

## ITEM V

### MEMORANDUM MF NO. 19-16

DATE: September 19, 2019

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: October 3, 2019 MAB – Application - Dock Waiver of Distance Limitations – Robert Bret & Nancy Lynn Anderson / 515 Idlewyld Drive

Attached for your review is an application from Robert Bret & Nancy Lynn Anderson, 515 Idlewyld Drive (see **Exhibit 1**).

### APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for installation of a new concrete dock and elevator - style boatlift, requiring a Dock Waiver of Distance Limitations. These structures extend a maximum distance of +/- 89.3 from the property line, which is located across the street, as shown in **Table 1**. If alternately measured from the wet face of the seawall, the maximum distance requested would be 8.2'.

**TABLE 1**

<b>PROPOSED STRUCTURES</b>	<b>STRUCTURE DISTANCE FROM PROPERTY LINE</b>	<b>PERMITTED DISTANCE WITHOUT WAIVER</b>	<b>DISTANCE REQUIRING A WAIVER</b>
<b>New Concrete Dock</b>	<b>+/-89.3'</b>	<b>25'</b>	<b>+/-64.3'</b>
<b>Elevator Boat Lift</b>	<b>+/-88.2'</b>	<b>25'</b>	<b>+/-63.2'</b>

The City's Unified Land and Development Regulations (UDLR), Sections 47-19.3.C limits the maximum distance of mooring structures at this location to 25' or 25%, whichever is less, from the property line. Section 47.19.3.E authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances. The applicant's narrative summation indicates that the boat lift is essential to protect the vessel from damage due to wave action resulting from navigational traffic.

### 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 459'.

### DOCK PLAN AND BOATING SAFETY

Marine Facilities' records reflect that there have been seventeen (17) waivers of docking distance limitations approved by the City Commission since 1986 with the most recent at 357 Idlewyld Drive approved by the City Commission at their meeting of October, 2016. A comparison of these follows:

**TABLE 2**

<b>DATE</b>	<b>ADDRESS</b>	<b>MAXIMUM DISTANCE</b>
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'
2016	357 Idlewyld Drive	71.40'

## 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.

AC  
Attachment

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

**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: Robert Bret Anderson and Nancy Lynn Anderson**

**TELEPHONE NO:** \_\_\_\_\_ **954-551-5534** **FAX NO.** \_\_\_\_\_  
(home) (business)

2. **APPLICANT'S ADDRESS** (if different than the site address):  
**515 Idlewyld Drive, Fort Lauderdale, FL 33301**

3. **TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:**  
Waiver of limitations for dock and lift

4. **SITE ADDRESS:** **515 Idlewyld Drive, Fort Lauderdale, FL 33301** **ZONING:** **RS-8**

**LEGAL DESCRIPTION:**  
**Idlewyld 1-19 B Lot 4 Blk 3**

5. **EXHIBITS** (In addition to proof of ownership, list all exhibits provided in support of the applications).  
**See attached table of contents and documents**

*Robert Anderson* 9/16/19  
Applicant's Signature Date

=====

The sum of \$ 300.00 was paid by the above-named applicant on the \_\_\_\_\_ of \_\_\_\_\_, 2018 Received by: \_\_\_\_\_

City of Fort Lauderdale

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

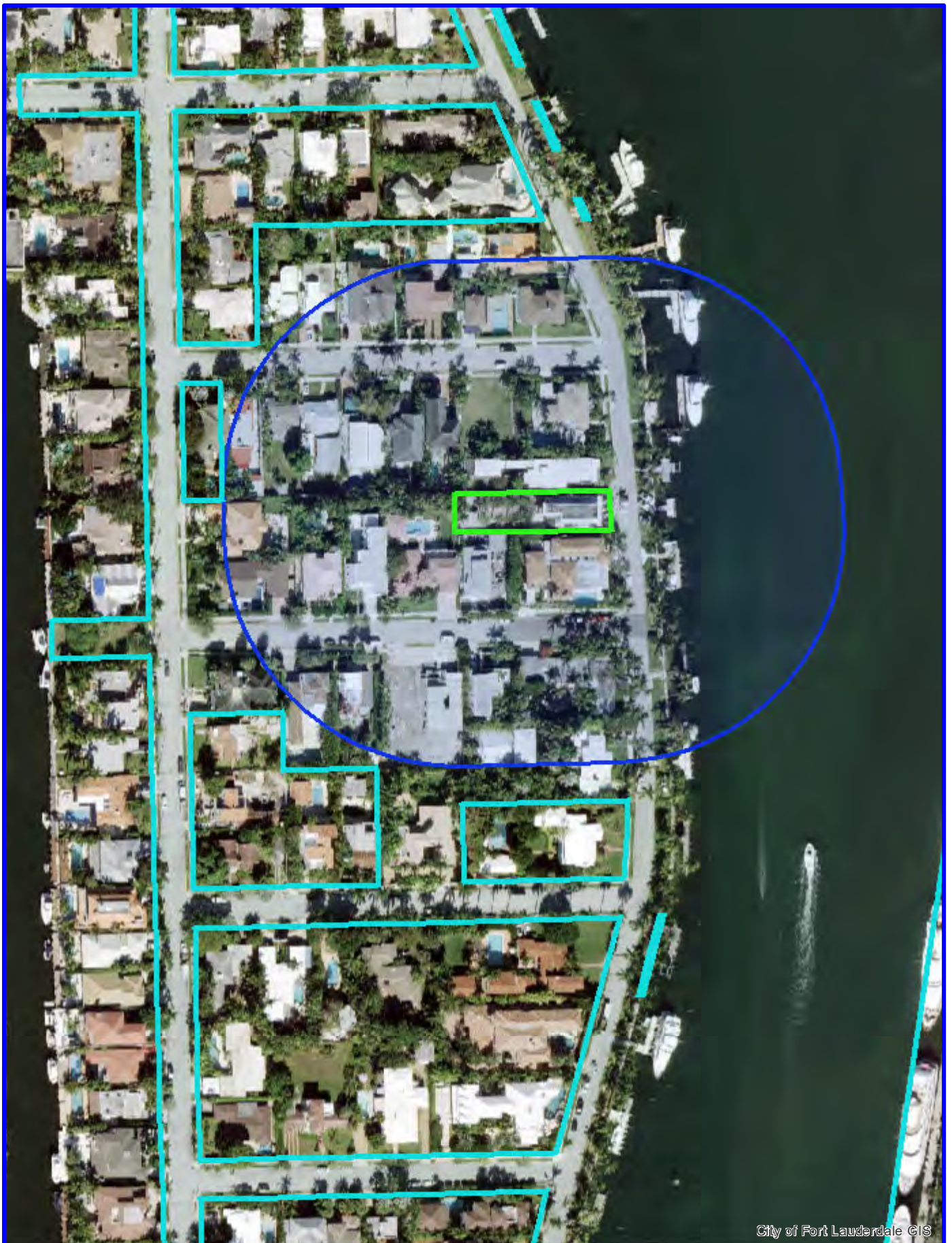
**Marine Advisory Board Action**

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

**Commission Action**

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

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



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

515 Idlewyld Drive



0 90 180 Feet

**GIS**  
Fort Lauderdale

CAM 10-1092  
Printed on: 9/18/2019  
Exhibit 1

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September 16, 2019

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

Re: Robert Bret & Nancy Lynn Anderson  
515 Idlewyld Drive  
Fort Lauderdale, FL 33301

Dear Board Members,

We are requesting a waiver of limitations to install a new concrete dock and new elevator-style boatlift at a single-family site. The existing rockwall will remain and be repaired with a cap overpour; the new cap edge will extend 18 inches waterward of the existing cap edge. The existing T-shaped dock will be removed. The new dock will consist of a 20' x 9' marginal dock, a 15'-10" x 6' access pier and a 20' x 6' terminal platform. The new lift will be located on the outside of the access pier.

The City Building Code, Section 47-19.3, Paragraph c, allows docks, piers, and boatlifts to extend out 25% of the waterway's width, up to a maximum of 25 feet, as measured from the property line. Recently the Zoning Department has been interpreting this rule to mean, as measured from the property line or wetface, whichever is most landward. The property line is located on the other side of the street, while the wetface is at the edge of the existing rockwall cap. In this particular neighborhood, the seawalls and marine structures are on the east side of the street, while the residences are on the west side of the street, however, each residence has riparian rights to the corresponding section of property on the east side of the street.

We expect that the Zoning Department will review the permit plans when the time comes with regard to the property line, since it is most landward, but we cannot be sure of that. However, to be consistent with past reviews and judgements, we shall base this waiver request on the distances from the wetface. The corresponding measurements from the property line wetface will be listed as well.

The new dock will extend a total of 33.2 feet from the wetface (89.3 feet from the property line) and the lift will extend a total of 32.5 feet from the wetface (88.2 feet from the property line.) This would require a variance of 8.2 feet for the dock and a variance of 7.5 feet for the lift. (If the variance distances were to be referenced to the property line, they would 64.3 feet for the dock and 63.2 feet for the lift.)

The waterway width at this location is 459 feet. 25% of that is 115 feet and 30% is 138 feet. 25% is the limit for structures and 30% is the limit for vessels. Using the distance from the wetface, neither the structures nor the vessels would be close to exceeding these percentages.

Even measuring from the property line, these percentages are still not exceeded. Furthermore, the new structures will not encroach into the navigational channel.

Therefore, the requested Waiver of Limitations will be for an additional 8.2 feet for the dock and 7.5 feet for the lift of waterward extension, as measured from the wetface.

These structures were approved by the Marine Advisory last year, however the layout was not accepted by the Army Corps of Engineers. The attached layout for this new requested has been accepted by the Corps and that permit is attached. The new design has been submitted to the State DEP and Broward County Environmental. The DEP has reissued their permit based on the new layout and the County should do so by the day of this hearing.

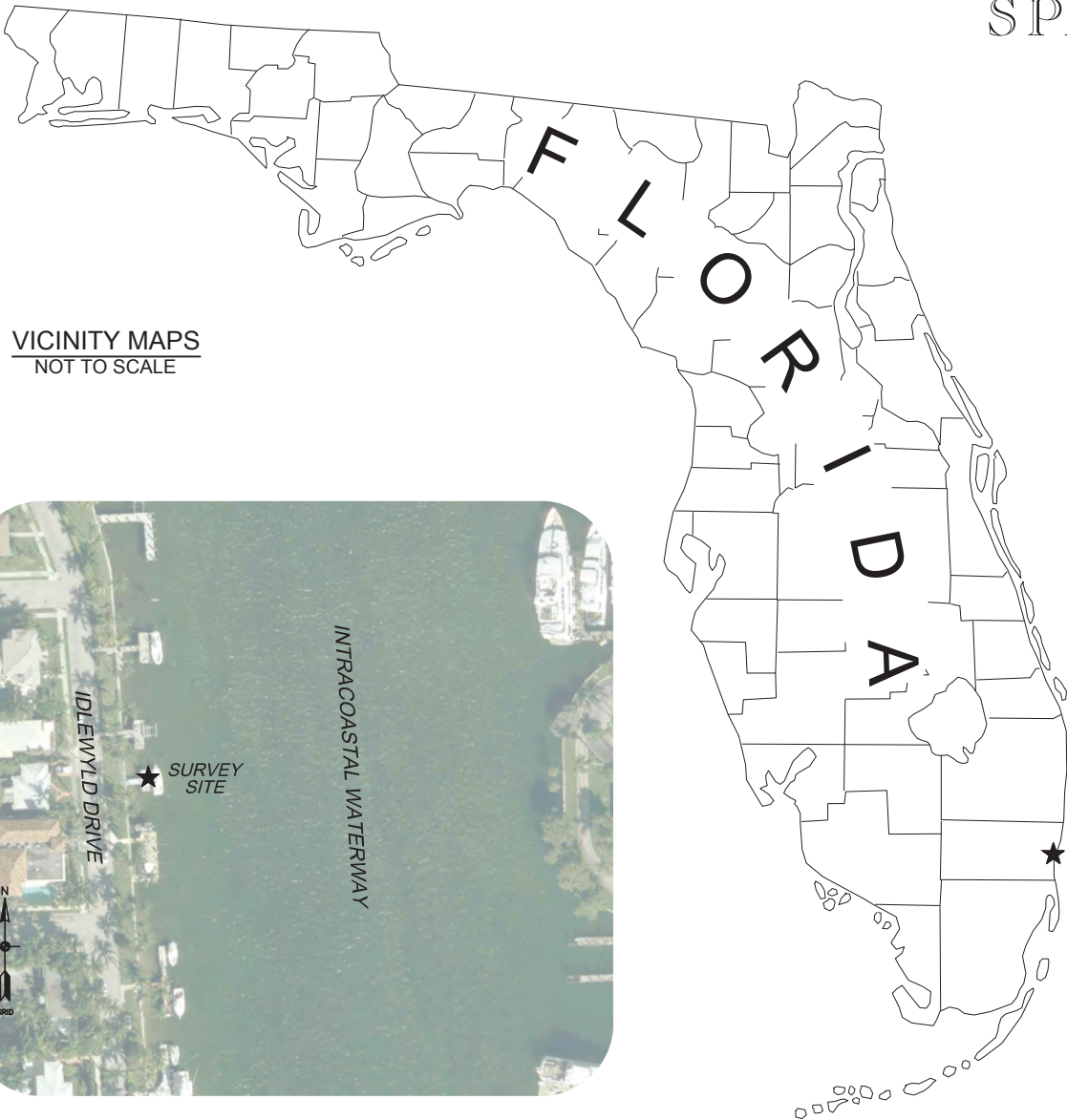
Considering the navigational traffic on this waterway, the lift is essential in protecting the vessel from damage due to wave actions. This request is in line with and similar to other waiver requests in this area. The new dock and lift will not extend further waterward than similarly approved dock and lifts in the immediate vicinity, many of which, have been approved under similar waivers.

