

ITEM VIII

MEMORANDUM MF NO. 17-18

DATE: June 21, 2017

TO: Marine Advisory Board

FROM: Andrew Cuba, Manager of Marine Facilities

RE: July 6, 2017 MAB - Dock Waiver of Distance Limitations
–Deborah Snyder / 2009 SE 21st Avenue

Attached for your review is a revised application from Deborah Snyder / 2009 SE 21st Avenue (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicants are requesting approval for the installation of a a +/- 653 square foot 'L' dock and boat lift extending a maximum of +/- 84.0' from the property line into the waterway. The distances these proposed structure would extend from the property line into Lake Mabel are shown in the survey in **Exhibit 1** and summarized in Table 1 below:

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
(1) L-Dock	+/-84.0'	25'	+/-59.0'
Boat Lift	+/-76.9'	25'	+/-51.9'

Sections 47-19.3 C limits the maximum distance of mooring structures, including docks and boatlifts, to 25% of the width of the waterway, or 25%, whichever is less, from the property line. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has indicated that the dock and boat lift are necessary to safely moor resident's vessels, especially during high wind and severe weather, as the location is not in a no-wake zone. In addition, applicant indicates that constant movement of sand at this location justifies requested extension of the dock.

PROPERTY LOCATION AND ZONING

The property is located within the Harbour Heights RS-8 Residential Single Family Low/Medium Density Zoning District. It is situated on Lake Mabel, adjacent to the ICW

where the width between property lines from shoreline to shoreline exceeds 1000', according to the narrative provided in **Exhibit 1**.

DOCK PLAN AND BOATING SAFETY

Records reflect that there has been one (1) waiver of docking distance limitations approved by the City Commission within close proximity since 2011:

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
2011	1801 SE 21 st Avenue	65'

RECOMMENDATIONS

Should the Marine Advisory 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, 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 appropriate City staff with copies of "As Built" drawings from a certified and licensed contractor.
3. The applicant is required to install and affix reflector tape to the proposed boat lift guide poles 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
Jon Luscomb, Supervisor of Marine Facilities

EXHIBIT I
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: Deborah Snyder

TELEPHONE NO: 954 562-2712
(home) (business)

FAX NO. debbiesnyder@mac.com

2. APPLICANT'S ADDRESS (if different than the site address):
3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: The applicant requests a waiver for the proposed construction of an "L" dock and a boat lift beyond 25 feet from the property line.

SITE ADDRESS: 2009 SE 21st Avenue, Fort Lauderdale Florida 33316

4. ZONING: RS-8

LEGAL DESCRIPTION: HARBOUR HEIGHTS ADD 35-21 B LOT 35,36 BLK 7

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).

Warranty Deed, Project Plans, Site Photographs, Survey, Aerial Exhibit

Debbie Snyder 4-30-2017
Applicant's Signature Date

The sum of \$ _____ was paid by the above-named applicant on the _____ of _____, 2017 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 _____

EXHIBIT II

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**EXHIBIT III
WARRANTY DEED**

PREPARED BY / PLEASE RETURN TO:

Gladstone & Weissman, P.A.
101 Renaissance Centre
101 N. Federal Highway, Ste. 702
Boca Raton, Florida 33432

Property Appraiser's Parcel ID #:
5042 13 10 1400

Quit-Claim Deed

This Quit-Claim Deed, is executed this 14th day of JANUARY, 2014, by DEBORAH LEE BANKS n/k/a DEBORAH LEE SNYDER, a married woman, whose address is 2009 SE 21st Avenue, Fort Lauderdale, Florida 33316 and MILLARD GILBERT SNYDER, III, a married man, whose last known address is 350 West Copans Road, Pompano Beach, Florida 33064, hereinafter collectively referred to as "Grantors", to DEBORAH LEE SNYDER, a single woman, whose address is 2009 SE 21st Avenue, Fort Lauderdale, Florida 33316, hereinafter referred to as "Grantee."

***Witnesseth**, that the Grantors, for and in consideration of the sum of \$10.00 in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the Grantee, all right, title, interest, and claim which the Grantors have in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Broward, State of Florida, to wit:*

2009 SE 21st Avenue, Fort Lauderdale Florida 33316 and more fully described as:

Lots 35 and 36, Block 7, HARBOUR HEIGHTS ADDITION, according to the Plat thereof, recorded in Plat Book 35, Page 21, of the Public Records of Broward County, Florida

This Quit Claim Deed is conveyed in connection with a Marital Settlement Agreement between Deborah Lee Snyder and Millard Gilbert Snyder, III, filed in the Circuit Court of Broward County, Florida, Case Number 13-00695 (37) (91).

