

## ITEM VI

### MEMORANDUM MF NO. 17-21

DATE: August 8, 2017

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: October 5, 2017 MAB Meeting – Application for Dock Permit – Ann Fox / 827 SE 2<sup>nd</sup> Street

### APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for use, maintenance and repair of a proposed 18'2" long x 6'2" wide floating dock with a 6' long x 3' wide aluminum ramp on public property abutting the waterway adjacent to 827 SE 2<sup>nd</sup> Street (**Exhibit 1**). City Code Section 8-144 authorizes the construction and use of docks on public property, and allows for the permit to be issued for a fixed period provided the permit holder agrees to maintain the improvements and seawall.

### PROPERTY LOCATION AND ZONING

The property is located within the RMM-25 Residential Multi Family Mid Rise / Medium High Density Zoning District. The proposed floating dock would be located on the Himmarshee Canal, directly adjacent to the New River.

### ENGINEERING REVIEW REQUIREMENT

As a requirement of City Code Section 8-144, approval of the application is contingent upon all improvements to the property being maintained in accord with City Engineering standards and in full compliance with building and zoning regulations including construction permits required for any future electrical and water feeds to the property.

The granting of this Permit is subject to all of the provisions of City Code Section 8-144 as well as the following terms and conditions, violation of any of which shall be grounds for revocation of the Permit:

1. The fixed period of the Permit issued for use of the Finger Piers and Adjacent Seawall described in the application is for a period of five (5) years in accordance with City Code Section 8-144 (1). The Permit is revocable at the will of the City Commission, without cause with 90 days advance notice.
2. As a special condition, the City reserves the right to remove the proposed dock structures for replacement of the seawall in the event that this might be required during the term of the Permit as determined by the City Engineer. The sole cost of removal and replacement of the Dock shall be the responsibility of the Permit Holder. Furthermore, the Permit Holder shall be responsible for maintaining and beautifying a reasonable area in and around the dock location and failure to do so shall be grounds for revocation of this Permit.
3. As a special condition of the Permit, the Permit Holder is prohibited from erecting any signs, landscaping or fencing to restrict public access to the Dock Area except where permitted by Code. The "Dock Area" shall include the finger piers and adjoining seawall.

4. The public property abutting the waterway or Dock Area being used by the Permit Holder shall be kept open at all times as means of reasonable ingress and egress to the public, but Permit Holder shall have the right to exclude the public from a reasonable portion upon which improvements have been placed, not exceeding fifty (50%) percent of the area.
5. All improvements to the Dock Area must be in accord with City Engineering design standards and in compliance with applicable building and zoning permit requirements.
6. The Permit granted herein shall not be assignable without the written approval by Resolution adopted by the City Commission.
7. Permit Holder shall not charge or collect any rent or fees from anyone using such dock constructed on public property. No signage shall be placed upon such dock indicating it is a private dock.
8. As a special condition, vessels berthed within the Dock Area are prohibited from extending beyond the maximum distance of 30% of the width of the waterway.
9. As a special condition, vessels berthed within the Dock Area must not encroach into the easterly or westerly extension of the 5' vessel set-back required for the RMM-25 zoning district for Applicant's (Permit Holder's) Property, unless as specified in applicant's narrative a set-back waiver is granted via the City's Board of Adjustment.
10. As a special condition of the permit, in the event Permit Holder is found by the City Commission to have violated any of the above conditions or is found by the Code Enforcement Board, Special Magistrate or County Court Judge to have violated any Code sections relative to the use of the Dock Area, Dock and Mooring Piles, then the Permit granted herein may be repealed or rescinded by the City Commission upon thirty days' advance notice to the Permit Holder.
11. Use of the dock is limited to the docking of a vessel owned by the Permit Holder with a copy of the documentation showing the name and registration number of all vessels provided by the Applicant to the Supervisor of Marine Facilities.
12. The Permit Holder is prohibited from mooring any watercraft or vessel in such a manner that it is "rafted out" from any additional vessel owned or operated by the Applicant.

AC

Attachment

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

## ITEM VII

### MEMORANDUM MF NO. 17-21

DATE: August 8, 2017

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: September 7, 2017 MAB Meeting – Application for Dock Permit – Ann Fox / 827 SE 2<sup>nd</sup> Street

### APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for use, maintenance and repair of a proposed 18'2" long x 6'2" wide floating dock with a 6' long x 3' wide aluminum ramp on public property abutting the waterway adjacent to 827 SE 2<sup>nd</sup> Street (**Exhibit 1**). City Code Section 8-144 authorizes the construction and use of docks on public property, and allows for the permit to be issued for a fixed period provided the permit holder agrees to maintain the improvements and seawall.

### PROPERTY LOCATION AND ZONING

The property is located within the RMM-25 Residential Multi Family Mid Rise / Medium High Density Zoning District. The proposed floating dock would be located on the Himmarshee Canal, directly adjacent to the New River.

### ENGINEERING REVIEW REQUIREMENT

As a requirement of City Code Section 8-144, approval of the application is contingent upon all improvements to the property being maintained in accord with City Engineering standards and in full compliance with building and zoning regulations including construction permits required for any future electrical and water feeds to the property.

The granting of this Permit is subject to all of the provisions of City Code Section 8-144 as well as the following terms and conditions, violation of any of which shall be grounds for revocation of the Permit:

1. The fixed period of the Permit issued for use of the Finger Piers and Adjacent Seawall described in the application is for a period of five (5) years in accordance with City Code Section 8-144 (1). The Permit is revocable at the will of the City Commission, without cause with 90 days advance notice.
2. As a special condition, the City reserves the right to remove the proposed dock structures for replacement of the seawall in the event that this might be required during the term of the Permit as determined by the City Engineer. The sole cost of removal and replacement of the Dock shall be the responsibility of the Permit Holder. Furthermore, the Permit Holder shall be responsible for maintaining and beautifying a reasonable area in and around the dock location and failure to do so shall be grounds for revocation of this Permit.
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4. The public property abutting the waterway or Dock Area being used by the Permit Holder shall be kept open at all times as means of reasonable ingress and egress to the public, but Permit Holder shall have the right to exclude the public from a reasonable portion upon which improvements have been placed, not exceeding fifty (50%) percent of the area.
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10. As a special condition of the permit, in the event Permit Holder is found by the City Commission to have violated any of the above conditions or is found by the Code Enforcement Board, Special Magistrate or County Court Judge to have violated any Code sections relative to the use of the Dock Area, Dock and Mooring Piles, then the Permit granted herein may be repealed or rescinded by the City Commission upon thirty days' advance notice to the Permit Holder.
11. Use of the dock is limited to the docking of a vessel owned by the Permit Holder with a copy of the documentation showing the name and registration number of all vessels provided by the Applicant to the Supervisor of Marine Facilities.
12. The Permit Holder is prohibited from mooring any watercraft or vessel in such a manner that it is "rafted out" from any additional vessel owned or operated by the Applicant.