Sincerely,

David Nutter  
B & M Marine Construction Inc.



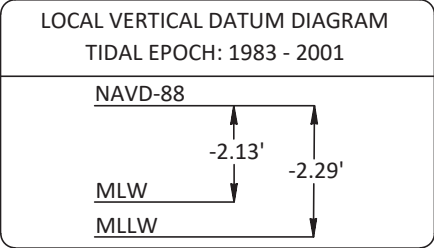
VICINITY MAPS  
NOT TO SCALE



# SPECIFIC PURPOSE SURVEY

LOT 3 BLOCK 4 of "IDLEWYLD"  
PLAT BOOK 1, PAGE 19  
SECTION 12, TOWNSHIP 50 SOUTH, RANGE 42 EAST,  
BROWARD COUNTY, FLORIDA

HYDROGRAPHIC DATA ARE RELATIVE TO MEAN  
LOW WATER AND REFERENCED TO FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
TIDE STATION NUMBER 872-2939.  
CONTOURS ARE AT 1' INTERVALS.



PROJECT  
LOCATION

REV: 9/16/19 ADJUSTED DOCK AND BOAT LIFT

## SURVEY NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. THIS SURVEY REPRESENTS A SPECIFIC PURPOSE SURVEY AS DEFINED IN THE STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE.
3. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
4. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED EMBOSSED SEAL OF A FLORIDA REGISTERED SURVEYOR.
5. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED FOR EASEMENTS, ENCUMBRANCES OR OTHER INSTRUMENTS OF RECORD OTHER THAN THOSE SHOWN HEREON WHICH MAY AFFECT THIS PARCEL OF LAND.
6. THIS SURVEY IS INTENDED TO BE DISPLAYED AT SCALE OF 1 INCH EQUALS 20 FEET OR SMALLER.
7. UNDERGROUND UTILITIES WERE NOT LOCATED AS PART OF THIS SURVEY.
8. GEOGRAPHIC AND PLANE COORDINATES SHOWN HERON ARE RELATIVE TO THE NORTH AMERICA DATUM OF 1983, FLORIDA STATE PLANE, ZONE 901, TRANSVERSE MERCATOR PROJECTION IN THE U.S. SURVEY FOOT UNIT OF MEASUREMENT.
9. LOCATIONS OF ALL IMPROVEMENTS WERE OBTAINED USING REAL TIME KINEMATIC GPS METHODOLOGIES WITH BROADCAST CORRECTIONS FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION REFERENCE NETWORK AND ARE ACCURATE TO THIRD ORDER, CLASS II.
10. THE SPECIFIC PURPOSE OF THIS SURVEY IS TO SHOW THE LOCATION OF PROPOSED IMPROVEMENTS RELATIVE TO THE INTRACOASTAL WATERWAY NAVIGATION CHANNEL.
11. HYDROGRAPHIC (BATHYMETRIC) DATA WERE COLLECTED UTILIZING CONVENTIONAL POLING TECHNIQUES IN CONJUNCTION WITH REAL TIME KINEMATIC GPS METHODOLOGIES WITH BROADCAST CORRECTIONS FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION REFERENCE NETWORK AND ARE ACCURATE TO THIRD ORDER, CLASS II.
12. HYDROGRAPHIC DATA ARE IN FEET RELATIVE TO MEAN LOW WATER AND REFERENCED TO FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION TIDE STATION 872-2939 (BROWARD COUNTY).

## CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SPECIFIC PURPOSE SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION ON JUNE 28th, 2018.

I FURTHER CERTIFY THAT THIS SPECIFIC PURPOSE SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTE 472.027.

KENNETH C. JACKSON, PSM - FLORIDA REGISTRATION NUMBER 4549

## LEGEND:

BCPA	BROWARD COUNTY PROPERTY APPRAISERS
BCR	BROWARD COUNTY RECORDS
COE	CORPS OF ENGINEERS
EXST	EXISTING
LB	LICENSED BUSINESS
MLW	MEAN LOW WATER
MLLW	MEAN LOWER LOW WATER
NAVD-88	NORTH AMERICAN VERTICAL DATUM OF 1988
PROP	PROPOSED
PSM	PROFESSIONAL SURVEYOR AND MAPPER
EXISTING LOT LINES	_____
LOT LINE	_____
CHANNEL TOE	_____
CHANNEL CENTERLINE	_____
SEAWALL WET FACE	_____

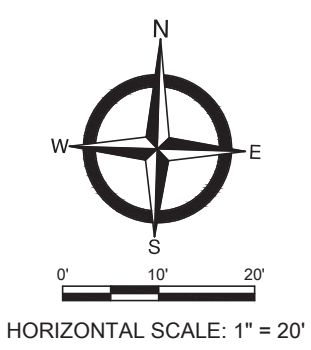
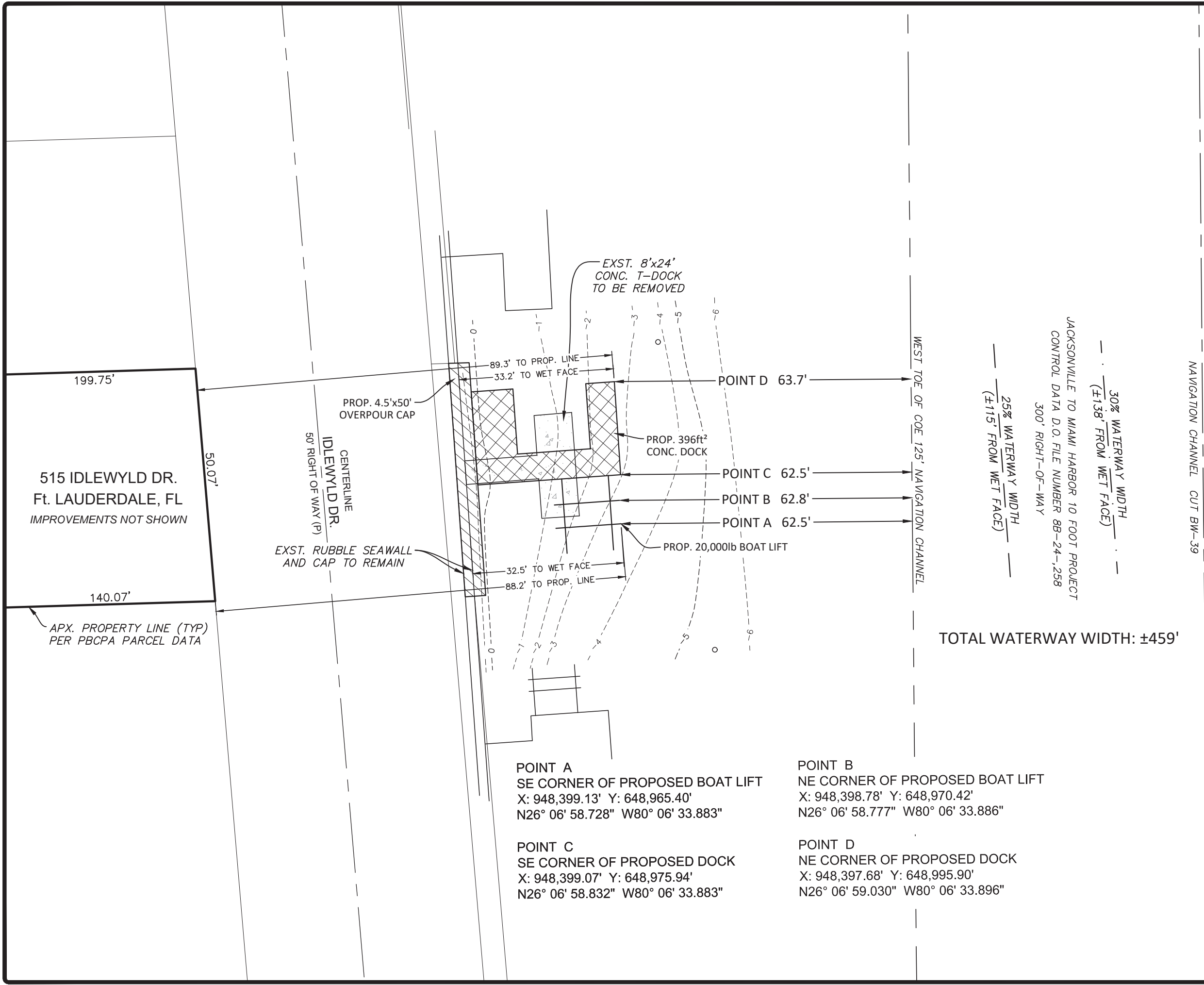
TERRAQUATIC  
SURVEYING AND MAPPING

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DRAWN BY: BPL	CHECKED BY: KCJ
SCALE: N/A	DATE: 9/16/19
	SHEET 1 OF 2

SITE OWNER / ADDRESS  
ROBERT & NANCY  
ANDERSON  
515 IDLEWYLD DRIVE  
FORT LAUDERDALE, FL 33301

PREPARED BY:  
TERRAQUATIC, INC  
1220 TANGELO TERR, UNIT A7  
DELRAY BEACH, FL 33444  
TELEPHONE: (561) 806-6085  
CERTIFICATE OF AUTHORIZATION NO. 7324

CAM 19-1092  
Exhibit 1



INTRACOASTAL WATERWAY  
CENTERLINE OF THE COE 125' NAVIGATION CHANNEL CUT BW-39  
JACKSONVILLE TO MIAMI HARBOR 10 FOOT PROJECT  
CONTROL DATA D.O. FILE NUMBER 8B-24-.258  
300' RIGHT-OF-WAY  
25% WATERWAY WIDTH  
(±115' FROM WET FACE)  
30% WATERWAY WIDTH  
(±138' FROM WET FACE)

TOTAL WATERWAY WIDTH: ±459'

- POINT A  
SE CORNER OF PROPOSED BOAT LIFT  
X: 948,399.13' Y: 648,965.40'  
N26° 06' 58.728" W80° 06' 33.883"

POINT C  
SE CORNER OF PROPOSED DOCK  
X: 948,399.07' Y: 648,975.94'  
N26° 06' 58.832" W80° 06' 33.883"
- POINT B  
NE CORNER OF PROPOSED BOAT LIFT  
X: 948,398.78' Y: 648,970.42'  
N26° 06' 58.777" W80° 06' 33.886"

POINT D  
NE CORNER OF PROPOSED DOCK  
X: 948,397.68' Y: 648,995.90'  
N26° 06' 59.030" W80° 06' 33.896"