***To Have And Hold** the same, together with all and singular the appurtenances thereunto, of all interest, equity and claim whatsoever the Grantors may have, either in law or equity, for the proper use, benefit and behalf of the Grantee forever.*

***In Witness Whereof**, the Grantors have signed and sealed these presents the day and year first above written.*

(2)

Parcel ID #5042 13 10 1400

Property Address: 2009 SE 21st Avenue, Fort Lauderdale FL 33316

Signed, sealed and delivered in presence of:

Kim E. Williams
Witness #1 Name: KIM E. WILLIAMS

Melissa Rivera
Witness #2 Name: Melissa Rivera

Deborah Lee Snyder
DEBORAH LEE SNYDER

Nicolette Hines
Witness #1 Name: Nicolette Hines

Millard Gilbert Snyder, III
MILLARD GILBERT SNYDER, III

Andrea Berman
Witness #2 Name: Andrea Berman

State of Florida)
County of _____) ss.

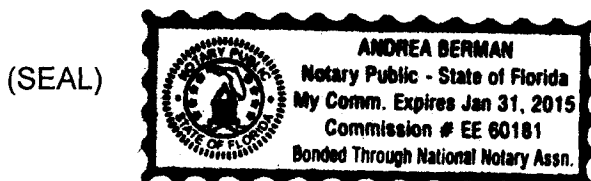
The foregoing instrument was acknowledged by me this 14TH day of JANUARY 2014, by DEBORAH LEE SNYDER, who is personally known by me or who has produced: N.D.L. as identification and who did / did not take an oath.



Paul G. Moly
NOTARY PUBLIC, State of Florida
My Commission Expires: _____

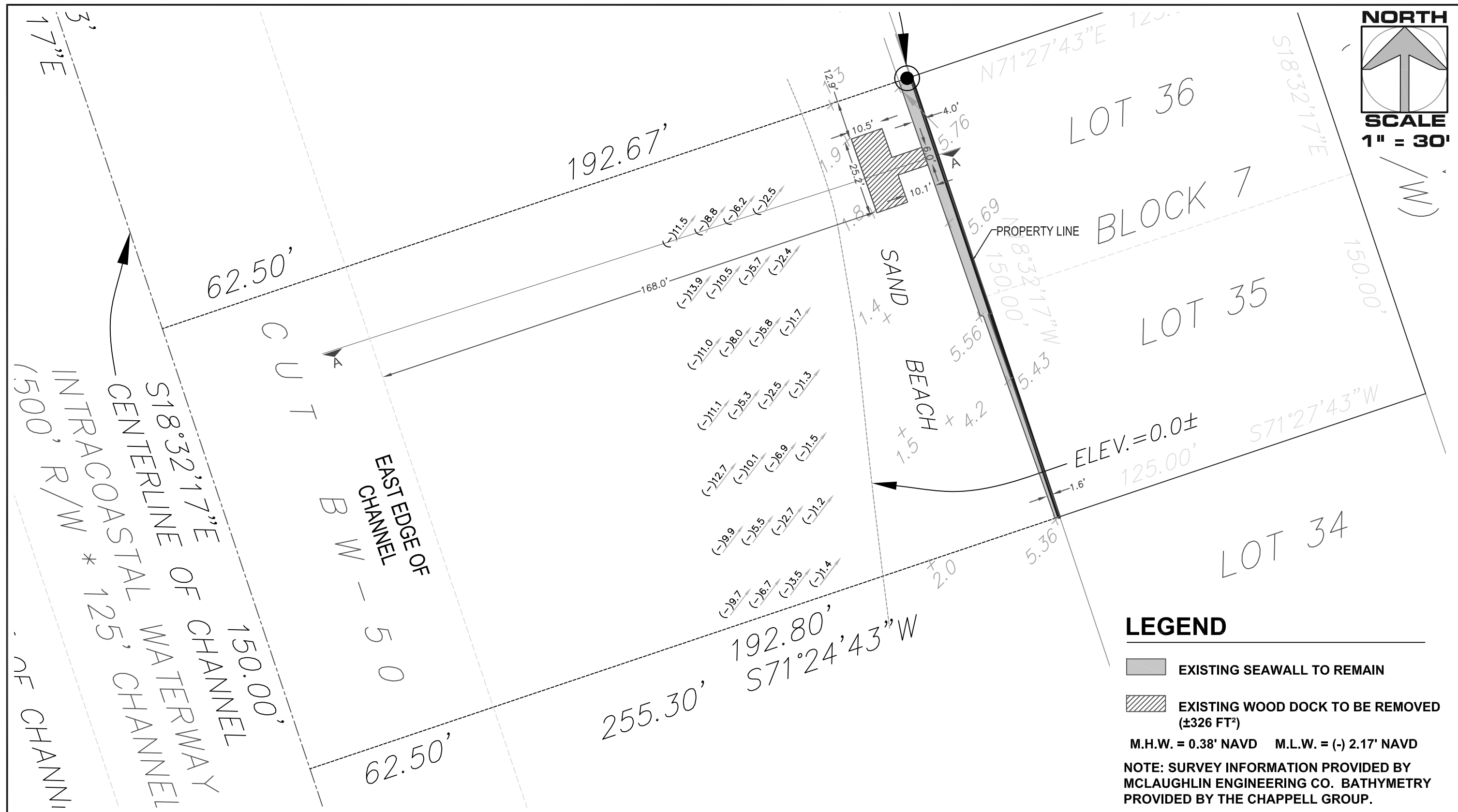
State of Florida)
County of Broward) ss.