AC  
Attachment

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

# DOCK PERMIT APPLICATION

ANN MARIE FOX  
827 S.E. 2 STREET  
FORT LAUDERDALE, FLORIDA 33301

CITY CODE 8-144

AUGUST 22.2017

AUGUST 22, 2017

Ann Marie Fox  
827 S.E. 2 Street  
Fort Lauderdale, Florida 33301

DOCK PERMIT APPLICATION

EXHIBITS INDEX

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August 22, 2017

Marine Advisory Board  
City of Fort Lauderdale  
2 South New River Drive  
Fort Lauderdale, Florida 33301

Re: Dock Permit City code 8-144  
Himmarshee Canal across from 827 S.E. 2 Street

Dear Sir/ Madam,

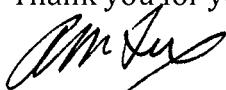
I would like to request a dock permit, City Code 8-144, on the Himmarshee Canal, directly across from my property, which is located at 827 S.E. 2 Street, Fort Lauderdale.

Historically, the property owners along the Himmarshee Canal have been permitted to build and use docks for personal use. This Greenway along the Himmarshee Canal has been named after my late husband, Richard Mancuso. It would be a great honor to enhance the Greenway further with yet another dock.

I intend to use this dock for a small boat for personal use only. I will adhere to any recommendations, rules and or laws set forth by the Marine Advisory Board and the City of Fort Lauderdale.

This package includes all documents requested for the permit application.

Thank you for your consideration,



Ann Marie Fox

**ANN MARIE FOX- MANCUSO \* 827 S.E.2 STREET \* FORT LAUDERALE, FL 33301  
954.610.0939**

**Sec. 8-144. - Private use of public property abutting waterways.**

The city commission, by resolution duly adopted, may grant a permit for the use by private persons of public property abutting or touching a waterway, including all public property described in section 8-143, except areas being utilized as municipal docks for which docking fees are being charged and collected, under the following conditions and restrictions, to-wit:

- (1) Unless a fixed period of time is prescribed in the resolution, permits shall be temporary in nature, revocable at the will of the city commission without cause. Permission granted for fixed periods of time may be conditioned upon the requirement that the permit holder shall repair, replace or maintain the adjacent seawall during the term. In such event, permission may be revoked by the city upon at least ninety (90) days of advance notice to the permit holder.
- (2) All improvements such as docks, seawalls and the like which are made or placed upon such public property by a private person shall be constructed and all maintenance and repairs shall be performed according to city engineering department standards and in compliance with building permits obtained from the building and zoning department.
- (3) The holder of the permit shall be responsible for maintaining improvements to the area and for beautifying a reasonable area in and around the dock location to be specified, and failure to do so shall be grounds for revocation of permission.
- (4) Such permits shall not be assignable without the written approval by resolution of the city commission.
- (5) The holder of such permit shall not charge or collect any rent or fees from anyone using such dock constructed on public property. No sign shall be placed upon such dock indicating it is a private dock.
- (6) A permit to a private individual to construct a dock upon public property and the acceptance and use of same by such private person shall constitute a guarantee from such private person to the city to hold the city harmless for any damage or injury to any person using such facilities.
- (7) Such street-ends or public property abutting waterways so used by a private person shall be kept open at all times as means of reasonable ingress and egress to the public, but the permit holder shall have the right to exclude the public from a reasonable portion upon which he has placed improvements (not exceeding fifty (50) percent of the area).
- (8) The violation of any provisions of this section or any regulations hereafter enacted shall constitute cause for revocation of the permit.
- (9) Upon direction of the city, the former holder of a permit shall remove at his own expense any nonfixture improvements placed by him upon public lands, whenever permission is revoked, and shall make the necessary repairs to the city property to place the same in good condition.
- (10) The resolution granting the permit may specify other terms and conditions pertaining to the use or improvement of the property.
- (11) Only public lands which are not needed by the city for public docking purposes are available for private use under the terms hereof, and the supervisor of marine facilities shall furnish to the city manager a complete list of all street-ends and other city-owned property abutting waterways which is not needed for dockage purposes from time to time.

(Code 1953, § 11-12; Ord. No. C-68-23, § 2, 6-4-68; Ord. No. C-87-95, § 1, 11-17-87)





ANN MARIE FOX  
827 SE 2ND STREET  
FT. LAUDERDALE, FL 33301

63-965  
660 905

2116

DATE

Aug 22-2016

MP

PAY TO THE  
ORDER OF

City of Ft. Lauderdale

\$ 300.00

Three Hundred 00/100

DOLLARS

Heat  
Reactive  
Ink

NORTHERN TRUST ANCHOR ACCOUNT

Fex

MP

SEE DETAILS ON BACK

This instrument prepared by:

Florida First Security Title  
2101 W. Commercial Boulevard #2800  
Fort Lauderdale, FL 33309  
3682-KP

91272748

\$ 720.00 has been Paid  
in Broward County for Documentary  
Stamp Tax as required by law.

Keith Lawrence Deputy

1991 JUL 12 PM 2:52

[Space Above This Line For Recording Date]

# Warranty Deed

(STATUTORY FORM—SECTION 689.02 F.S.)