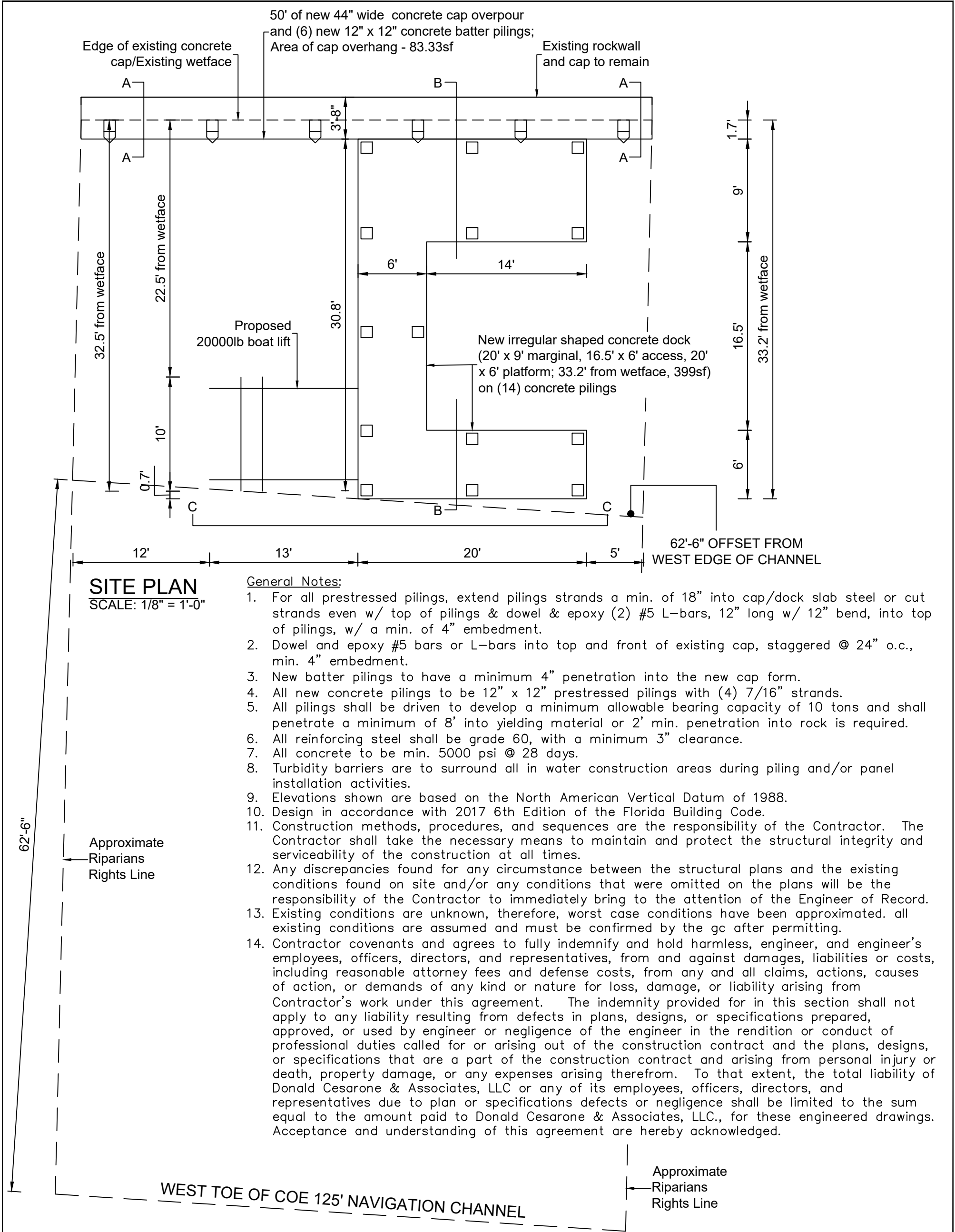
SITE OWNER / ADDRESS  
**ROBERT & NANCY ANDERSON**  
515 IDLEWYLD DRIVE  
FORT LAUDERDALE, FL 33301

PREPARED BY:  
**TERRAQUATIC, INC**  
1220 TANGELO TERR, UNIT A7  
DELRAY BEACH, FL 33444  
TELEPHONE: (561) 806-6085  
CERTIFICATE OF AUTHORIZATION NO. 7324

DRAWING No: ANDERSON XY.dwg	JOB No: 18-716
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SCALE: AS STATED	DATE: 9/16/19
SHEET 2 OF 2	

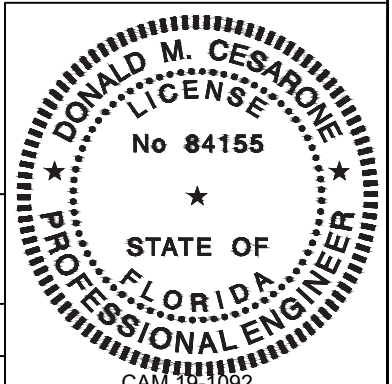


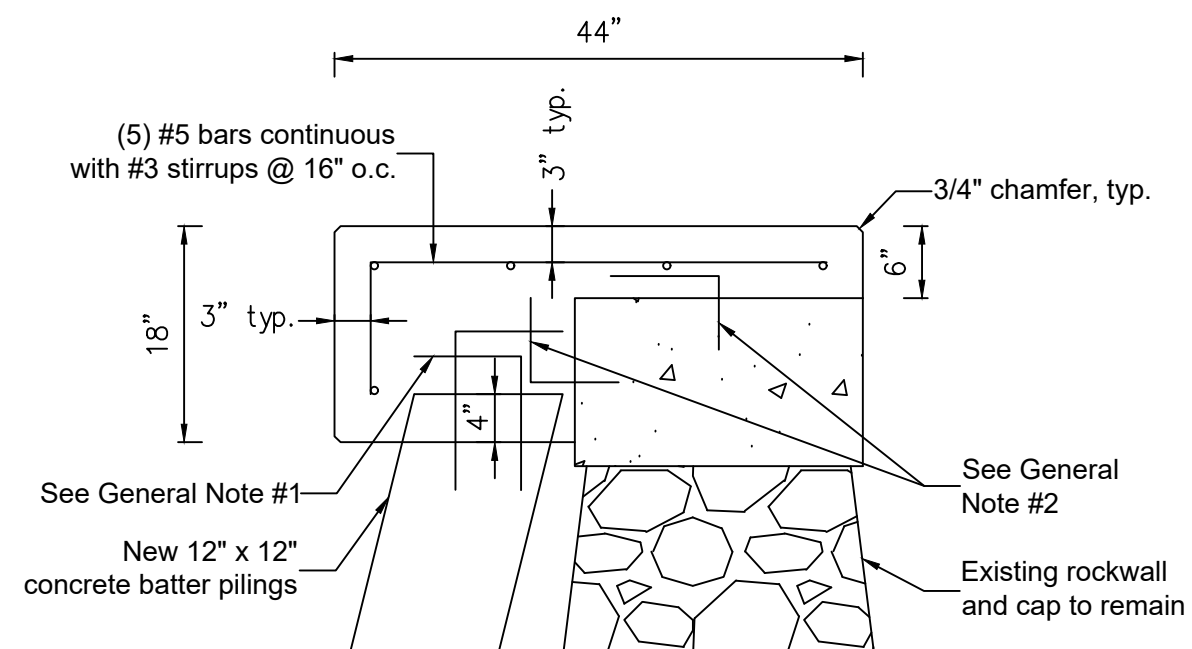
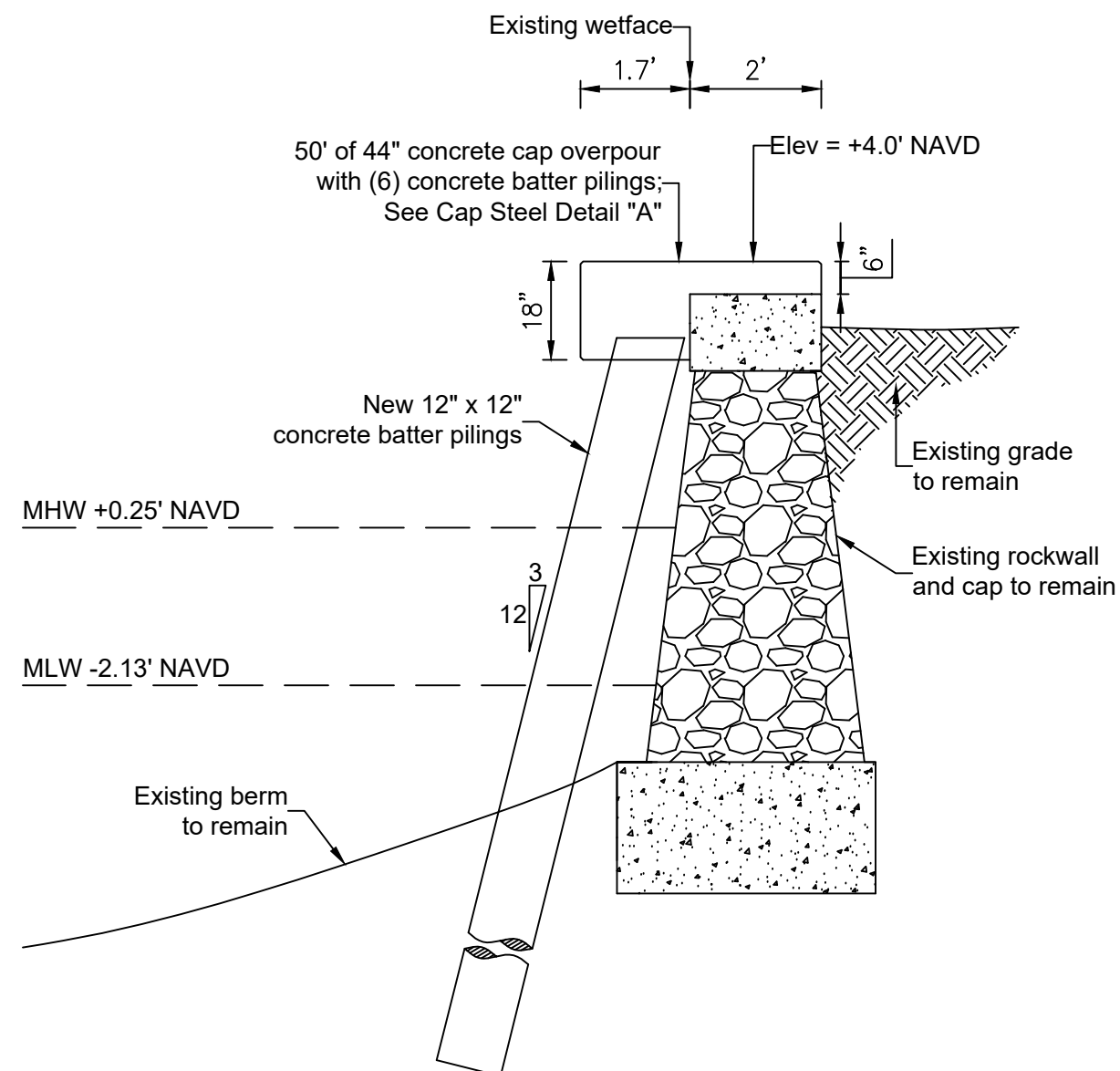
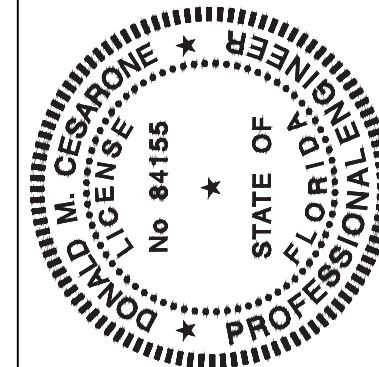




- General Notes:**
1. For all prestressed pilings, extend pilings strands a min. of 18" into cap/dock slab steel or cut strands even w/ top of pilings & dowel & epoxy (2) #5 L-bars, 12" long w/ 12" bend, into top of pilings, w/ a min. of 4" embedment.
  2. Dowel and epoxy #5 bars or L-bars into top and front of existing cap, staggered @ 24" o.c., min. 4" embedment.
  3. New batter pilings to have a minimum 4" penetration into the new cap form.
  4. All new concrete pilings to be 12" x 12" prestressed pilings with (4) 7/16" strands.
  5. All pilings shall be driven to develop a minimum allowable bearing capacity of 10 tons and shall penetrate a minimum of 8' into yielding material or 2' min. penetration into rock is required.
  6. All reinforcing steel shall be grade 60, with a minimum 3" clearance.
  7. All concrete to be min. 5000 psi @ 28 days.
  8. Turbidity barriers are to surround all in water construction areas during piling and/or panel installation activities.
  9. Elevations shown are based on the North American Vertical Datum of 1988.
  10. Design in accordance with 2017 6th Edition of the Florida Building Code.
  11. Construction methods, procedures, and sequences are the responsibility of the Contractor. The Contractor shall take the necessary means to maintain and protect the structural integrity and serviceability of the construction at all times.
  12. Any discrepancies found for any circumstance between the structural plans and the existing conditions found on site and/or any conditions that were omitted on the plans will be the responsibility of the Contractor to immediately bring to the attention of the Engineer of Record.
  13. Existing conditions are unknown, therefore, worst case conditions have been approximated. all existing conditions are assumed and must be confirmed by the gc after permitting.
  14. Contractor covenants and agrees to fully indemnify and hold harmless, engineer, and engineer's employees, officers, directors, and representatives, from and against damages, liabilities or costs, including reasonable attorney fees and defense costs, from any and all claims, actions, causes of action, or demands of any kind or nature for loss, damage, or liability arising from Contractor's work under this agreement. The indemnity provided for in this section shall not apply to any liability resulting from defects in plans, designs, or specifications prepared, approved, or used by engineer or negligence of the engineer in the rendition or conduct of professional duties called for or arising out of the construction contract and the plans, designs, or specifications that are a part of the construction contract and arising from personal injury or death, property damage, or any expenses arising therefrom. To that extent, the total liability of Donald Cesarone & Associates, LLC or any of its employees, officers, directors, and representatives due to plan or specifications defects or negligence shall be limited to the sum equal to the amount paid to Donald Cesarone & Associates, LLC., for these engineered drawings. Acceptance and understanding of this agreement are hereby acknowledged.