The foregoing instrument was acknowledged by me this 10 day of January, 2014, by MILLARD GILBERT SNYDER, III, who is personally known by me or who has produced: _____ as identification and who did / did not take an oath.

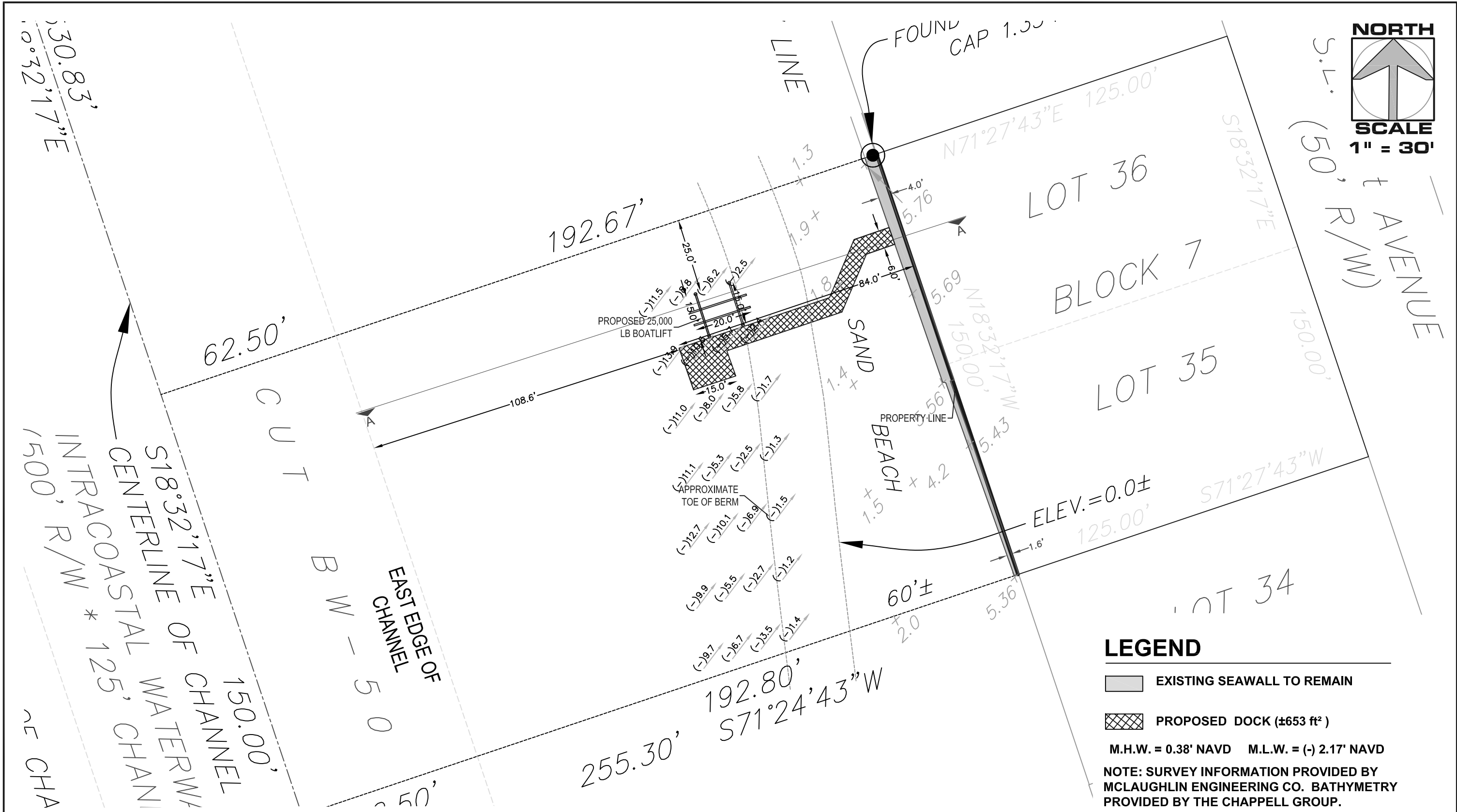


Andrea Berman
NOTARY PUBLIC, State of Florida
My Commission Expires: _____

EXHIBIT IV PROJECT PLANS



THIS DRAWING AND ALL APPURTENANT MATTER CONTAINS INFORMATION PROPRIETARY TO THE CHAPPELL GROUP, INC. AND IS LOANED SUBJECT TO RETURN UPON DEMAND AND MUST NOT BE REPRODUCED, COPIED, LOANED, REVEALED, NOR LISTED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS SPECIFICALLY FURNISHED WITHOUT EXPRESSED WRITTEN CONSENT