This Indenture, made this 3rd day of JULY 19 91 Between

Edward Meyer, a single man  
of the County of Broward, State of Florida, grantor\*, and

Richard Mancuso and Ann Marie Fox, husband and wife

whose post office address is

827 SE 2nd Street, Unit A-8

of the County of

BROWARD

Fort Lauderdale, State of Florida 33301

FLORIDA

, grantee\*,

Witnesseth: That said grantor, for and in consideration of the sum of

\$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:

TOWNHOUSE Unit NO. A-8 of according and subject to the Declaration of Covenants and Restrictions of HIMMERSHEE PLACE CONDOMINIUM, recorded on December 18, 1981 in Official Records Book 9944, Page 767, of the Public Records of Broward County, Florida, which said Townhouse Unit is more particularly described as follows:

The East 15.25 feet of the West 130.00 feet of Lots 8, 9 and 10, Block 6, of BEVERLY HEIGHTS, recorded in Plat Book 1, page 30, of the Public Records of Broward County, Florida.

PARCEL IDENTIFICATION # 0211-47-008

Subject to restrictions, reservations, easements and limitations of record, if any, provided that this shall not serve to reimpose same, zoning ordinances, and taxes for the current year and subsequent years.

Said grantor does hereby fully warrant the title to said land, and will defend that same against the 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.

Carol P. Jones  
CAROL P. JONES  
Maria Taylor  
MARIA TAYLOR

Edward Meyer  
Edward Meyer

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY, FLORIDA BOOK  
9944 PAGE 767  
CELIA BRUCE  
COUNTY ADMINISTRATOR  
JUL 11 1991

STATE OF Florida  
COUNTY OF Palm Beach

I Hereby Certify that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Edward Meyer, a single man

to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

Witness: my hand and official seal in the County and State last aforesaid this

3rd

day of

JULY

19 91

Grantee

Taxpayer I.D. Number

Richard Mancuso

Ann Marie Fox

Notary Public  
My commission expires

Carol P. Jones  
OFFICIAL NOTARY SEAL  
CAROL P. JONES  
NOTARY PUBLIC, STATE OF FLORIDA  
My Commission Exp. MAY 11, 1993

BLACKSTONE Legal Supplies, Inc.  
P.O. Box 10000  
Fort Lauderdale, Florida 33310



**MARTY KIARD**  
**BROWARD**  
 COUNTY  
 PROPERTY APPRAISER

Site Address	827 SE 2 STREET, FORT LAUDERDALE FL 33301-3607	ID #	5042 11 47 0080
Property Owner	MANCUSO,ANN MARIE FOX	Millage	0312
Mailing Address	827 SE 2 ST FORT LAUDERDALE FL 33301-3607	Use	01 *
Abbreviated Legal Description	BEVERLY HEIGHTS 1-30 B E 15.25 OF W 130 OF FOL PARCEL, LOTS 8,9 & 10 BLK 6 AKA: UNIT A-8 HIMMARSHEE PLACE TOWNHOUSES		

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).

Property Assessment Values					
Click here to see 2016 Exemptions and Taxable Values as reflected on the Nov. 1, 2016 tax bill.					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2017	\$67,320	\$274,410	\$341,730	\$167,530	
2016	\$67,320	\$270,030	\$337,350	\$164,090	\$2,592.84
2015	\$67,320	\$268,620	\$335,940	\$162,950	\$2,612.00

2017 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$341,730	\$341,730	\$341,730	\$341,730
Portability	0	0	0	0
Assessed/SOH 94	\$167,530	\$167,530	\$167,530	\$167,530
Homestead 100%	\$25,000	\$25,000	\$25,000	\$25,000
Add. Homestead	\$25,000	0	\$25,000	\$25,000
Wid/Vet/Dis 1	\$500	\$500	\$500	\$500
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$117,030	\$142,030	\$117,030	\$117,030

Sales History			
Date	Type	Price	Book/Page or CIN
7/1/1991	WD	\$120,000	18558 / 764
3/1/1986	WD	\$100,000	
7/1/1982	WD	\$135,000	

Land Calculations		
Price	Factor	Type
\$40.00	1,683	SF
Adj. Bldg. S.F. (Card, Sketch)		1327
Units/Beds/Baths		1/2/2
Eff./Act. Year Built: 1982/1981		

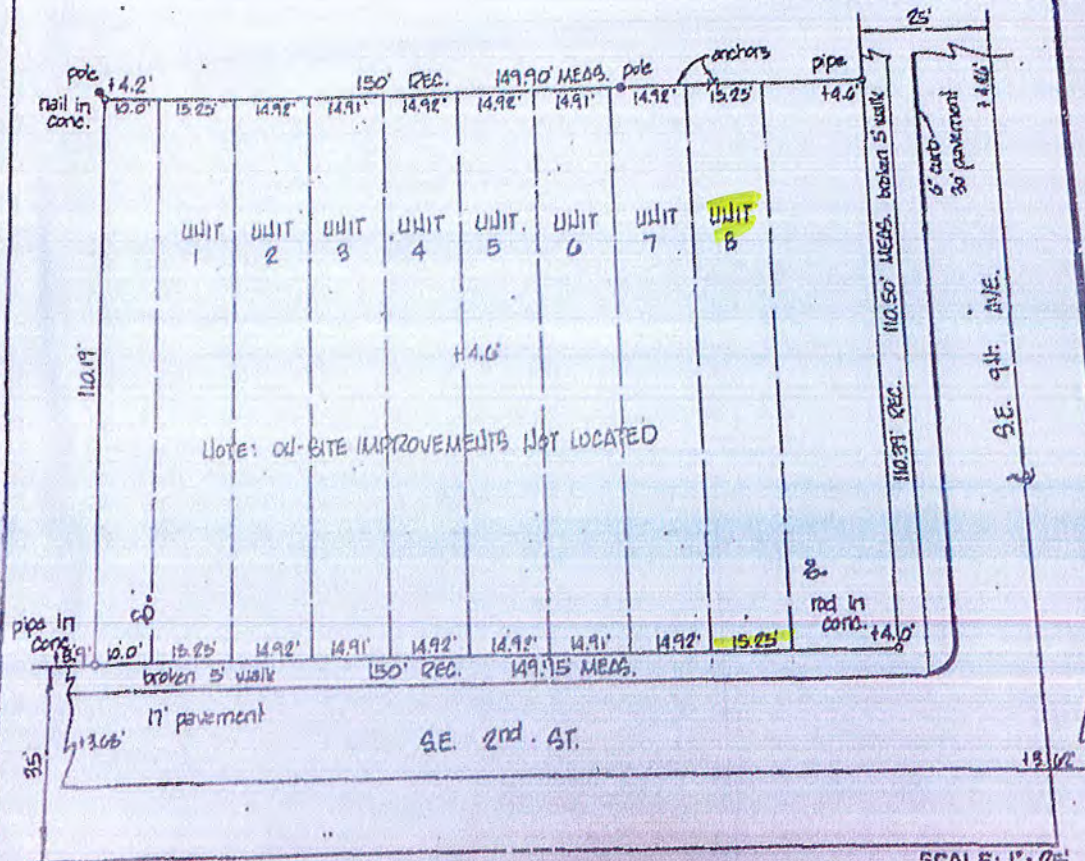
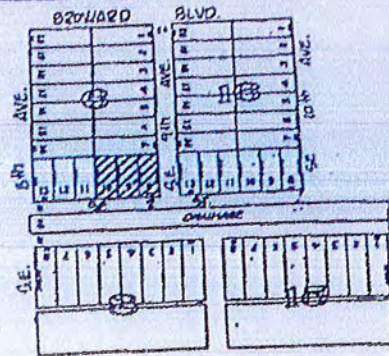
Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03								
R								
1								



