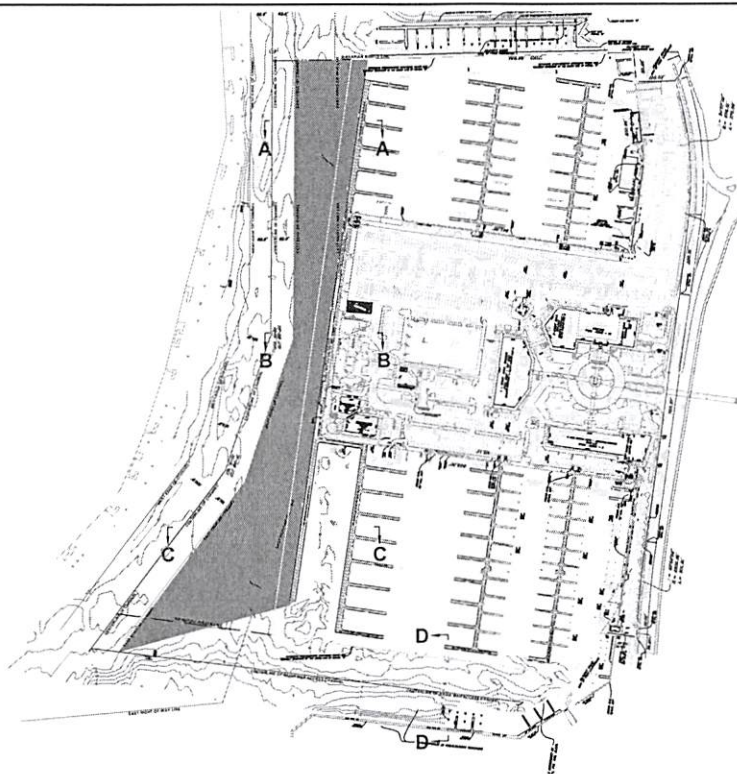
(Date signed)

Approved as to Form:
Cynthia A. Everett, City Attorney


By: _____


Robert B. Dunckel, Assistant City Attorney

L:\Marine\2016\Bahia Mar Dredging\Bahia Mar waiver.1clean.doc



LEGEND

 PROPOSED DREDGING TO (-)15' + 2' MLW
(±294,139ft² ±54,470yds³)

FDEP LETTER OF CONCURRENCE
FOR SETBACK WAIVER

INITIALS OF ADJACENT OWNER: _____
DATE: _____

TER CONTAINS
ELL GROUP, INC.
DEMAND AND
ED REVEALED
N THAT FOR
OUT EXPRESSED
UP, INC.

THE Chappell GROUP
7114 East McLeod Road
Pompano Beach, Florida 33060
tel: 954.782.1100 fax: 954.782.1100
www.thechappellgroup.com

- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- TSE Species Surveys
- Phase I ESAs

BAHIA MAR
PREPARED FOR:
RAHN BAHIA MAR, LLC

DF-2 KEY SHEET

Date: 3-15-10	Sheet: 1	of: 1
Proj No: 15-0020		