OF THE CHAPPELL GROUP, INC. © THE CHAPPELL GROUP, INC. 2017	 714 East McNab Road Pompano Beach, Florida 33060 tel. 954.782.1908 fax. 954.782.1108 www.thechappellgroup.com	<ul style="list-style-type: none">• <i>Environmental Consultants</i>• <i>Marina & Wetland Permitting</i>• <i>Mitigation Design & Monitoring</i>• <i>T&E Species Surveys</i>• <i>Phase I ESAs</i>	2009 SE 21ST ST			EXISTING CONDITIONS		
			PREPARED FOR:					
			MS. DEBBIE BANKS-SNYDER					
			Date: 6/20/2017		Sheet : 1		of : 4	
			Proj No.: 17-0010					



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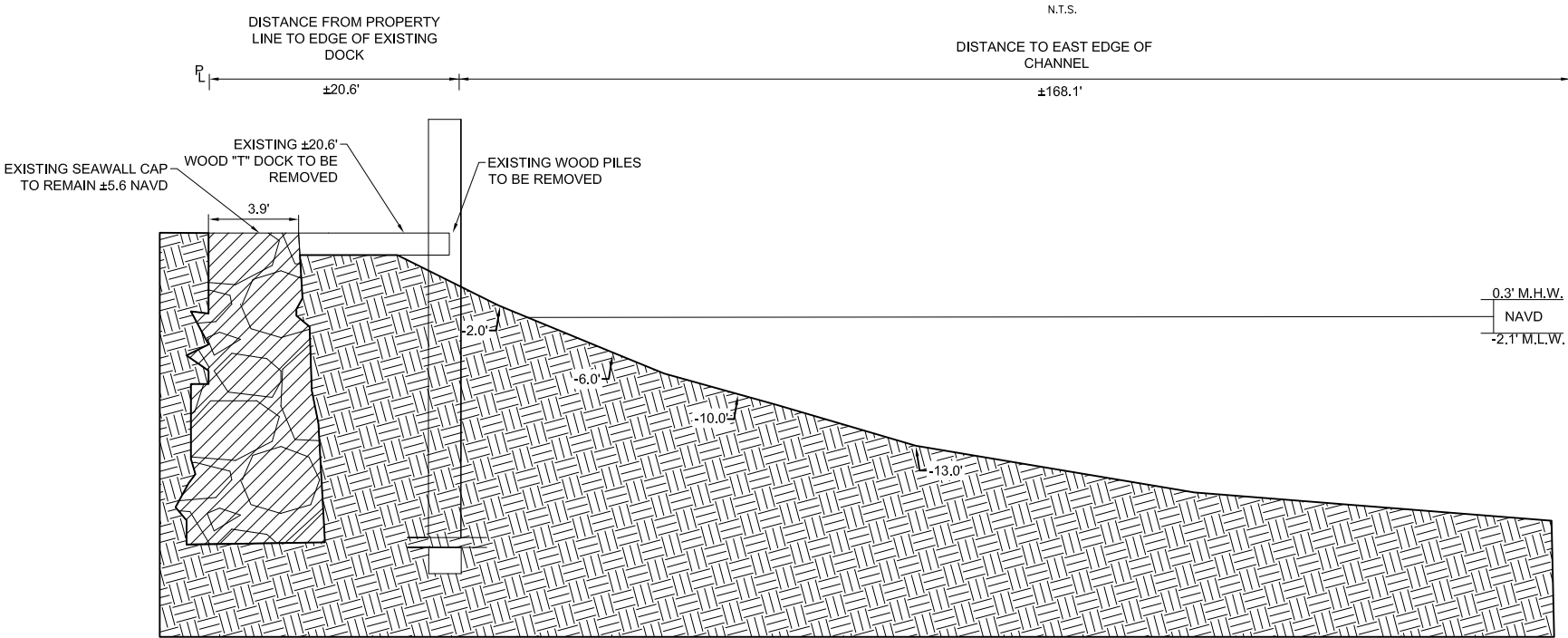
- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Phase I ESAs