R-3

## SURVEY OF

Lots 8, 9 & 10 of Block 6,  
BEVERLY HEIGHTS, as recorded  
in Plat Book 1 Page 30 of  
the Public Records of  
Broward County, Florida.



SCALE: 1" = 25'

## CERTIFICATE

THIS IS TO CERTIFY THAT I, MICKEL J. HITT, HAVE RECENTLY SURVEYED THE PROPERTY DESCRIBED IN THE FOREGOING TITLE CAPTION AND THAT THE ABOVE GROUND SURVEY AND SKETCH ARE ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM REQUIREMENTS ADOPTED BY THE FLORIDA SOCIETY OF PROFESSIONAL LAND SURVEYORS AND THE FLORIDA LAND TITLE ASSOCIATION.

VALID ONLY  
WITH  
EMBOSSSED SEAL

# 8101121 elevations	1-12-81
# 8101285 dellrose unit parcels	1-28-81

REGISTERED LAND SURVEYOR NO. 377

STATE OF FLORIDA

22419103

**DATI**

from RKG

DATE 9-12-80

**SODAS**

192-13



Deni Associates

7025 N.W. 4TH ST. • PLANTATION, FLA 33317 • (305) 584-4111

LAND SURVEYS • SUBDIVISIONS • CONSTRUCTION SURVEYS

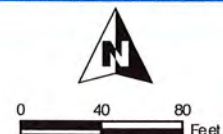




City of Fort Lauderdale, Sources: Esri, DeLorme, USGS, NPS, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors



