

## **REVISED**

### **MEMORANDUM MF NO. 19-06**

DATE: February 25, 2019

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: March 7, 2019 MAB Meeting – Application for Dock Permit – James D. Wilson / 333 Poinciana Drive

### **APPLICATION AND BACKGROUND INFORMATION**

The applicant is seeking approval for use, maintenance and repair of a proposed 30' long x 8' wide L- shaped dock extending a maximum of 25' from the property line into the Las Olas Bight and accessed via a 5' wide pier dock on public property abutting the waterway in proximity to 333 Poinciana Drive. 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. The application indicates that the existing seawall would be repaired and raised to the new required height.

### **PROPERTY LOCATION AND ZONING**

The property is located within the Idlewyld Isles RS-8 Residential Low Density Zoning District. The proposed L-shaped dock would be located on the Las Olas Bight, directly adjacent to the Intracoastal Waterway.

### **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 L-shaped Dock 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 dock 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' set-back required for the RS-8 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

# Dock Permit Application

333 Poinciana Dr.  
Fort Lauderdale, FL 33301

# Dock Permit Application Exhibit Index

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**VIA EMAIL AND HAND DELIVERY**

February 25, 2019

Marine Advisory Board  
City of Ft. Lauderdale  
2 South New River Drive East  
Ft. Lauderdale, Fl. 33301

**Re: 333 Poinciana Dr. (the "Property") Dock permit request**

Dear Board Members:

This application requests a permit to install one (1) – approximately 25' L-shaped dock with an access pier directly in front of the 333 Poinciana Dr. Property to be used by the owner – James Wilson. This replaces the dilapidated existing dock with essentially the same footprint while relocating the access pier from the center to the end. The existing dock is in dire need of repair and is unsafe to use. The proposed dock will be constructed in accordance with applicable code and permitting guidelines. The proposed dock will be for dockage of vessels specific to the permit holder and will not be for rental. The existing seawall will be repaired and the new seawall cap will be constructed at the new required height recently adopted by the City of Fort Lauderdale. The proposed dock will be maintained in accordance with City Guidelines.

This dock permit is requested pursuant to Section 8-144 which permits a private property owner to request a permit to construct and maintain a dock on public property abutting a waterway. The proposed location is not used for municipal purposes and is directly across from the applicant's Property.

ULDR Section Sec. 47-19.3.c provides the following:

*No boat slips, docks, boat davits, hoists, and similar mooring structures not including mooring or dolphin piles or a seawall, may be constructed by any owner of any lot unless a principal building exists on such lot and such lot abuts a waterway. Mooring structures, not including mooring or dolphin piles, shall not extend into the waterway more than twenty-five (25) percent of the width of the waterway or twenty-five (25) feet whichever is less as measured from the property line.*

Please feel free to contact me with questions or comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Courtney Callahan Crush", is located below the "Sincerely," text.

**Courtney Callahan Crush**  
For the Firm

# Application for Waterway Permits Waivers and Licenses

**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: James D. Wilson

AGENT: Crush Law, P.A. – Courtney Crush

TELEPHONE NO: \_\_\_\_\_ (954) 522 2010 FAX NO. \_\_\_\_\_  
(home) (business)

2. APPLICANT'S ADDRESS (if different than the site address):

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:  
Install 25' dock, which will be installed and maintain per all codes. Permit for use pursuant to city code of ordinances, section 8-144 Private use of Public property abutting waterway.

4. SITE ADDRESS: 333 Poinciana Dr., Fort Lauderdale, FL 33301  
ZONING: R-8

LEGAL DESCRIPTION: IDLEWYLD 1-19 B LOT 27 & N1/2 26 BLK 12

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

2/25/19

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

=====

The sum of \$ 300.00 was paid by the above-named applicant on the \_\_\_\_\_ of \_\_\_\_\_, 2019 Received by: \_\_\_\_\_

City of Fort Lauderdale

=====For Official City Use Only=====

**Marine Advisory Board Action**

Formal Action taken on \_\_\_\_\_

Recommendation \_\_\_\_\_  
Action \_\_\_\_\_

**Commission Action**

Formal Action taken on \_\_\_\_\_

# Property Tax Record





|                                    |   |                |                 |
|------------------------------------|---|----------------|-----------------|
| <b>Site Address</b>                | 333 POINCIANA DRIVE, FORT LAUDERDALE      | <b>ID #</b>    | 6042 12 02 0790 |
| <b>Property Owner</b>              | WILSON, JAMES D                           | <b>Millage</b> | 0812            |
| <b>Mailing Address</b>             | 333 POINCIANA DR FORT LAUDERDALE FL 33301 | <b>Use</b>     | 01              |
| <b>Addressed Legal Description</b> | DLEWYLD 1-19 S LOT 27 & N1/2 28 BLK 12    |                |                 |