2009 SE 21ST ST

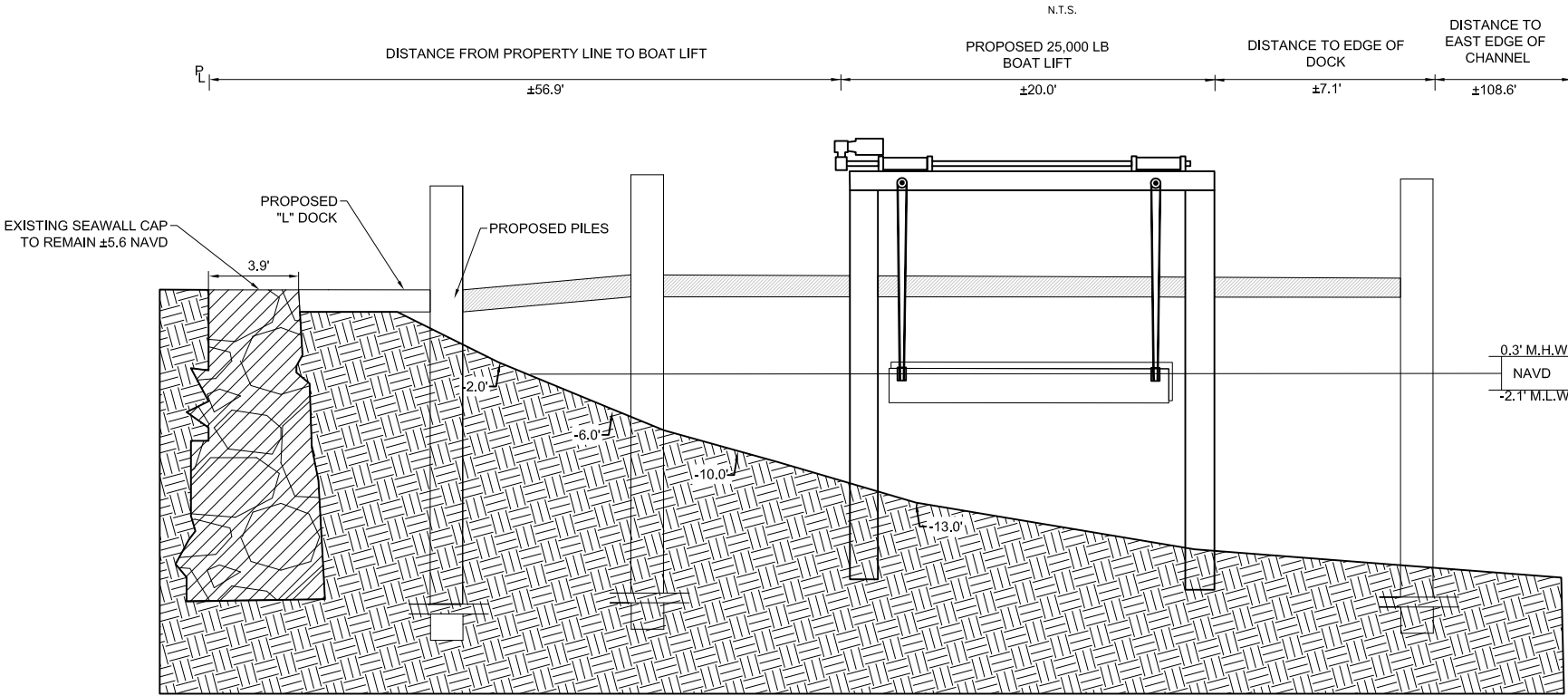
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MS. DEBBIE BANKS-SNYDER

PROPOSED CONDITIONS		
Date: 6/20/2017	Sheet : 2	of : 4
Proj No.: 17-0010		

EXISTING CONDITIONS A-A (TYP.)



PROPOSED CONDITIONS A-A (TYP.)



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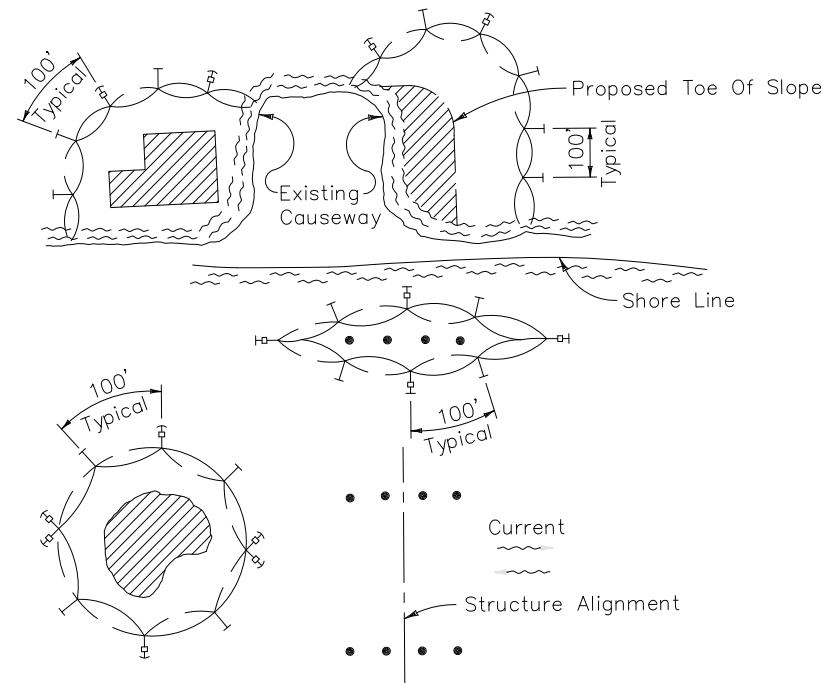
2009 SE 21ST ST