827 SE 2 Street



**GIS**  
Fort Lauderdale





View of canal from 827 property

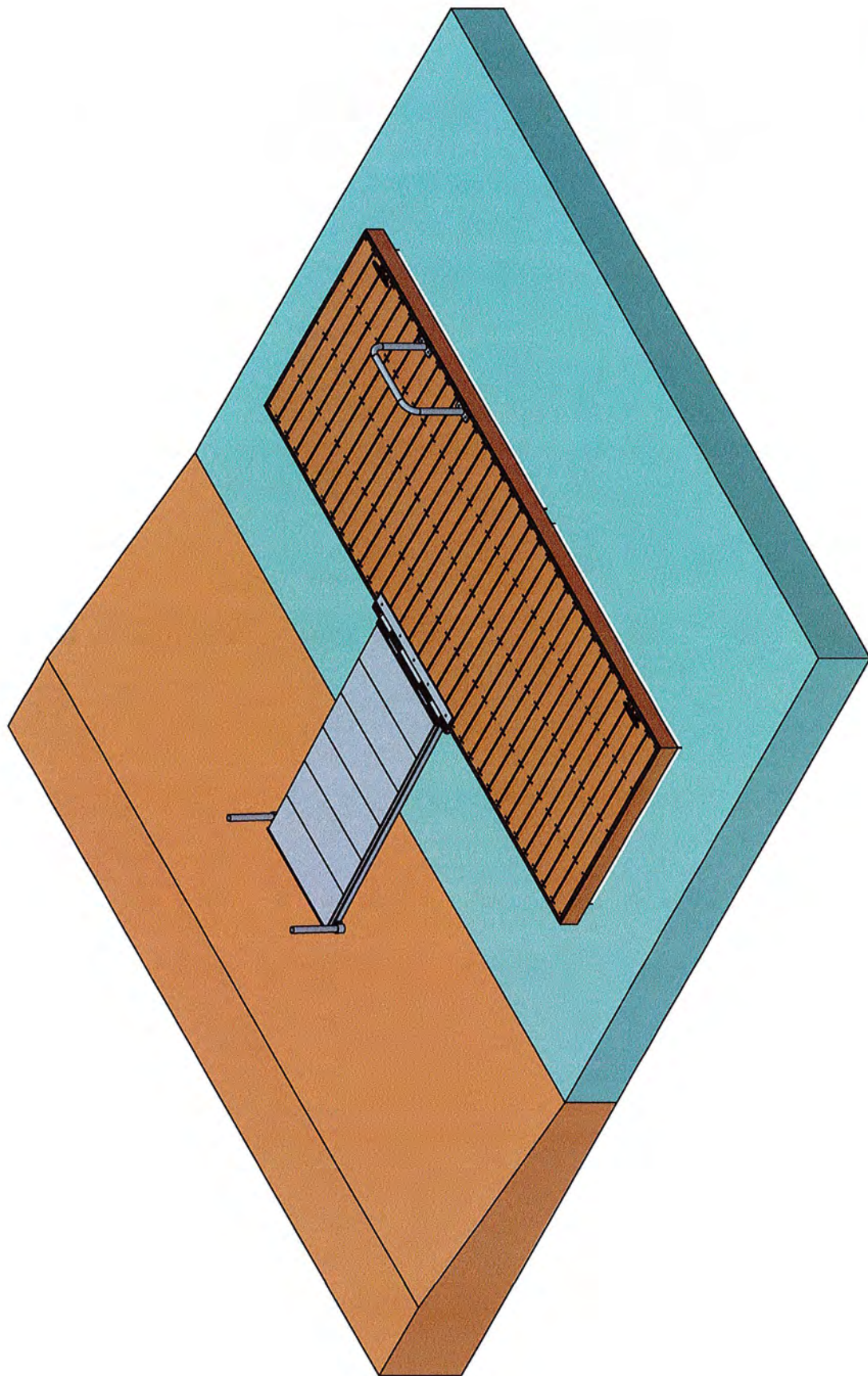




VIEW FROM CANAL to 827

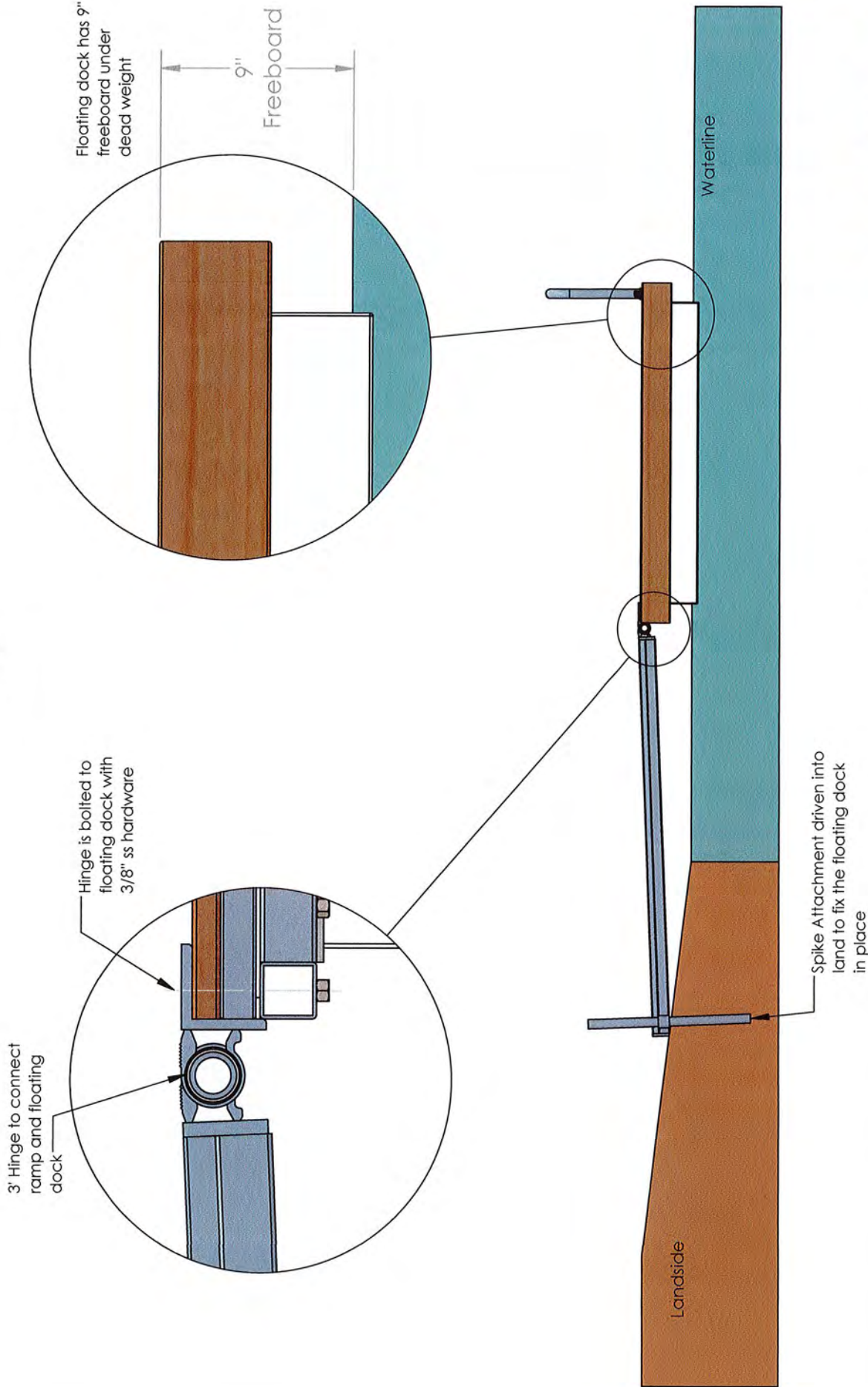




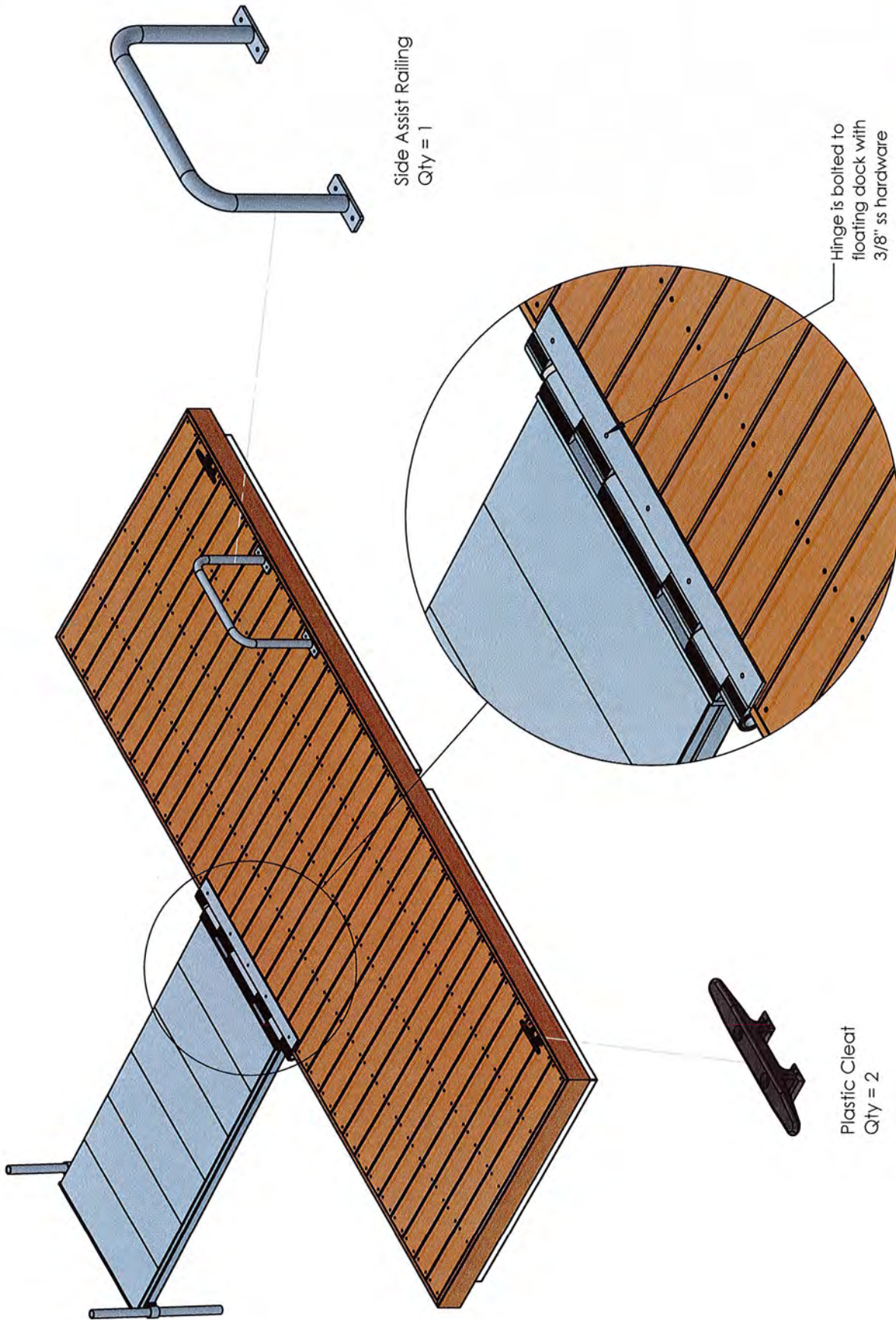




# Profile View



TYPE: 5' x 15' Floating Dock	REF: Ann Fox 827 SE 2nd St Fort Lauderdale, FL 33301					Your First Choice for Floating Dock Solutions	