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 2018 Exemptions and Exempt Values to be reflected on the Nov. 1, 2018 tax bill. |           |             |                     |                      |             |
| Year  | Land      | Building    | Just / Market Value | Assessed / SOH Value | Tax         |
| 2017  | \$337,500 | \$2,880,210 | \$3,217,710         | \$3,217,710          |             |
| 2018  | \$337,500 | \$2,880,210 | \$3,217,710         | \$3,217,710          | \$61,682.06 |
| 2019  | \$508,380 |             | \$508,380           | \$508,380            | \$11,804.81 |

| 2017 Exemptions and Exempt Values by Rating Authority |             |                 |             |             |
|---|-------------|-----------------|-------------|-------------|
|   | County      | School District | Municipal   | Independent |
| Just Value  | \$3,217,710 | \$3,217,710     | \$3,217,710 | \$3,217,710 |
| Portability   | 0           | 0               | 0           | 0           |
| Assessed/SOH  | \$3,217,710 | \$3,217,710     | \$3,217,710 | \$3,217,710 |
| Homestead   | 0           | 0               | 0           | 0           |
| Add. Homestead  | 0           | 0               | 0           | 0           |
| Wild/Adm  | 0           | 0               | 0           | 0           |
| Senior  | 0           | 0               | 0           | 0           |
| Exempt Type   | 0           | 0               | 0           | 0           |
| Exempt  | \$3,217,710 | \$3,217,710     | \$3,217,710 | \$3,217,710 |

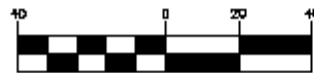
| Sales History |       |             |                  | Land Calculations              |        |        |
|---------------|-------|-------------|------------------|--------------------------------|--------|--------|
| Date          | Type  | Price       | Book/Page or CFI | Price                          | Factor | Type   |
| 2/10/2018     | WD-Q  | \$3,675,000 | 113889/278       | \$30.00                        | 11,250 | SF     |
| 8/17/2012     | WD-E  | \$650,000   | 48182 / 1007     |                                |        |        |
| 5/4/2012      | PRD-T | \$100       | 48741 / 1984     |                                |        |        |
| 8/25/2010     | TD-Q  | \$700,000   | 47348 / 1884     |                                |        |        |
| 5/10/2001     | QCD   | \$100       | 31631 / 1712     |                                |        |        |
|               |       |             |                  | Adj. Bldg. S.F. (Card, Sketch) |        | 8134   |
|               |       |             |                  | Units/Beds/Baths               |        | 1A/5.5 |

| Special Assessments |      |       |       |     |     |       |      |     |
|---------------------|------|-------|-------|-----|-----|-------|------|-----|
| Fire                | Garb | Light | Drain | Imp | Rec | Strom | Open | Rec |
| 03                  |      |       |       |     |     |       |      |     |
| R                   |      |       |       |     |     |       |      |     |
| 1                   |      |       |       |     |     |       |      |     |

### 333 Poinciana - Property Tax Record

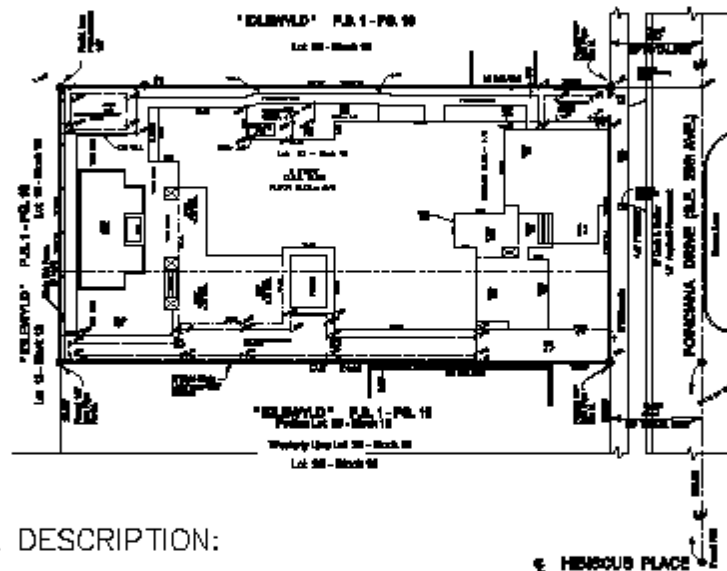
# Surveys

GRAPHIC SCALE



( IN FEET )

1 inch - 40 ft.



4 HENRICUS PLACE

PAUL A. DAVIS, INC.