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MS. DEBBIE BANKS-SNYDER

SECTIONS

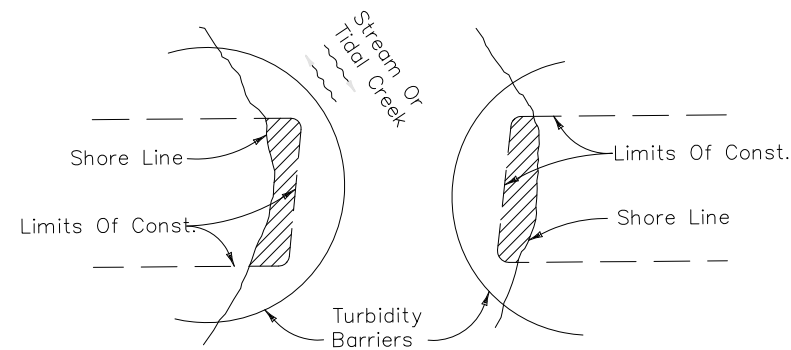
Date: 6/20/2017	Sheet : 3	of : 4
Proj No.: 17-0010		

CONSTRUCTION BARGE (TYP.)



LEGEND

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

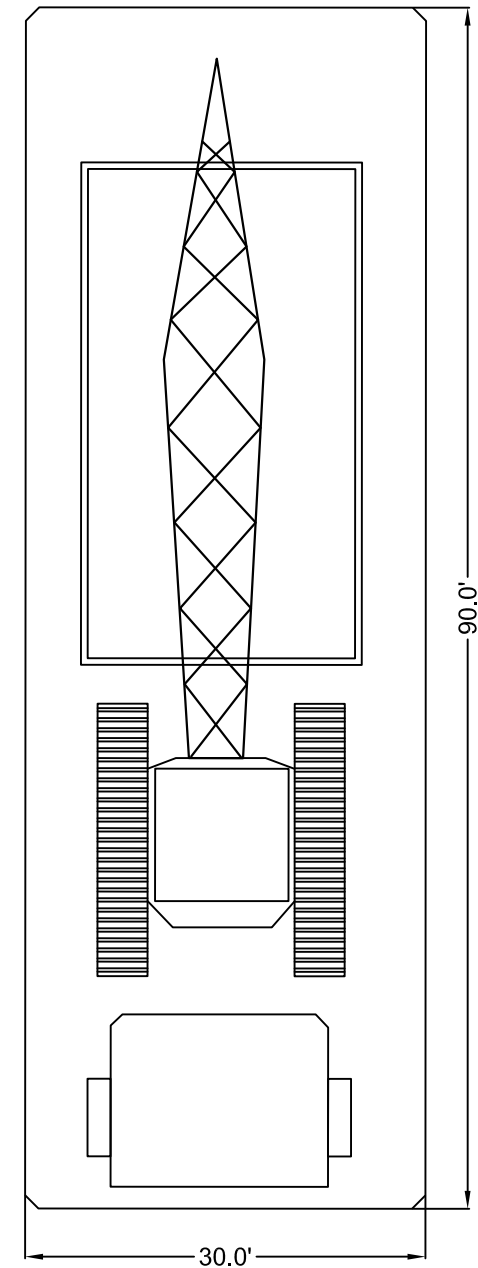


Note:
Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractors option unless otherwise specified in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

NOTES:

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



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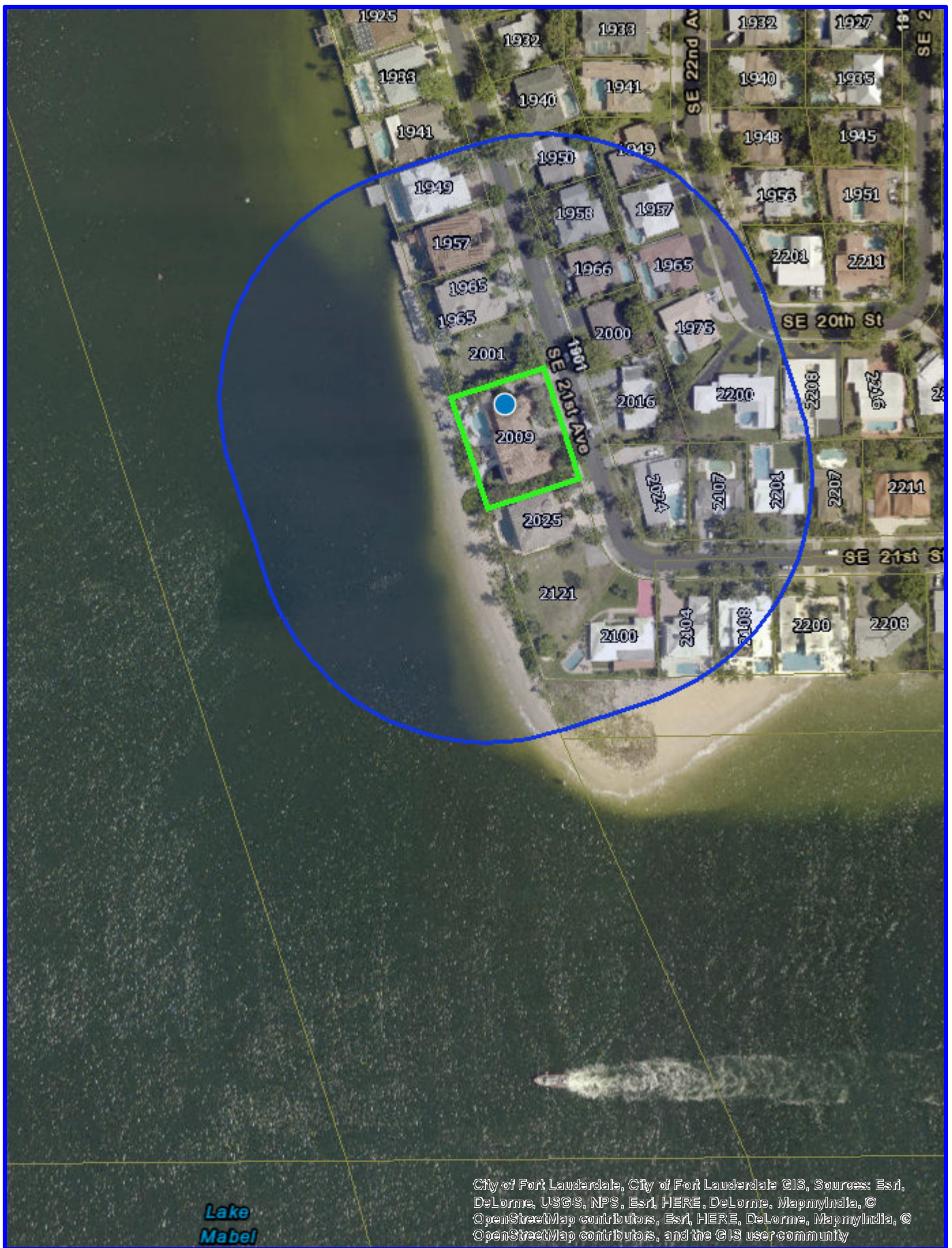
2009 SE 21ST ST

PREPARED FOR:
MS. DEBBIE BANKS-SNYDER

DETAILS

Date: 6/20/2017	Sheet : 4	of : 4
Proj No.: 17-0010		

EXHIBIT V
ZONING AERIAL



CITY OF FORT LAUDERDALE

2009 SE 21 AVE



0 90 180 Feet

GIS
Fort Lauderdale

EXHIBIT VI SUMMARY DESCRIPTION

Summary Description
2009 SE 21st Avenue
TCG Project No. 17-0010

The project site is located at 2009 SE 21st Avenue, in Section 13, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida

The property is located along the Intracoastal Waterway (ICWW), which is a tidal water. The nearest direct connection to the Atlantic Ocean is 0.6 miles to the southeast at the Port Everglades Inlet. As the project site is located along the ICWW, 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 seawall and an existing 326 ft² wood dock. The proposed project includes the removal of the wood dock, the installation of a ±653 ft² "L" dock, and installation one (1) boat lift. As measured from the property line, the proposed "L" dock and boat lift encroach more than 25' from the property line the ICWW. As these distances are over the allowable 25' distance into the waterway from the property line, the proposed dock and boat lifts will require a variance waiver.

The proposed structures are being permitted through the Broward County Environmental Protection & Growth Management Department, Florida Department of Environmental Protection, and US Army Corps of Engineers.

The following four (4) matters provide justification for this waiver request:

1. All structures will not exceed 30% of the width of the waterway.
2. Due to the extraordinary width of the waterway at this location to the closest structure (±1000'), the proposed project will not impede navigation within the Intracoastal Waterway. The proposed dock is 108' from the east edge of the channel.
3. The dock and boat lift are necessary for safely mooring vessels, as this location is not a no-wake zone, especially during high wind events and severe weather.
4. Due to the constant movement of sand at this location, it is necessary to extend the dock greater than 25' to obtain the appropriate depths to moor the vessel.

If this waiver is approved, the applicant will comply with all necessary construction requirements stated in Section 47-19.3 (C)(D)(E).