JOB No.	SCALE: AS NOTED	DATE	NOTES/REVISIONS	CAP OVERPOUR & CONCRETE DOCK FOR: PYRAMID BUILDERS 515 IDLEWYLD DRIVE FORT LAUDERDALE, FL	PREPARED FOR:  <b>B &amp; M MARINE CONSTRUCTION, INC.</b> 3500 S.W. 14TH. STREET DEERFIELD BEACH, FL 33442 954-421-1700 CGC052820	<b>DONALD CESARONE &amp; ASSOCIATES, LLC.</b> FBPE CA LICENSE No. 32499 1848 NW 124TH WAY CORAL SPRINGS, FL 33071 TEL: (954) 895-8403 DMCESARONE@GMAIL.COM		
							<b>DONALD M. CESARONE, P.E.</b> FLORIDA REGISTRATION No. 84155 CIVIL ENGINEER	
						IF SIGNED DIGITALLY ABOVE, PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES		





**CAP STEEL DETAIL "A"**  
SCALE: 3/4" = 1'-0"

# SEAWALL DETAIL "A"

---

SCALE: 3/8" = 1'-0"

**DONALD CESARONE & ASSOCIATES, LLC.**

**DONALD M. CESARONE, P.E.**  
FLORIDA REGISTRATION No. 84155

CIVIL ENGINEER

PREPARED FOR:

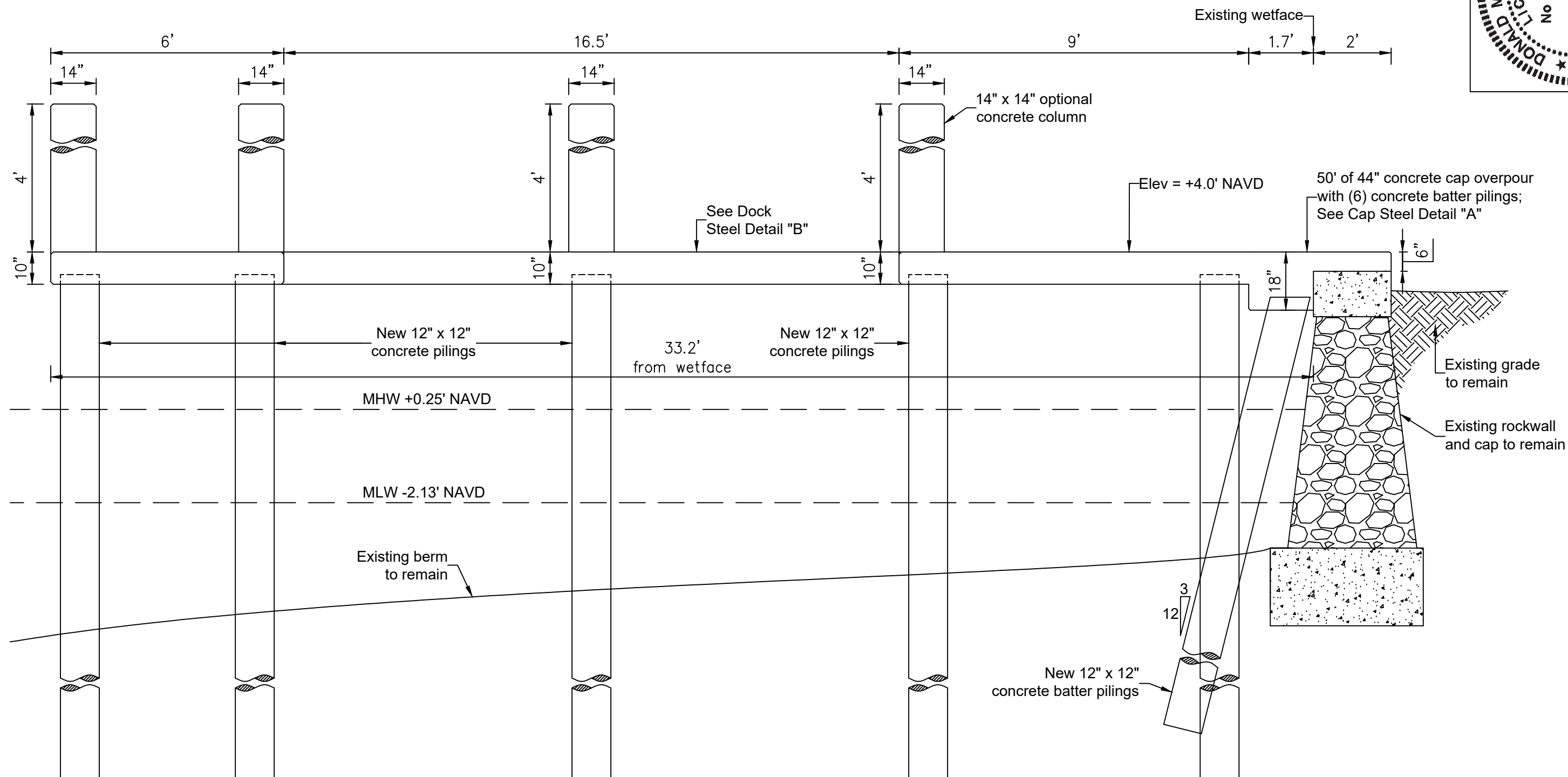
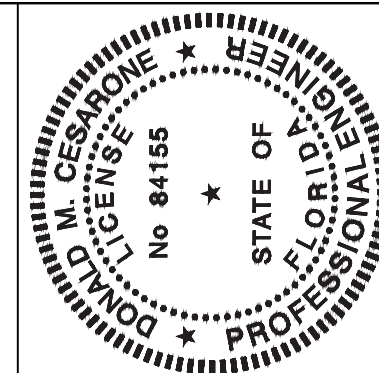
**B & M MARINE  
CONSTRUCTION, INC.**  
3500 S.W. 14TH STREET  
DEERFIELD BEACH, FL 33442  
954-421-1700  
CGC052820

CAP OVERPOUR & CONCRETE DOCK FOR:  
 PYRAMID BUILDERS  
 515 IDLEWYLD DRIVE  
 FORT LAUDERDALE, FL 33309

DATE	NOTES/REVISIONS

JOB No:

DTL-1



## DOCK DETAIL "B"

SCALE: 3/8" = 1'-0"

**DONALD CESARONE & ASSOCIATES, LLC.**

**DONALD M. CESARONE, P.E.**  
 OIDA REGISTRATION NO. 94155  
 DMCESARONE@GMAIL.COM

CIVIL ENGINEER

PREPARED FOR:

**B & M MARINE  
CONSTRUCTION, INC.**  
3500 S.W. 14TH. STREET  
DEERFIELD BEACH, FL 33442  
954-421-1700  
CGC052820

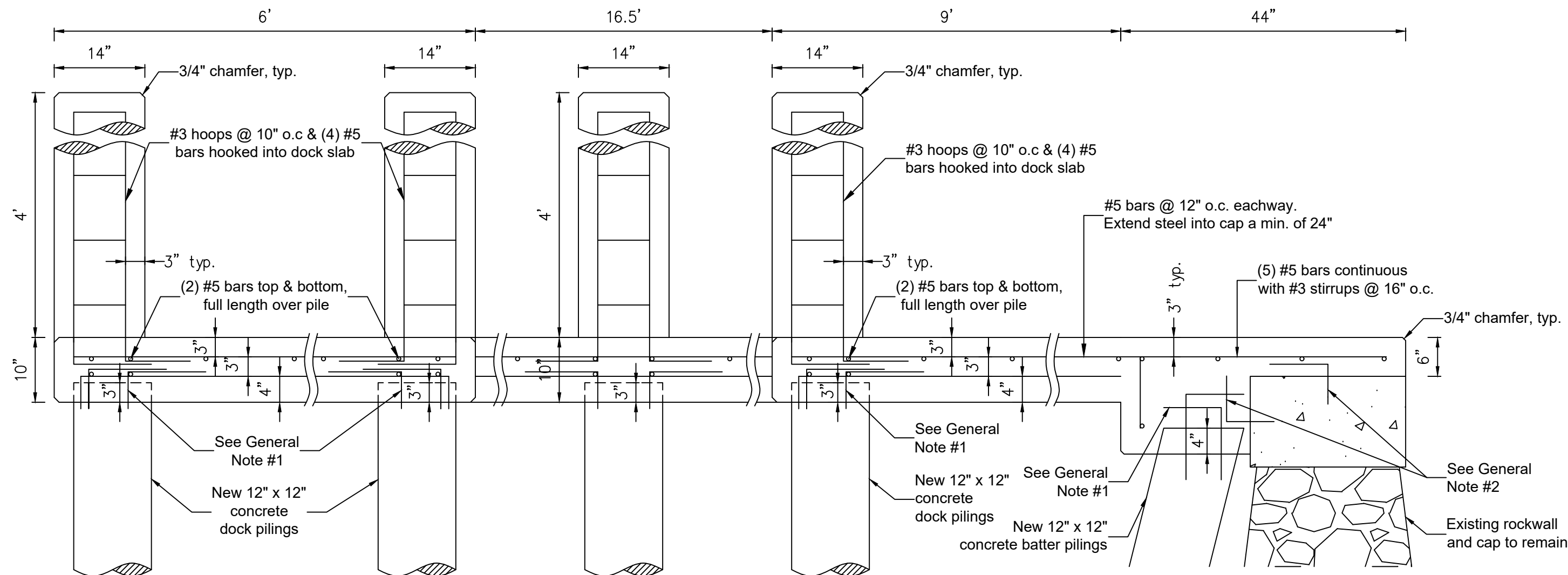
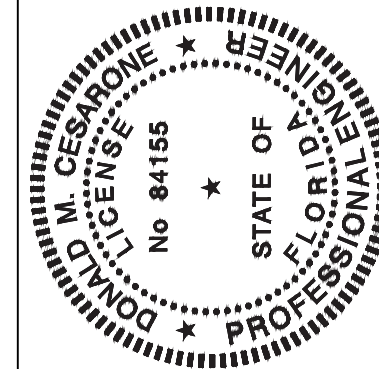
AP OVERPOUR & CONCRETE DOCK FOR  
PYRAMID BUILDERS  
515 IDLEWYLD DRIVE  
FORT LAUDERDALE, FL 33309

DATE	NOTES/REVISIONS

JOB No:

CAM 191092L-2

Exhibit 1



## DOCK STEEL DETAIL "B"

SCALE: 3/4" = 1'-0"

**DONALD CESARONE & ASSOCIATES, LLC.**

**DONALD M. CESARONE, P.E.**  
FLORIDA REGISTRATION NO. 94155  
DMCESARONE@GMAIL.COM

CIVIL ENGINEER

PREPARED FOR:

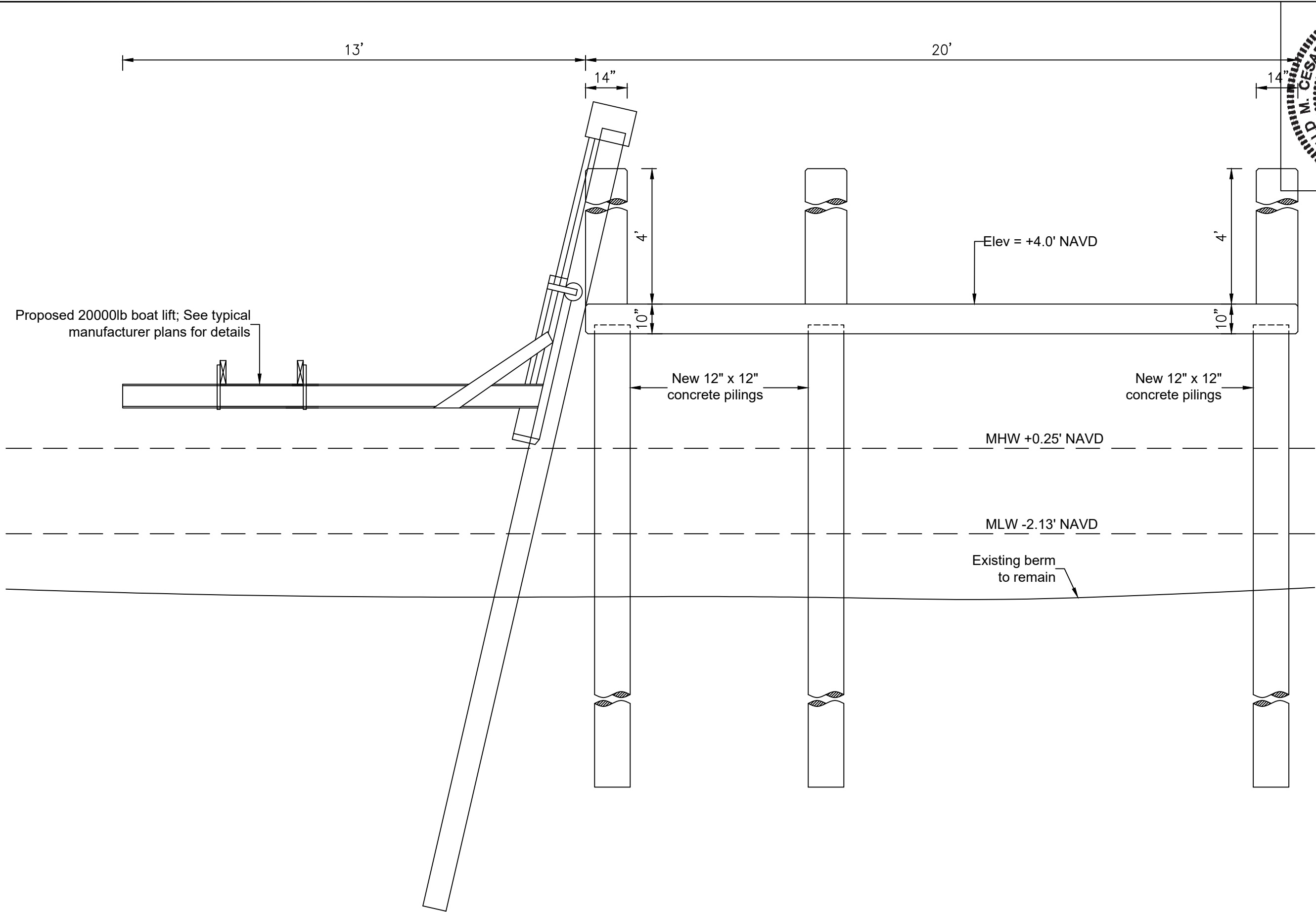
**B & M MARINE  
CONSTRUCTION, INC.**  
3500 S.W. 14TH. STREET  
DEERFIELD BEACH, FL 33442  
954-421-1700 CGC052820

CAP OVERPOUR & CONCRETE DOCK FOR  
 PYRAMID BUILDERS  
 515 IDLEWYLD DRIVE  
 FORT LAUDERDALE, FL

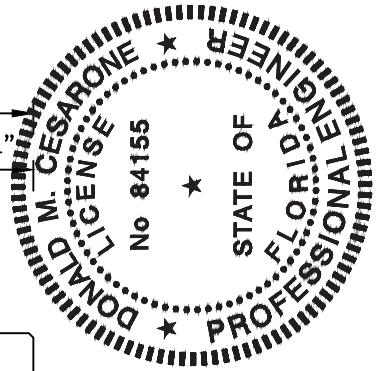
DATE	NOTES/REVISIONS

	JOB No
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DTL-3



**BOAT LIFT / DOCK DETAIL "C"**  
SCALE: 3/8" = 1'-0"



DONALD M. CESARONE & ASSOCIATES, LLC.  
FBE CA LICENSE No. 32499  
1848 NW 124TH WAY  
CORAL SPRINGS, FL 33071  
TEL: (954) 895-8403  
DMCESARONE@GMAIL.COM  
DONALD M. CESARONE, P.E.  
FLORIDA REGISTRATION No. 84155  
CIVIL ENGINEER

PREPARED FOR:  
**B & M MARINE CONSTRUCTION, INC.**  
3500 S.W. 14TH STREET  
DEERFIELD BEACH, FL 33442  
954-421-1700 CGC052820

FOR REVIEW & COMMENT ONLY FOR:  
PYRAMID BUILDERS  
515 IDLEWYLD DRIVE  
FORT LAUDERDALE, FL

DATE	NOTES/REVISIONS

SCALE: AS NOTED  
JOB No:  

DTL-4



JOB No:
---------

DTL-5

This instrument was prepared by:  
Lexant Title and Escrow, LLC  
901 S Federal Highway - Suite 201  
Ft. Lauderdale, Fl. 33316  
17-05019

Property Appraiser's Parcel Identification No.:  
504212020280

## **WARRANTY DEED**

**THIS INDENTURE**, made this **31st day of August, 2017**, by and between **Joseph Daniel Vrechek III, individually, a single man and as Trustee of the Joseph Daniel Vrechek III Revocable Trust dated December 28, 1995**, whose post office address is: **3300 NE 36 STREET, UNIT 802, FT. LAUDERDALE, FL 33308**, grantor\* and **Robert Bret Anderson and Nancy Lynn Anderson, husband and wife**, whose post office address is **703 Whithall Plains Rd, Annapolis, MD 21409**, grantee\*,

**Witnesseth** that said grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00) -----Dollars, 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:

**Lot 4, Block 3 of Idlewyld, according to the Plat thereof as recorded in Plat Book 1, Page 19, of the Public Records of Broward County, Florida.**

**SUBJECT TO:** comprehensive land use plans, zoning, and other land use restrictions, prohibitions and other requirements imposed by governmental authority, restrictions and matters appearing on the plat or otherwise common to the subdivision; un-platted public utility easements of record provided that this instrument shall not serve to reimpose same; and taxes for the year 2017 and subsequent years.


and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whosoever.

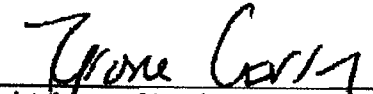
"Grantor" and "grantee" are used for singular or plural, as context requires.

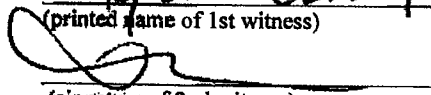
**NOTE:** Grantor states that Joseph D. Vrechek, the grantee in those deeds recorded in Official Records Book 6368, Page 949 and Official Records Book 6525, Page 352 is one and the same as Joseph Daniel Vrechek, III, the grantor in that certain deed recorded in Official Records Book 25266, Page 880 as re-recorded in Official Records Book 25980, page 285, all of the Public Records of Broward County Florida.

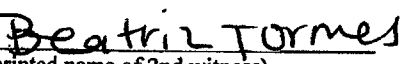
**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered  
in our presence:

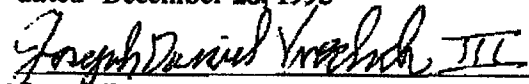
  
(signature of 1st witness)

  
(printed name of 1st witness)


  
(signature of 2nd witness)

  
(printed name of 2nd witness)

**Joseph Daniel Vrechek III Revocable Trust**  
dated **December 28, 1995**

  
**Joseph Daniel Vrechek III, individually and as**  
**Trustee**

STATE OF FLORIDA  
COUNTY OF Broward

The foregoing instrument was acknowledged before me this <sup>30</sup>~~21~~st day of August, 2017, by **Joseph Daniel Vrechek III, individually and as Trustee of the Joseph Daniel Vrechek III Revocable Trust dated December 28, 1995, as Trustee**, who are personally known to me or who produced the following as identification .



  
NOTARY PUBLIC

**APPLICATION FOR AN ENVIRONMENTAL RESOURCE  
GENERAL LICENSE**

**Mailing Address:**

Environmental Protection and Growth Management Department  
1 North University Drive, Suite 201  
Plantation, Florida 33324

**Application Fee: \$ 100.00**

**Make Check payable to:**  
Broward County Board of  
County Commissioners

**Questions 1 - 9 must be completed. Please upload at <https://dpep.broward.org/SSUpload/login.aspx>.**

**The submittal of the following information with the application will ensure timely processing and is necessary for staff to effectively evaluate each proposed project:**

**Payments may be submitted by \_\_\_\_\_**

- One set of signed & sealed plans (**separate .pdf from the application and following documentation**)
- A copy of a property survey clearly depicting the **existing** conditions. Please be sure all over water structures are clearly labeled with the dimensions as **measured from the wet face of the seawall**;
- Photographs of existing conditions, if possible;
- A location / street map with the project site identified;
- Proof of ownership or sufficient interest in the project property;
- Plan view and cross-sectional drawings showing the proposed project **must** include:
  - accurate dimension of length and width for **all structures** over water measured **from the wet face of the seawall** (seawall cap, docks, boardwalks, boatlifts, floating docks, etc.)
  - the Mean High Water Level (MHW), Mean Low Water and substrate elevation (referenced to NGVD or Mean Sea Level)
  - the height of the proposed dock above MHW
  - name and width of water body
  - presence of any **wetland** or **benthic** (seagrasses, oysters, etc.) communities;
- If maintenance dredging is proposed, please provide:
  - documentation of original dredged depth
  - plan view of dredging location, with approximate dimensions
  - cross-sectional drawings depicting historical, existing and proposed conditions with elevations labeled.
  - calculations for amount of material to be removed (in cubic yards); and,
- If the proposed project will be constructed on property owned by a Drainage District, homeowners or condominium association, a letter from the association approving the project is required.

1. **Agent processing application:** David Nutter  
Street: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: 954-868-8476 Fax: 954-427-5168  
Email: nut3839@bellsouth.net

**(Licenses will be emailed so please PRINT clearly)**

2. **Contractor to do work:** B & M Marine Construction, Inc.  
Street: 3500 SW 14<sup>th</sup> Street  
City: Deerfield Beach State: FL Zip: 33442  
Telephone: 954-421-1700 Fax: 954-427-5168  
Email: nut3839@bellsouth.net

3. **Property Owner Name:** Robert Anderson  
Street: 703 Whithall Plains Road Suite: \_\_\_\_\_  
City: Annapolis State: MD Zip: 21409  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

APPLICATION FOR AN ENVIRONMENTAL RESOURCE GENERAL LICENSE

4. **Location of proposed work:** Folio # (required): 5042-12-02-0250  
Street: 515 Idlewyld Drive City: Fort Lauderdale Zip: 33301
5. Are there any existing structures at the proposed work site that have been licensed by this agency? If so, provide license number . Are there any other pending applications with this agency? If so, for what type of license and when was it submitted ?

PLEASE BE ADVISED THAT THE PERSON(S) SIGNING BELOW IS/ARE CERTIFYING THAT THE PROPOSED PROJECT WILL BE IN COMPLIANCE WITH THE FOLLOWING CRITERIA FOR OBTAINING AN ENVIRONMENTAL RESOURCE GENERAL LICENSE.

**A General License does not authorize any mangrove alteration activities, impacts to any submerged aquatic vegetation (seagrasses) or other natural resources.**

6. **Provide a complete detailed description of all proposed activities:**  
Existing seawall and cap to remain, Existing T-shaped 266sf dock (22' x 8' and 15' x 6') to be removed; Repair 50' of seawall with 44" wide concrete cap overpour and (6) concrete batter pilings (83.33sf overhang); New irregular shaped concrete dock (20' x 9' marginal, 15'-10" x 6' access, 20' x 6' platform; 32'-6" from wetface, 395sf) on (14) concrete pilings; New 20000lb elevator boat lift;
7. **Description of proposed work (check all applicable items)** Section 27-336(a) (1)...
- ☒ (a) The repair or replacement of **existing** functional docks, provided that no additional waterward fill is used and the new or repaired dock is not enlarged beyond a **total** of 500 square feet over-water surface area for the new and existing structure.
  - ☒ (b) The repair, maintenance, or restoration of **existing functional** seawalls no more than one foot waterward of their original authorized location.
  - ☐ (c) The relocation within an already approved right-of-way, repair or maintenance of existing utility transmission or distribution lines and associated adjacent facilities required to effect the repair.
  - ☐ (d) New lake or pond excavation of less than 2 acres, but equal to or greater than 1 acre, that are not connected with and do not exchange water with any other surface water body of wetland, except by means of a permitted overflow structure.
  - ☐ (e) The installation of **new** private, noncommercial docks of 500 square feet or less over water surface area, where no dredging or filling is required except to install the pilings.
  - ☒ (f) Projects which are within isolated wetlands or lakes and/or otherwise, in the opinion of THE COUNTY, will not significantly degrade the environment (boatlifts, mooring pilings, headwalls, culverts, etc.)
  - ☐ (g) Proposed or existing rock quarry excavations. (please see Section 27-336(a)(1) for additional information)
  - ☐ (h) The construction, repair, maintenance or operation of any permitted storm water control/treatment structure when not exempt pursuant to 62-340.700 F.A.C. as amended.
  - ☐ (i) The one time dredging of 20 cubic yards or less of sediment from isolated lakes or ponds and residential canals, with no seagrasses within the project site, where the sediment is removed from the waterway and deposited on a self-contained upland site.
  - ☐ (j) The installation of natural limerock rip-rap at the waterward face of an existing vertical bulkhead provided that the rip-rap is clean and free of debris, that no seagrasses are covered by the rip-rap, that no dredging or other filling is conducted and that the rip-rap is placed at a slope no steeper than 2H:1V and that no interference to other riparian property rights or navigation occurs.