LB #0007219

**Land Surveyors   Land Development Consultants   Planners**

2097 N.E. 30TH STREET # 50234 LIGHTHOUSE POINT, FL 33074

Phone: (954) 421-9101 & (954) 658-9101 fax: (954) 421-5201

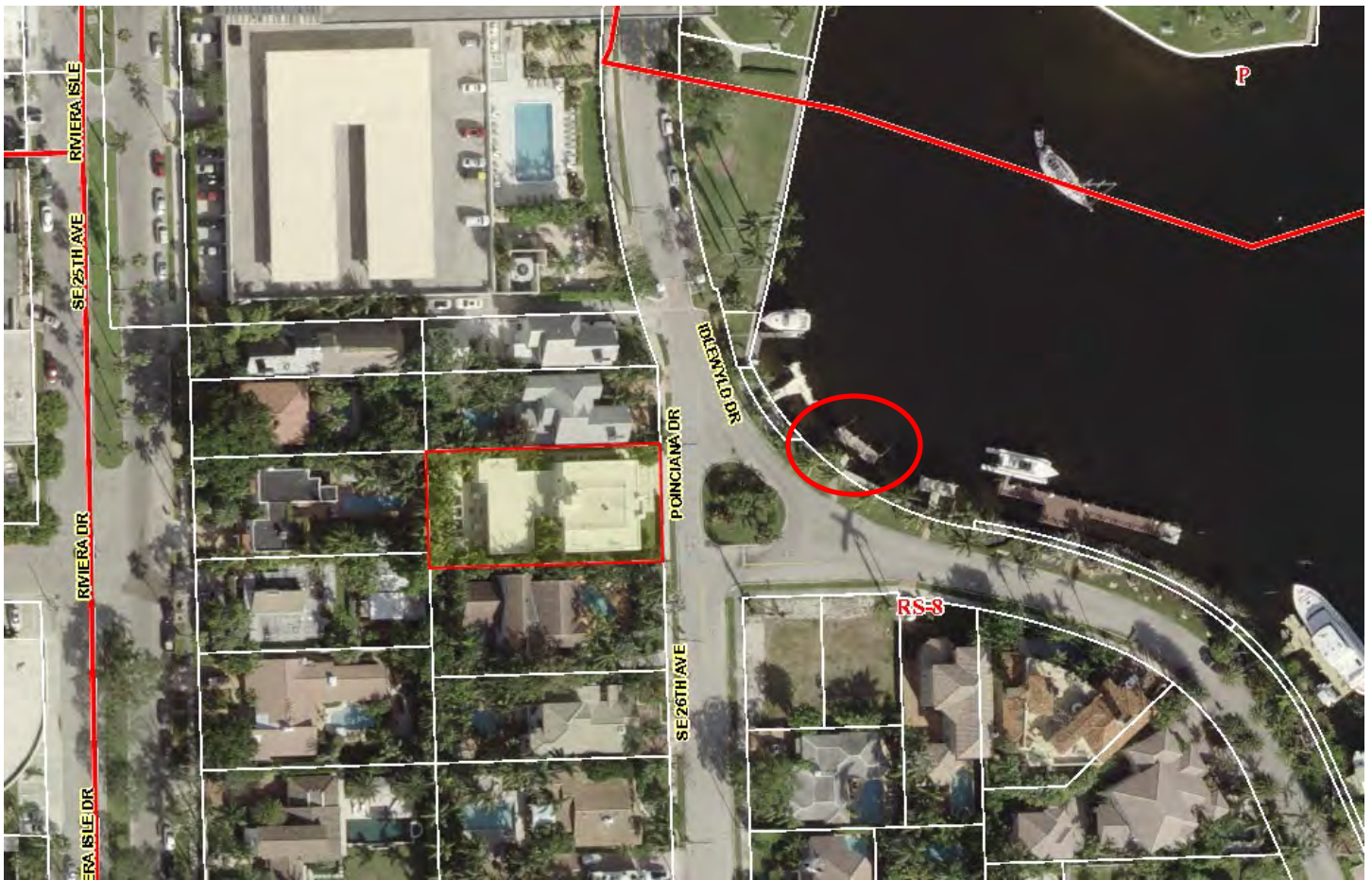


Subdivisions & Condominiums Land & Site Planning  
Lot Surveys • Mortgage Surveys • Acreage Surveys • Topographic Surveys • Record Plots • Condominium Plots • Cornerstone Layout

|                  |           |
|------------------|-----------|
|                  |           |
|                  |           |
|                  |           |
|                  |           |
| DATE             | REVISIONS |
| SCALE: 1" = 40'  |           |
| DRAWN BY: N.L.R. |           |
| DATE: XX-XX-XX   |           |
| JOB NO: XX-XXXX  |           |
| F.B./PG. N/A     |           |
| FILE             |           |
| SHEET NO. 2 OF 2 |           |