		REV	1	DRAWN:	C. DiBiasio	CHECKED:	J. Harrison
		SCALE: 1:24		DATE:		08/23/17	
		SHEET 2 OF 8					



Side Assist Railing  
Qty = 1

Hinge is bolted to  
floating dock with  
3/8" ss hardware

Plastic Cleat  
Qty = 2

REV	1	DRAWN:	C. DiBlasio
SCALE:	1:30	CHECKED:	J. Harrison
SHEET	3 OF 8	DATE:	08/23/17

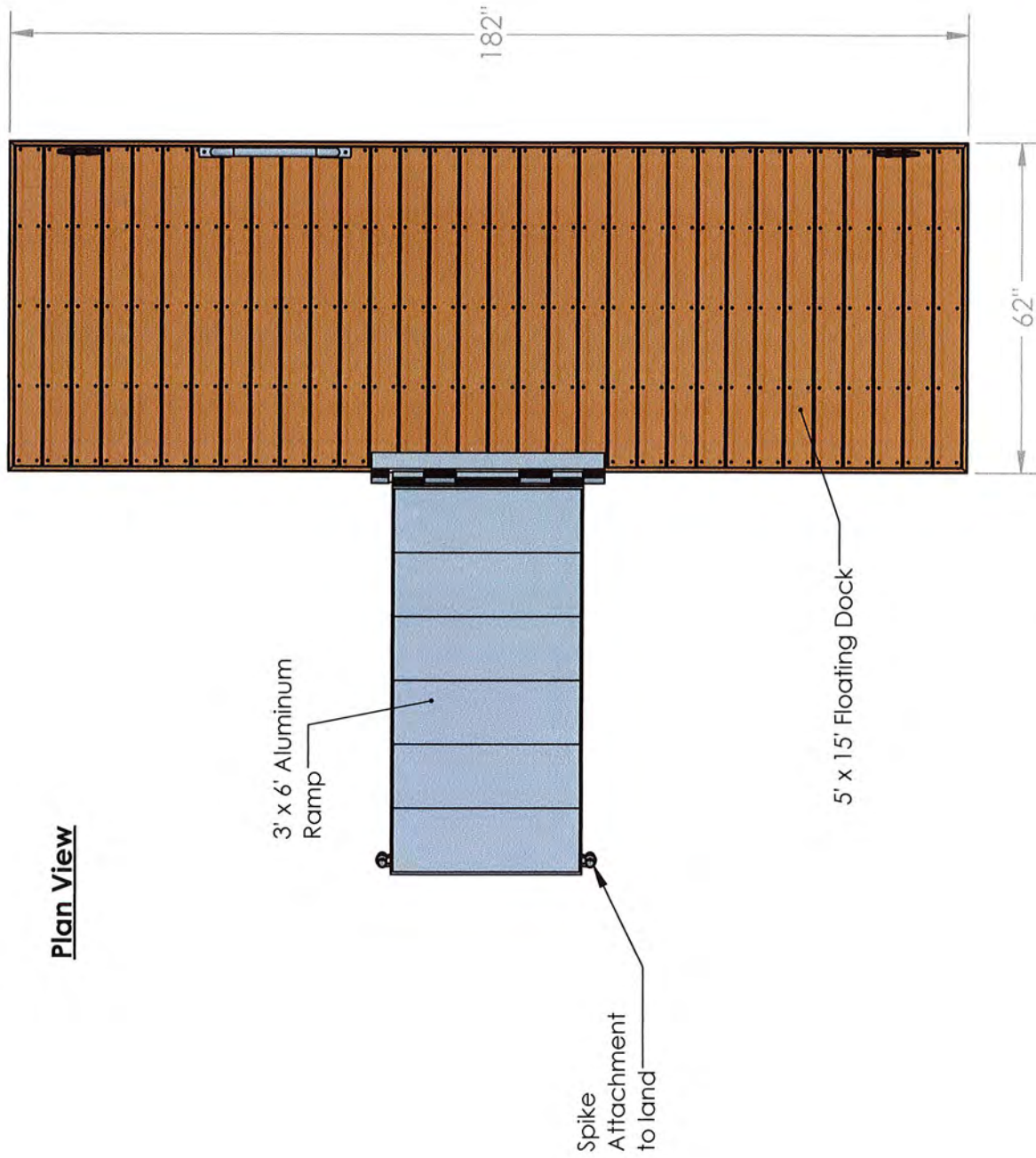
Ann Fox  
827 SE 2nd St  
Fort Lauderdale, FL 33301