- ☐ (k) The repair or replacement of **existing functional** headwalls, pipes, culverts provided that they are otherwise in compliance with the code and are in artificially created waterways which discharge water for storm water run-off. The pipes must be replaced in the original size and configuration and all elevations must be the same as the pre-replacement condition. All water quality protection features must be utilized and the rerouting of water bodies is not authorized by this General License except by pumps, pipes or cofferdams. Wetland areas may NOT be impacted by the activity.
- ☐ (l) The installation of utility or transmission lines laid on or embedded in the substrate provided that no dredging or filling is required and that no sea grasses or significant benthic communities will be affected by the activity.
- ☐ (m) Existing commercial Rock Quarry Excavations (*please see Section 27-336(a)(1) for additional information*)
- ☐ The emergency repair, replacement or maintenance of existing utility transmission or distribution lines, provided that the owner of the damaged facility or the owner's agent provides verbal notice to the county of the condition, its location and expected length of time required for the repair, replacement or maintenance activities. *Section 27-336(a)(2)*

8. **Mangrove alteration and certain types of trimming activities require an Environmental Resource License pursuant to Sec. 27-332 of the Broward County Code and Section 403.9321 Florida Statute. The General License does not authorize any mangrove alteration activities.**

Are there mangroves on-site? Yes ☐ No ☒

Will this work require mangrove alteration or trimming? Yes ☐ No ☒

9. **Are there any natural aquatic or submerged resources in the construction area? Yes ☐ No ☒**  
Natural aquatic resources include sea grasses, oysters, etc. **Describe how this determination was made.**

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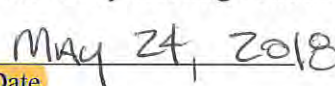


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*Per Section 27-58(b)(9), "The licensee, by acceptance of this license, specifically agrees to allow access and shall allow access to the licensed source, activity, or facility at times to THE COUNTY personnel for the purposes of inspection and testing to determine compliance with this license and this chapter."* **Enforcement actions may be initiated for any violations.**

**Issuance of this license does not relieve the licensee from obtaining any other required federal, state or local permits or authorizations required for this project prior to commencement. Please be advised a site inspection may also be conducted prior to license issuance to verify existing conditions.**

  
Signature of property owner

  
Date

  
Printed Name



# FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406  
561-681-6600

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Noah Valenstein**  
Secretary

September 11, 2019

Robert Anderson  
703 Whithall Plains Road  
Annapolis, MD 21409  
Sent via e-mail: [nutt3839@bellsouth.net](mailto:nutt3839@bellsouth.net)

Re: File No.: 06-365848-005-006-EE  
File Name: Anderson

Dear Mr. Anderson:

On August 23, 2019, we received your request for verification of exemption to perform the following activities: (1) replacement of an existing dock with a new 395ft<sup>2</sup> dock; (2) installation of 50 linear feet of seawall cap overpour; and (3) installation of batter piles. The project is located in the New River Sound, Class III Waters, adjacent to 515 Idlewyld Drive, Ft. Lauderdale (Section 12, Township 50 South, Range 42 East), in Broward County (Latitude N 26° 6' 58.86", Longitude W 80° 6' 34.23").

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project did not qualify for the federal authorization of this verification request. **Additional authorization must be obtained prior to commencement of the proposed activity.** This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Donald Fontenot at the letterhead address or at 561-681-6629, [Donald.Fontenot@FloridaDEP.gov](mailto:Donald.Fontenot@FloridaDEP.gov).

[www.floridadep.gov](http://www.floridadep.gov)

### **1. Regulatory Review – VERIFIED**

Based on the information submitted, the Department has verified that the activities as proposed are exempt, under Chapter 62-330.051(5)(b) and (12)(d), Florida Administrative Code, from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

### **2. Proprietary Review- GRANTED**

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapters 253 and 258 of the Florida Statutes, and Chapters 18-20 and 18-21 of the Florida Administrative Code.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity qualifies for an automatic consent by rule under Rule 18-21.005(1)(b) and Section 253.77 of the Florida Statutes to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. No further application is required for this consent by rule.

### **Special Consent Conditions**

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

#### **General Conditions for Authorizations for Activities**

All authorizations granted by rule or in writing under Rule 18-21.005, F.A.C., except those for geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or 258, Part II, F.S.

(a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.

(b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.

(c) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.

(d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.

(e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.

(g) Structures or activities shall not create a navigational hazard.

(h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(i) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under Paragraph 18-21.004(1)(f), F.A.C., or any other applicable law.

### **3. Federal Review - NOT APPROVED**

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **shall be required** from the Corps. You must apply separately to the Corps using their APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT, ENG FORM 4345, or alternative as allowed by their regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Source Book at: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book>.

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

### **Additional Information**

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

### **NOTICE OF RIGHTS**

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

### Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at [Agency\\_Clerk@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us). Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

### Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you

do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

#### Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at [Agency\\_Clerk@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us), before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

#### Mediation

Mediation is not available in this proceeding.

#### FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

#### Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

## EXECUTION AND CLERKING

Executed in West Palm Beach, Florida.

## STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



---

Jeff Meyer  
Environmental Manager  
Southeast District

### Enclosures:

Attachment A- Specific Exemption Rule  
Project drawings, 8 pages

### CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

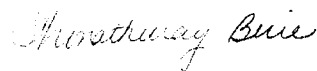
FDEP – Jeff Meyer, Donald Fontenot  
David Nutter, [nutt3839@bellsouth.net](mailto:nutt3839@bellsouth.net)

### Additional mailings:

Linda Sunderland, Broward County EPD, [LSunderland@broward.org](mailto:LSunderland@broward.org)

### FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

September 11, 2019

Date

## **Attachment A**

### **Chapter 62-330.051 Exempt Activities.**

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

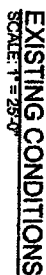
**(5) Dock, Pier, Boat Ramp and Other Boating-related Work –**

**(b) Installation of private docks, piers, and recreational docking facilities, and installation of local governmental piers and recreational docking facilities, in accordance with section 403.813(1)(b), F.S.** This includes associated structures such as boat shelters, boat lifts, and roofs, provided:

1. The cumulative square footage of the dock or pier and all associated structures located over wetlands and other surface waters does not exceed the limitations in section 403.813(1)(b), F.S.;
2. No structure is enclosed on more than three sides with walls and doors;
3. Structures are not used for residential habitation or commercial purposes, or storage of materials other than those associated with water dependent recreational use; and
4. Any dock and associated structure shall be the sole dock as measured along the shoreline for a minimum distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot.

**(12) Construction, Replacement, Restoration, Enhancement, and Repair of Seawall, Riprap, and Other Shoreline Stabilization –**

**(d) Installation of batter piles, king piles, or a seawall cap, used exclusively to stabilize and repair seawalls, provided they do not impede navigation.**

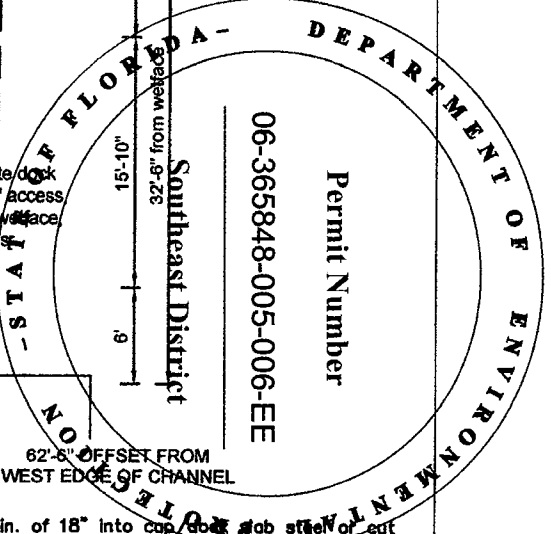
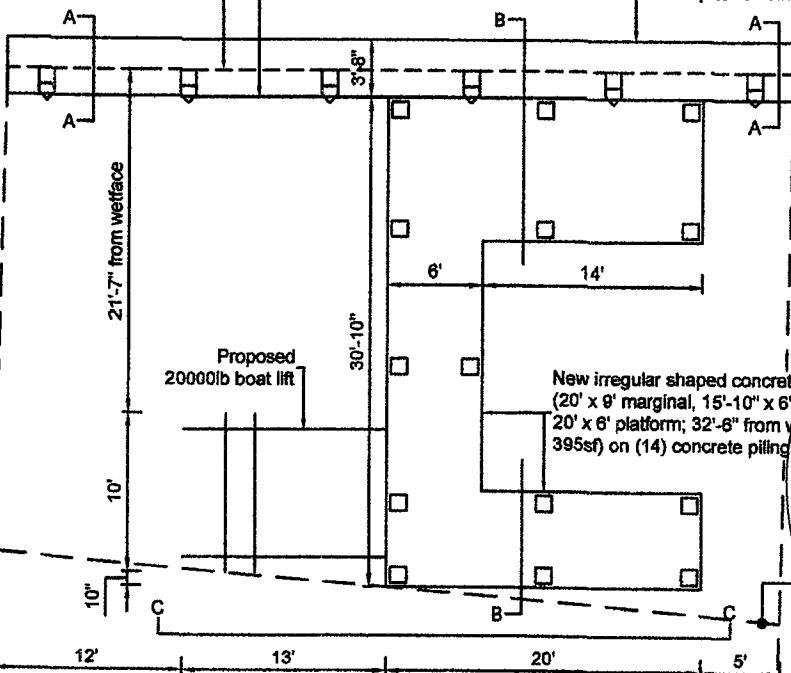




50' of new 44" wide concrete cap overpour  
and (6) new 12" x 12" concrete batter pilings;  
Area of cap overhang - 83.33sf

Edge of existing concrete cap/Existing wetface

Existing rockwall and cap to remain



# **SITE PLAN** SCALE: 1/8" = 1'-0"

## **General Notes:**

- For all prestressed pilings, extend piling strands a min. of 18" into cap/dock & dowl & epoxy (2) #5 L-bars, 12" long w/ 12" bend, into top of pilings, w/ a min. of 4" embedment.
- Dowl and epoxy #5 bars or L-bars into top and front of existing cap, staggered @ 24" o.c., min. 4" embedment.
- New batter pilings to have a minimum 4" penetration into the new cap form.
- All new concrete pilings to be 12" x 12" prestressed pilings with (4) 7/16" strands.
- All pilings shall be driven to develop a minimum allowable bearing capacity of 10 tons and shall penetrate a minimum of 8' into yielding material or 2' min. penetration into rock is required.
- All reinforcing steel shall be grade 60, with a minimum 3" clearance.
- All concrete to be min. 5000 psi @ 28 days.
- Turbidity barriers are to surround all in water construction areas during piling and/or panel installation activities.
- Elevations shown are based on the North American Vertical Datum of 1988.
- Design in accordance with 2017 8th Edition of the Florida Building Code.
- Construction methods, procedures, and sequences are the responsibility of the Contractor. The Contractor shall take the necessary means to maintain and protect the structural integrity and serviceability of the construction at all times.
- Any discrepancies found for any circumstance between the structural plans and the existing conditions found on site and/or any conditions that were omitted on the plans will be the responsibility of the Contractor to immediately bring to the attention of the Engineer of Record.
- Existing conditions are unknown, therefore, worst case conditions have been approximated. All existing conditions are assumed and must be confirmed by the gc after permitting.
- Contractor covenants and agrees to fully indemnify and hold harmless, engineer, and engineer's employees, officers, directors, and representatives, from and against damages, liabilities or costs, including reasonable attorney fees and defense costs, from any and all claims, actions, causes of action, or demands of any kind or nature for loss, damage, or liability arising from Contractor's work under this agreement. The indemnity provided for in this section shall not apply to any liability resulting from defects in plans, designs, or specifications prepared, approved, or used by engineer or negligence of the engineer in the rendition or conduct of professional duties called for or arising out of the construction contract and the plans, designs, or specifications that are a part of the construction contract and arising from personal injury or death, property damage, or any expenses arising therefrom. To that extent, the total liability of Donald Cesarone & Associates, LLC or any of its employees, officers, directors, and representatives due to plan or specifications defects or negligence shall be limited to the sum equal to the amount paid to Donald Cesarone & Associates, LLC., for these engineered drawings. Acceptance and understanding of this agreement are hereby acknowledged.