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
1 "L" Dock	±84.0'	25'	±59.0'
2 Boat Lift	±76.9'	25'	±51.9'

**EXHIBIT VII
SITE PHOTOGRAPHS**



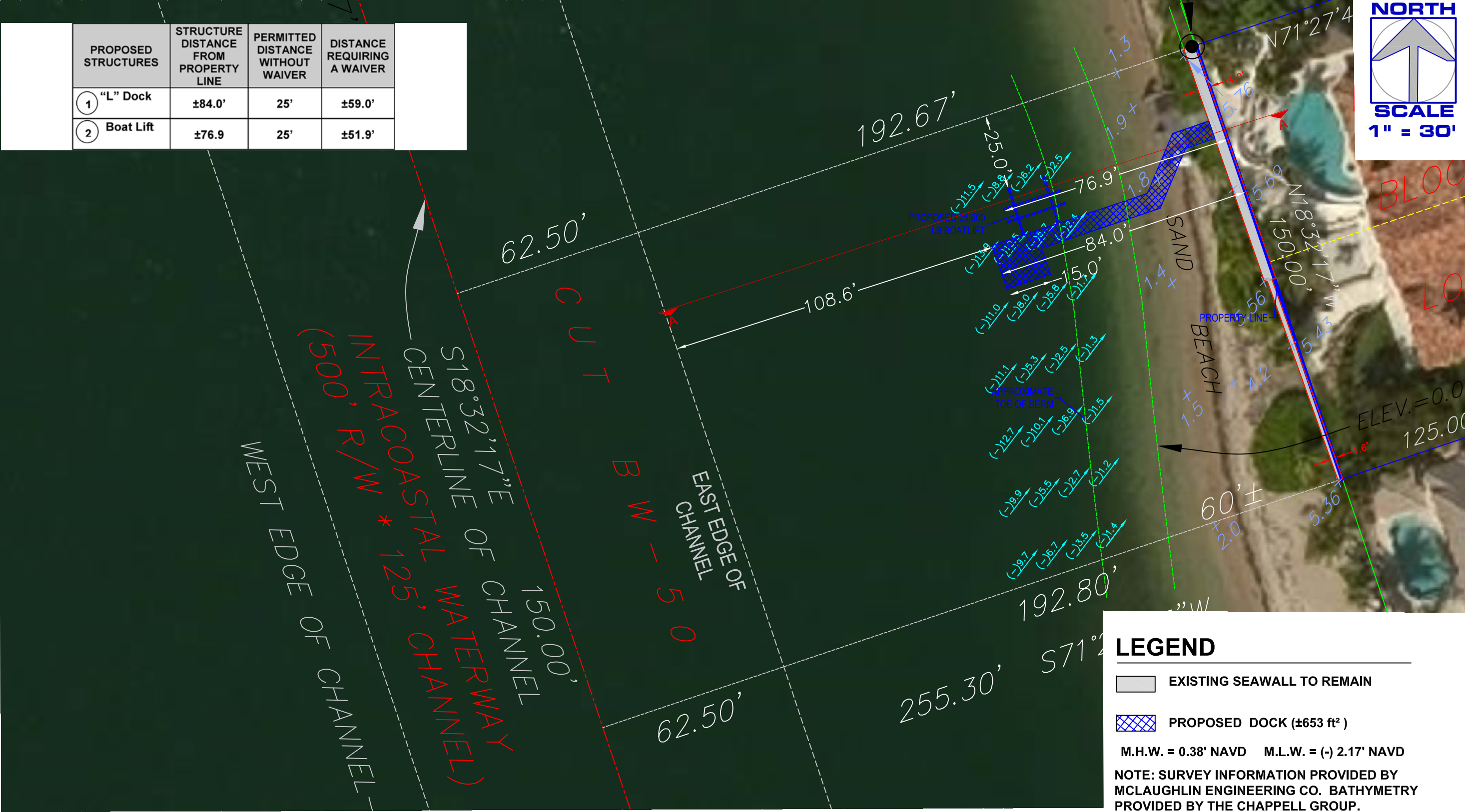
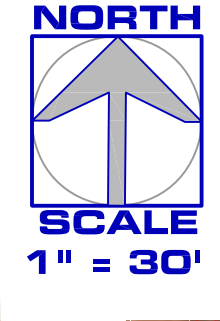
1. North corner of the subject site, facing south. Note existing wood dock.



2. South corner of the subject site, facing north.

**EXHIBIT VIII
DISTANCE EXHIBIT**

	PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
1	"L" Dock	±84.0'	25'	±59.0'
2	Boat Lift	±76.9	25'	±51.9'



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2009 SE 21ST ST

PREPARED FOR:
MS. DEBBIE BANKS-SNYDER

DISTANCE EXHIBIT		
Date: 6/20/2017	Sheet : 1	of : 1
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