# Aerial Photographs



333 Poinciana Dr.

# Dock Photographs













## Dock Plan, Dock Sections



prepared by:  
McLAUGHLIN ENGINEERING COMPANY (LB#285)  
1700 N.W. 64th STREET, SUITE 400,  
FORT LAUDERDALE, FLORIDA 33309  
PHONE: (954) 763-7611  
FAX: (954) 763-7615

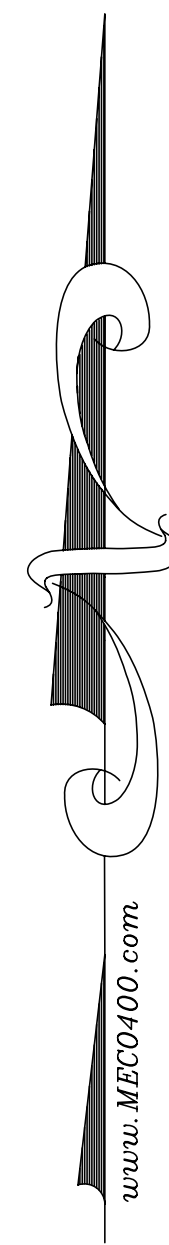
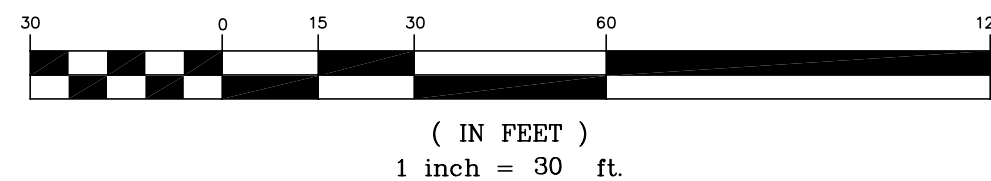
# EXHIBIT OF SEAWALL LOCATION SEAWALL LINE ADJACENT TO PORTIONS OF BLOCKS 1 AND 12, IDLEWYLD (1/19 B.C.R.)

## LEGEND

$\Delta$  = CENTRAL ANGLE (DELTA)  
R = RADIUS  
A OR L = ARC LENGTH  
CH.BRG. = CHORD BEARING  
TAN.BRG. = TANGENT BEARING  
P.O.C. = POINT OF COMMENCEMENT  
P.O.B. = POINT OF BEGINNING  
W/MCL. CAP. = WITH MCLAUGHLIN ENGINEERING CO. CAP  
P.R.M. = PERMANENT REFERENCE MONUMENT  
CONC. = CONCRETE  
C.B.S. = CONCRETE, BLOCK AND STUCCO  
I.C.V. = IRRIGATION CONTROL VALVE  
W.M. = WATER METER  
B.F.P. = BACK FLOW PREVENTOR

ELEV. = ELEVATION  
O/S = OFFSET  
A/C = AIR CONDITIONING  
C.L. = CENTERLINE OF RIGHT-OF-WAY  
F.P.L. = FLORIDA POWER AND LIGHT CO.  
S.B.T. = SOUTHERN BELL TELEPHONE  
B.C.R. = BROWARD COUNTY RECORDS  
D.C.R. = DADE COUNTY RECORDS  
P.B.R. = PALM BEACH COUNTY RECORDS  
O.R. = OFFICIAL RECORDS BOOK  
PG. = PAGE  
R/W = RIGHT-OF-WAY  
C.O. = CLEAN OUT  
C.L.F. = CHAIN LINK FENCE  
P.C.D. = POLLUTION CONTROL DEVICE

## GRAPHIC SCALE



## NOTES:

- 1) This survey reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Underground improvements if any not located.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) Boundary information does not infer Title or Ownership.
- 5) The purpose of this survey is to show the relationship of the seawalled area of New River Sound relative to portions of sad Block 1 and 12.

## Legal Description

Portions of the New river Sound seawall line adjacent to portions of Blocks 1 and 12, IDLEWYLD, according to the plat thereof, recorded in Plat Book 1, Page 19, of the public records of Broward County, Florida.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida.

## OFFICE NOTES

FIELD BOOK NO. TDS (GPS), Print

JOB ORDER NO. V-0067

CHECKED BY:

DRAWN BY: JMM

C:\JMM\2015\VO067\dwg\VO067.dwg 2/26/2019 12:43:16 PM EST

HIBISCUS PLACE

FILE NO.: 04-1-149

DATED FEBRUARY 24, 2015  
PROPOSED DOCK ADDED 2-26-19