Approximate  
Riparian  
Rights Line

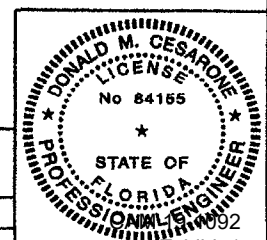
Approximate  
Riparian  
Rights Line

WEST TOE OF COE 125' NAVIGATION CHANNEL

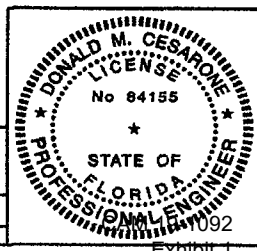
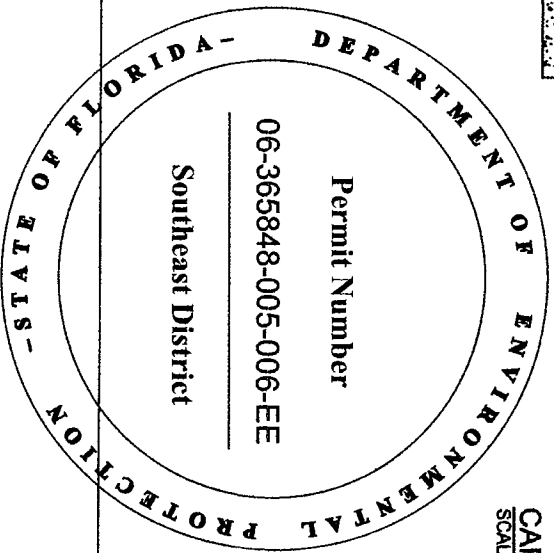
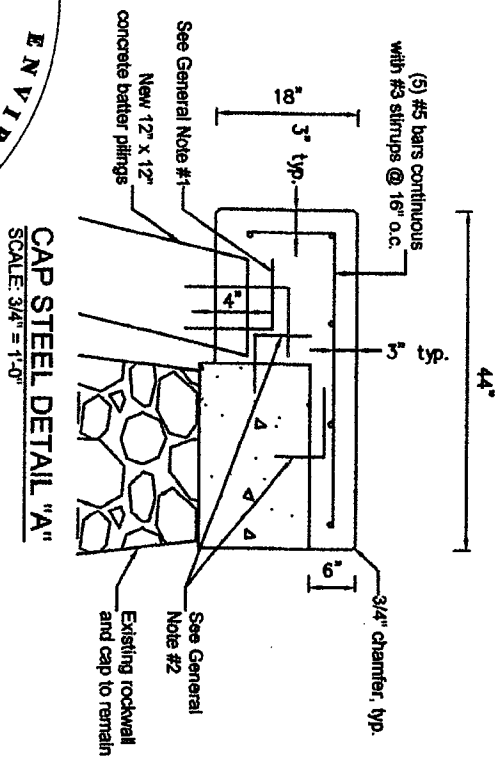
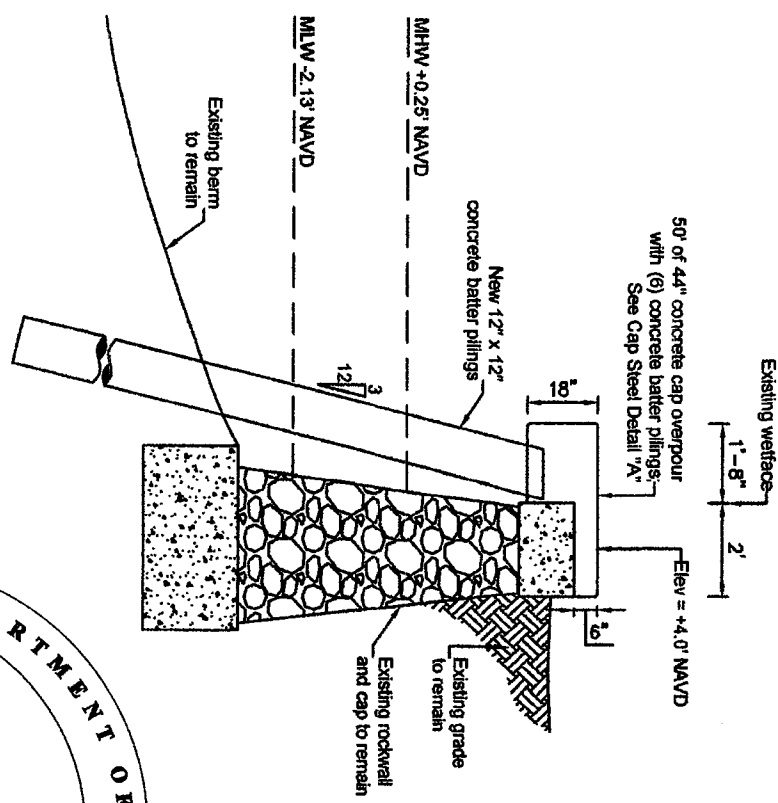
DATE	REVISION

PREPARED FOR:  
**B & M MARINE  
CONSTRUCTION, INC.**  
3500 S.W. 14TH STREET  
DEERFIELD BEACH, FL 33442  
954-421-1700 C6C052820

DONALD CESARONE & ASSOCIATES, LLC.  
FLORIDA LICENSE NO. 20489  
1546 NW 12TH WAY  
CORAL SPRINGS, FL 33071  
TEL: (954) 885-6403  
DCE@CESARONE.COM  
DONALD M. CESARONE, P.E.  
FLORIDA REGISTRATION NO. 61115  
CIVIL ENGINEER



**SEAWALL DETAIL "A"**  
 SCALE: 3/8" = 1'-0"



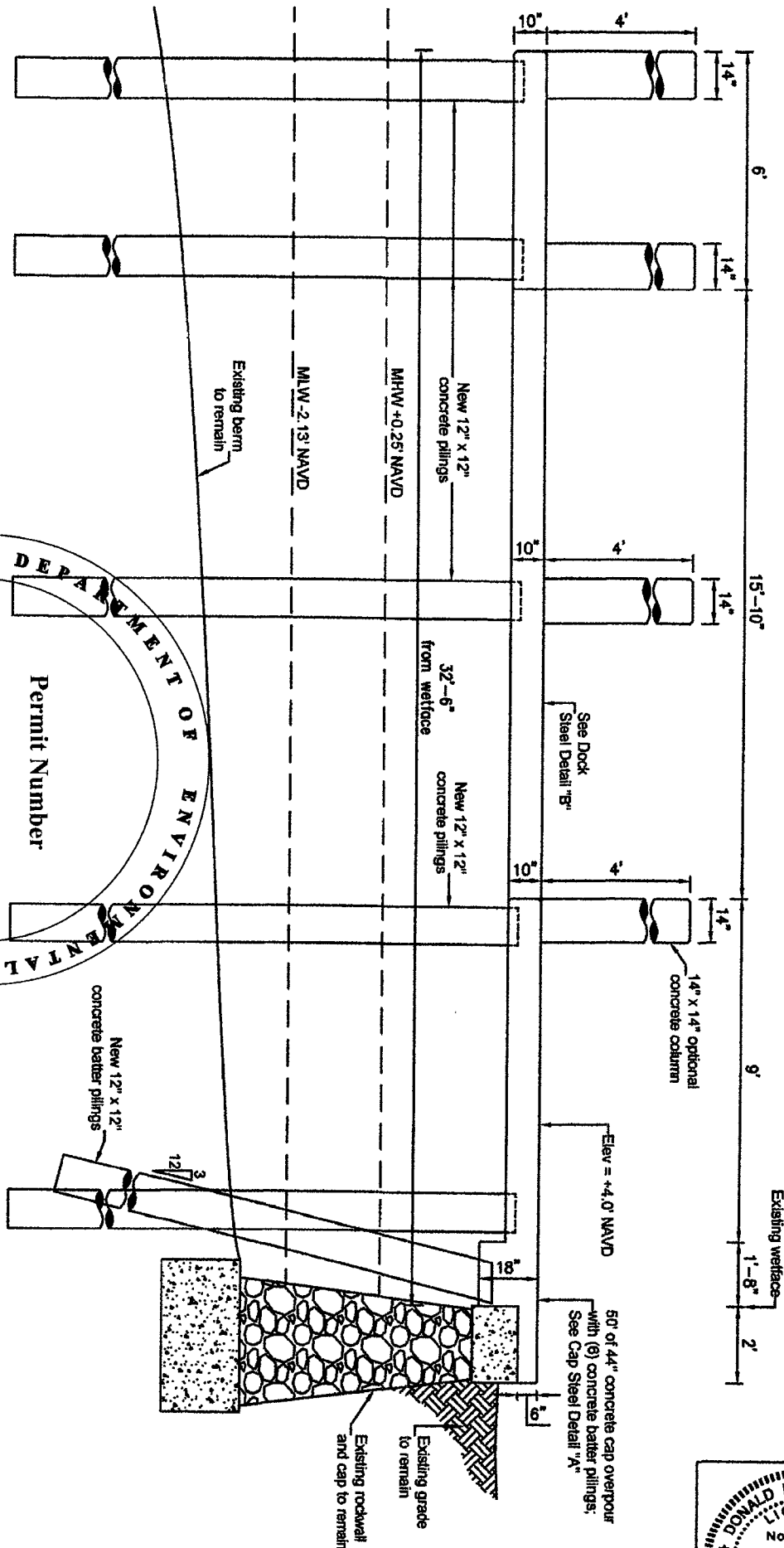
DATE DESIGNED BY CHECKED BY DATE AS NOTED	PROJECT LOCATION PRIMO BUILDERS 615 SLEWYLD DRIVE FORT LAUDERDALE, FL	PREPARED FOR: <b>B &amp; M MARINE CONSTRUCTION, INC.</b> 3500 S.W. 14TH STREET DEERFIELD BEACH, FL 33442 954-421-1700 CGC052820	DONALD CESARONE & ASSOCIATES, LLC. P.E. & S.E. LICENSE NO. 33489 1548 NW 124TH AVE CORAL SPRINGS, FL 33071 TEL: (954) 985-8800 DMC@CESARONE.COM DONALD M. CESARONE, P.E. FLORIDA REGISTRATION NO. 84155 CIVIL ENGINEER	I CERTIFY THAT THE ABOVE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF FLORIDA.
--	--	---	--	--