TYPE: 5' x 15' Floating Dock

REF:



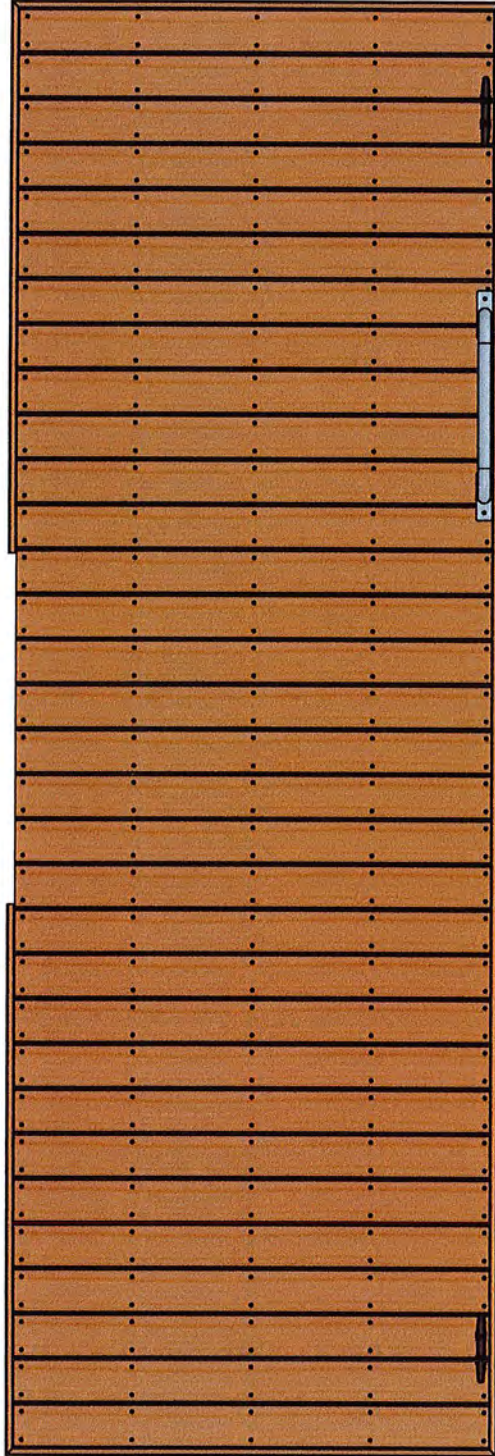
Plan View



TYPE: 5' x 15' Floating Dock	REF: Ann Fox 827 SE 2nd St Fort Lauderdale, FL 33301	REV 1 SCALE: 1:30 SHEET 4 OF 8	DRAWN: CHECKED: DATE:	C. DiBasio J. Harrison 08/23/17	 Your First Choice for Floating Dock Solutions

Decked Dock

Plan View



**Specifications of 5' x 15' Floating Dock:**

Floating Dock Weight = 585 lbs

Buoyant Force from Floats = 2,761 lbs

Rated Buoyancy = 2,176 lbs

**Recommended Live Load = 1,500 lbs or 20 lbs/ft<sup>2</sup>**

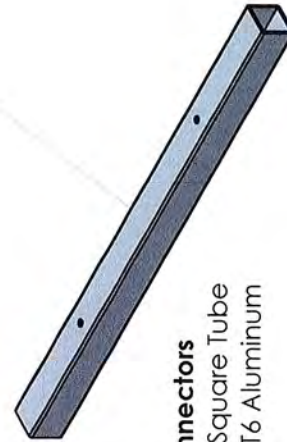
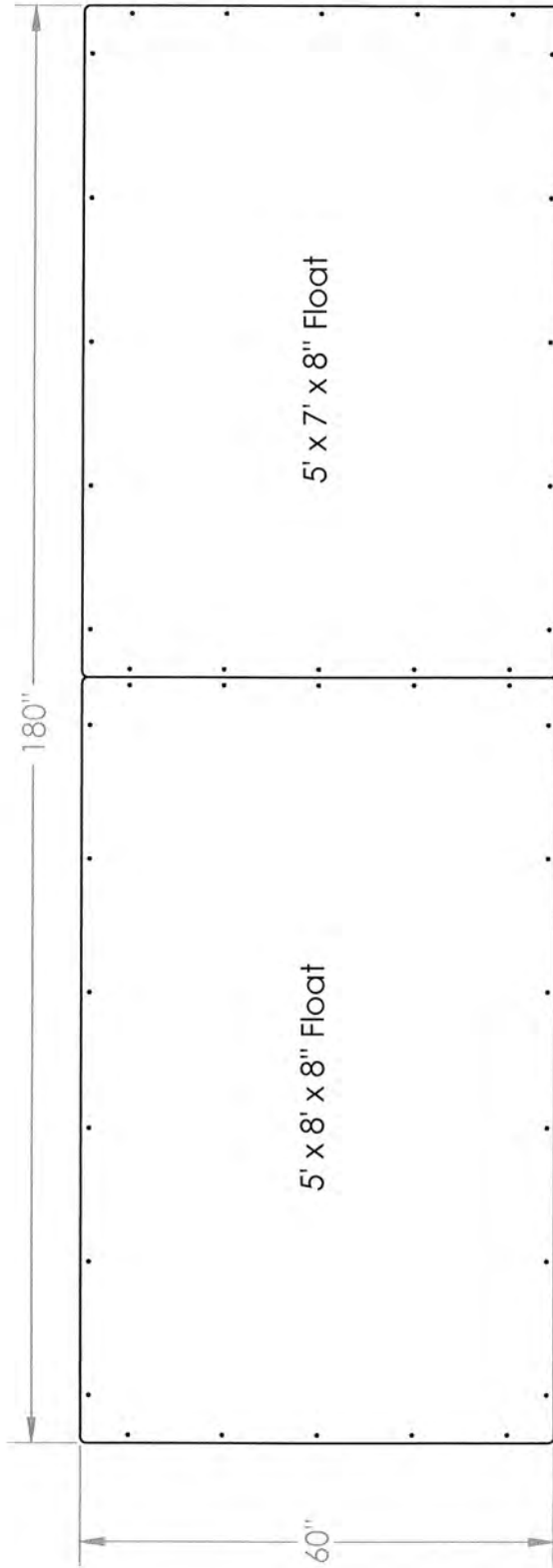
TYPE: 5' x 15' Floating Dock	REF: Ann Fox 827 SE 2nd St Fort Lauderdale, FL 33301	REV 1	DRAWN:	C. DiBlasio
			CHECKED:	J. Harrison
			DATE:	08/23/17
			SHEET 5 OF 8	



Your First Choice for Floating Dock Solutions



Float Layout  
Plan View



**S-Connectors**  
1.66" Square Tube  
6061-T6 Aluminum

TYPE: 5' x 15' Floating Dock	REF: Ann Fox 827 SE 2nd St Fort Lauderdale, FL 33301	REV 1	DRAWN: C. DiBlasio	 Your First Choice for Floating Dock Solutions
		SCALE: 1:24	CHECKED: J. Harrison	
		SHEET 6 OF 8	DATE: 08/23/17	



# Typical Floating Dock Section



REV	1	DRAWN:	C. DiBlasio
SCALE:	1:12	CHECKED:	J. Harrison
SHEET	7 OF 8	DATE:	08/23/17

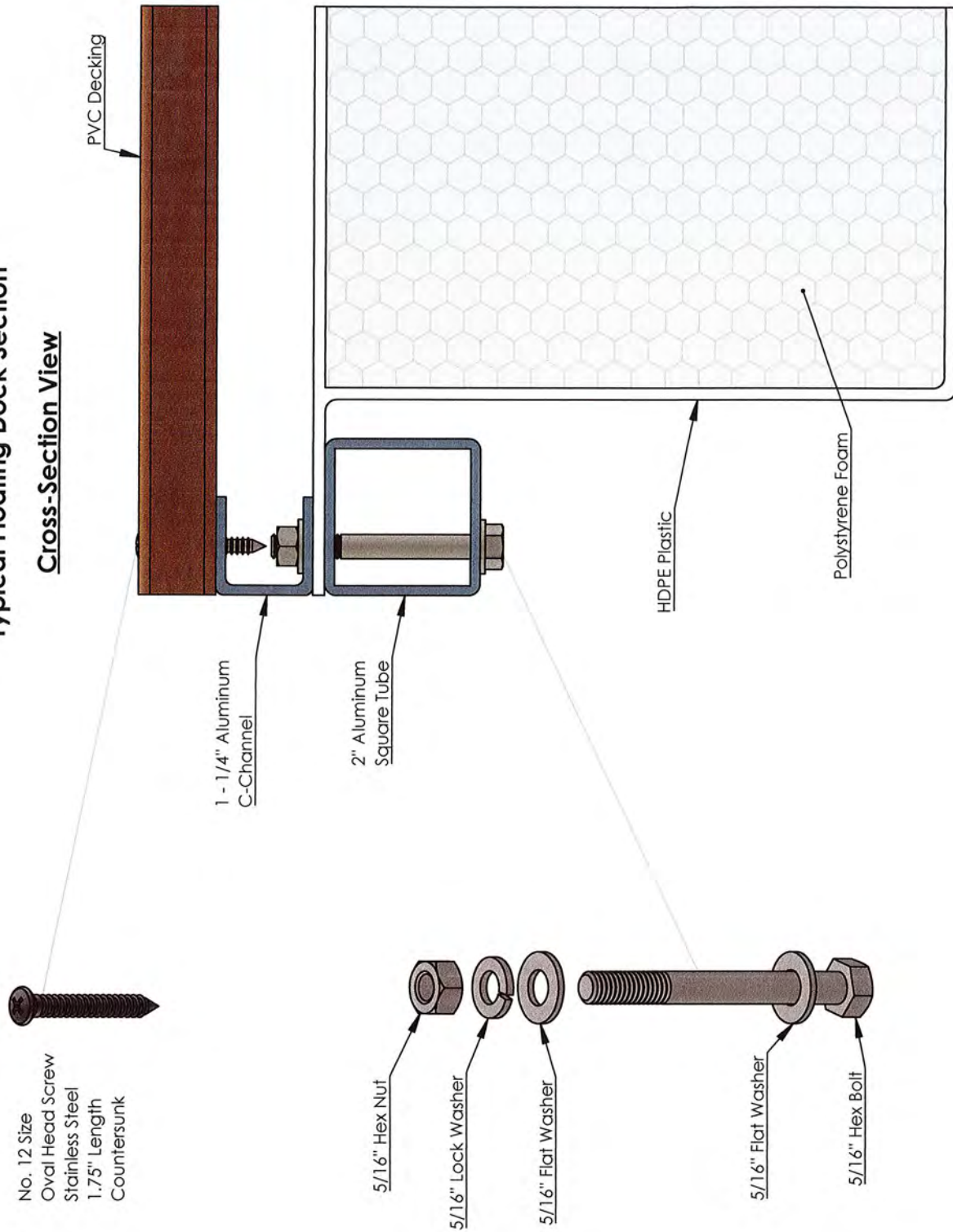
Ann Fox  
827 SE 2nd St  
Fort Lauderdale, FL 33301

TYPE: 5' x 15' Floating Dock

REF:



# Typical Floating Dock Section Cross-Section View



REV	1	DRAWN:	C. DiBlasio
SCALE:		CHECKED:	J. Harrison
SHEET	8 OF 8	DATE:	08/23/17

Ann Fox  
827 SE 2nd St  
Fort Lauderdale, FL 33301

REF:

TYPE: 5' x 15' Floating Dock