**SCALE: 3/8" = 1'-0"**

Permit Number

06-365848-005-006-EE

DEPARTMENT OF ENVIRONMENTAL  
Permit Number



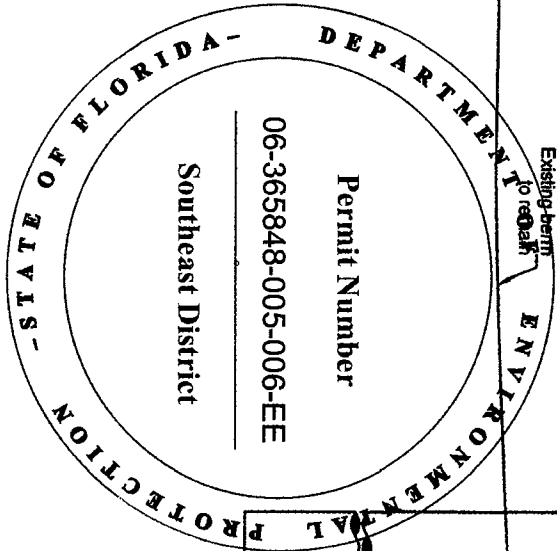
~~Exhibit 1~~

Page 36 of 70

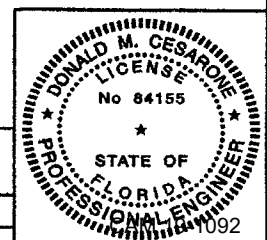
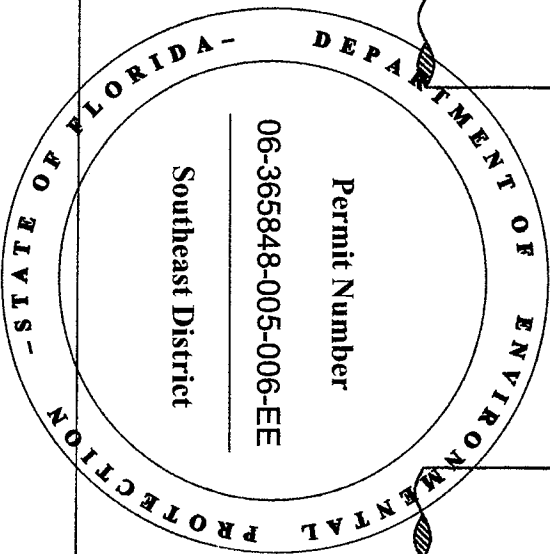
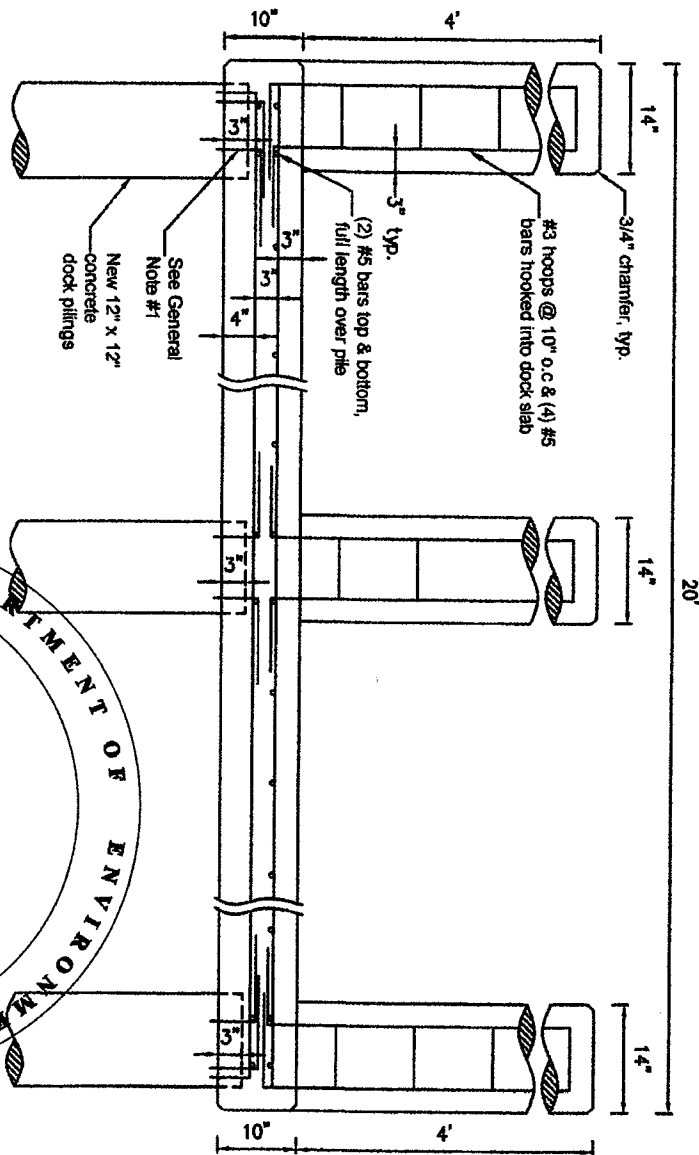
DATE	NOTES/REVISIONS	CONTRACT NUMBER NO. PYRAMID BUILDING 515 IDEWYLD DRIVE FORT LAUDERDALE, FL	PREPARED FOR:  <b>B &amp; M MARINE          CONSTRUCTION, INC.</b> 3500 S.W. 14TH STREET DEERFIELD BEACH, FL 33442 954-421-1700 CG052820	DONALD CESARONE & ASSOCIATES, LLC, FIBRE C&L LICENSE NO. 32469 1040 N.W. 12TH AVE. CORAL SPRINGS, FL 33071 TEL: (954) 985-9600 DCE@CESARONE.COM DONALD M. CESARONE, P.E. FLORIDA REGISTRATION NO. 04185 COMM. ENGINEER
			* IF CONTRACTOR, I HEREBY CERTIFY THAT THIS DOCUMENT MEETS ALL REQUIREMENTS OF THE FLORIDA REGISTERED PROFESSIONAL ENGINEER ACT.	



**SCALE: 3/8" = 1'-0"**



**DOCK STEEL DETAIL "C"**  
SCALE: 3/4" = 1'-0"



DATE	NOEL/RODRIGUEZ	IF WORK IS TO BE DONE BY PYRAMID BUILDERS 515 IDLEWYLD DRIVE FORT LAUDERDALE, FL	PREPARED FOR: <b>B &amp; M MARINE CONSTRUCTION, INC.</b> 3500 S.W. 14TH STREET DEERFIELD BEACH, FL 33442 954-421-1700 CGC052820	DONALD CESARONE & ASSOCIATES, LLC. PE/CE LICENSE NO. 32489 1905 NW 12TH WAY CORAL SPRINGS, FL 33071 TEL: 954-885-0405 DMCESARONE@GMAIL.COM DONALD M. CESARONE, P.E. FLORIDA REGISTRATION NO. 84155 CIVIL ENGINEER
DESIGNED BY	CHECKED BY	DATE	DATE	DATE
DATE	DATE	DATE	DATE	DATE



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
4400 PGA BOULEVARD, SUITE 500  
PALM BEACH GARDENS, FLORIDA 33410

August 06, 2019

REPLY TO  
ATTENTION OF

Regulatory Division  
South Permits Branch  
Palm Beach Gardens Permits Section  
SAJ-2018-01809 (NW/GP-CGK)

Robert Anderson  
703 Whithall Plains Road  
Annapolis, Maryland 21409

Dear Mr. Anderson:

Your application for a Department of the Army permit received on June 21, 2018, has been assigned number SAJ-2018-01809 (NW/GP-CGK). A review of the information and drawings provided shows the proposed work is to (1) remove existing dock, install (2) a 405 square foot dock, (3) a 14-foot by 16-foot boatlift, (4) 50-linear feet of seawall no more than 18-inches wetface to wetface with a 3-foot wide cap, and (5) 50-linear feet of riprap 4-feet waterward of MHWL at a 2:1 slope. The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403), and Section 404 of the Clean Water Act (33 U.S.C. § 1344). The project is located at 515 Idlewyld Drive (Section 12, Township 50 South, Range 42 East), Fort Lauderdale, Florida.

Your project, as depicted on the enclosed drawings, is authorized by Nationwide Permit (NWP) Number 13. In addition, project specific conditions have been enclosed. This verification is valid until **March 18, 2022**. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit. Please access the U.S. Army Corps of Engineers' (Corps) Jacksonville District's Regulatory Internet page to access Internet links to view the Final Nationwide Permits, Federal Register Vol. 82, dated January 6, 2017, specifically pages 1983 to 2008, and the table of Regional Conditions. The Internet page address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive and should be entered as it appears above. Once there you will need to click on "Source Book"; and, then click on "Nationwide Permits." These files contain the description of the Nationwide Permit authorization, the Nationwide Permit general conditions, and the regional conditions, which apply specifically to this verification for NWP 13. Enclosed is a list of the six

General Conditions, which apply to all Department of the Army authorizations. You must comply with all of the special and general conditions and any project specific condition of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

Your project, as depicted on the enclosed drawings, is authorized by Regional General Permit (GP) SAJ-20. This authorization is valid until March 27, 2023. Please access the Corps' Jacksonville District Regulatory Division Internet page to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Once there you will need to click on "Source Book"; and, then click on "General Permits." Then you will need to click on the specific SAJ permit noted above. You must comply with all of the special and general conditions of the permit; and, any project-specific conditions noted below, or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to the following address:
  - a. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Special Projects and Enforcement Branch, Enforcement PM Address.
  - b. For electronic mail [saj-rd-enforcement@usace.army.mil](mailto:saj-rd-enforcement@usace.army.mil) (not to exceed 10 MB).

The Permittee shall reference this permit number, SAJ-2018-01809 on all submittals

2. **As-Built Certification with XY's :** Within 60 days of completion of the work authorized by this permit, the Permittee shall submit as-built drawings of the authorized work and a completed "As-Built Certification By Professional Engineer" form (Attachment B) to the Corps. The as-built drawings shall be

signed and sealed by a registered professional engineer and include the following:

- a. A plan view drawing of the location of the authorized work footprint, as shown on the permit drawings, with transparent overlay of the work as constructed in the same scale as the permit drawings on 8½-inch by 11-inch sheets. The plan view drawing should show all "earth disturbance," including wetland impacts and water management structures.
  - b. A list of any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the attached "As-Built Certification By Professional Engineer" form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the asbuilt drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or "As-Built Certification By Professional Engineer" form does not constitute approval of any deviations by the Corps.
  - c. Include the Department of the Army permit number on all sheets submitted.
3. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
4. **Manatee Conditions:** The Permittee shall comply with the enclosed (Attachment B) "Standard Manatee Conditions for In-Water Work – 2011."
5. **Project Design Criteria (PDCs) for In-Water Activities:** The Permittee shall comply with National Marine Fisheries Service's "PDCs for In-Water Activities" dated November 20, 2017 (Attachment C).

6. **Consent to Easement:** A portion of the authorized work may be located within the Federal right-of-way for an identified Federal project and would require a Department of the Army Consent to Easement. By copy of this permit, the proposal is being forwarded to the Corps' Real Estate Division for action on the Consent to Easement. Failure to obtain the Consent to Easement or waiver invalidates this authorization. The Real Estate Division is responsible for issuing the Consent to Easement. Contact with Real Estate for questions or status updates can be done at Post Office Box 4970, Jacksonville, Florida 32232-0019 or by telephone at 904-570-4514
7. **Setback:** The proposed structure shall be no more than 62.5 feet from the near edge of the federal channel
8. **Notice of Permit:** The Permittee shall complete and record the "Notice of Department of the Army Permit" form (Attachment E) with the Clerk of the Circuit Court, Registrar of Deeds or other appropriate official charged with the responsibility of maintaining records of title to or interest in real property within the county of the authorized activity. Within 90 days from the effective date of this permit, the Permittee shall provide a copy of the recorded Notice of Permit to the Corps clearly showing a stamp from the appropriate official indicating the book and page at which the Notice of Permit is recorded and the date of recording.
9. **Daylight Hours:** All activities must be completed during daylight hours.
10. **Pile installation:** The maximum number of piles installed per day is to be no more than 10 piles per day.

**11. Cultural Resources/Historic Properties:**

- a. No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.
- b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified

shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition ; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

This authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Prior to the initiation of any construction, projects qualifying for this NWP/RGP permit must qualify for an exemption under section 403.813(1), F.S. or 373.406, F.S., or otherwise be authorized by the applicable permit required under Part IV of Chapter 373, F.S., by the Department of Environmental Protection, a water management district under section 373.069, F.S., or a local

government with delegated authority under section 373.441, F.S., and receive Water Quality Certification (WQC) and applicable Coastal Zone Consistency Concurrence (CZCC) or waiver thereto, as well as any authorizations required for the use of state-owned submerged lands under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.


This authorization does not include conditions that would prevent the 'take' of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

This authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced NWP and RGP, please contact Christian Karvounis by e-mail at [Christian.G.Karvounis@usace.army.mil](mailto:Christian.G.Karvounis@usace.army.mil) or telephone at 561-472-3508.

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey). Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Sincerely,

A handwritten signature in cursive script, appearing to read "Chris Karvounis".

Christian Karvounis  
Project Manager

Enclosures:

- Attachment A: Project drawings
- Attachment B: As-Builts Form
- Attachment C: Manatee Conditions
- Attachment D: PDC's for In-Water Work
- Attachment E: Notice of Permit Form

Copies Furnished:

The Chapell Group, Inc.

GENERAL CONDITIONS

33 CFR PART 320-330

PUBLISHED FEDERAL REGISTER DATED 13 NOVEMBER 1986

1. The time limit for completing the work authorized ends on **date identified in the letter**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST**

**PERMIT NUMBER: SAJ-2018-01809 (NW/GP-CGK)**

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019 or electronic mail at [saj-rd-enforcement@usace.army.mil](mailto:saj-rd-enforcement@usace.army.mil).

\_\_\_\_\_  
(TRANSFEREE-SIGNATURE)

\_\_\_\_\_  
(SUBDIVISION)

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(LOT)

\_\_\_\_\_  
(BLOCK)

\_\_\_\_\_  
(NAME-PRINTED)

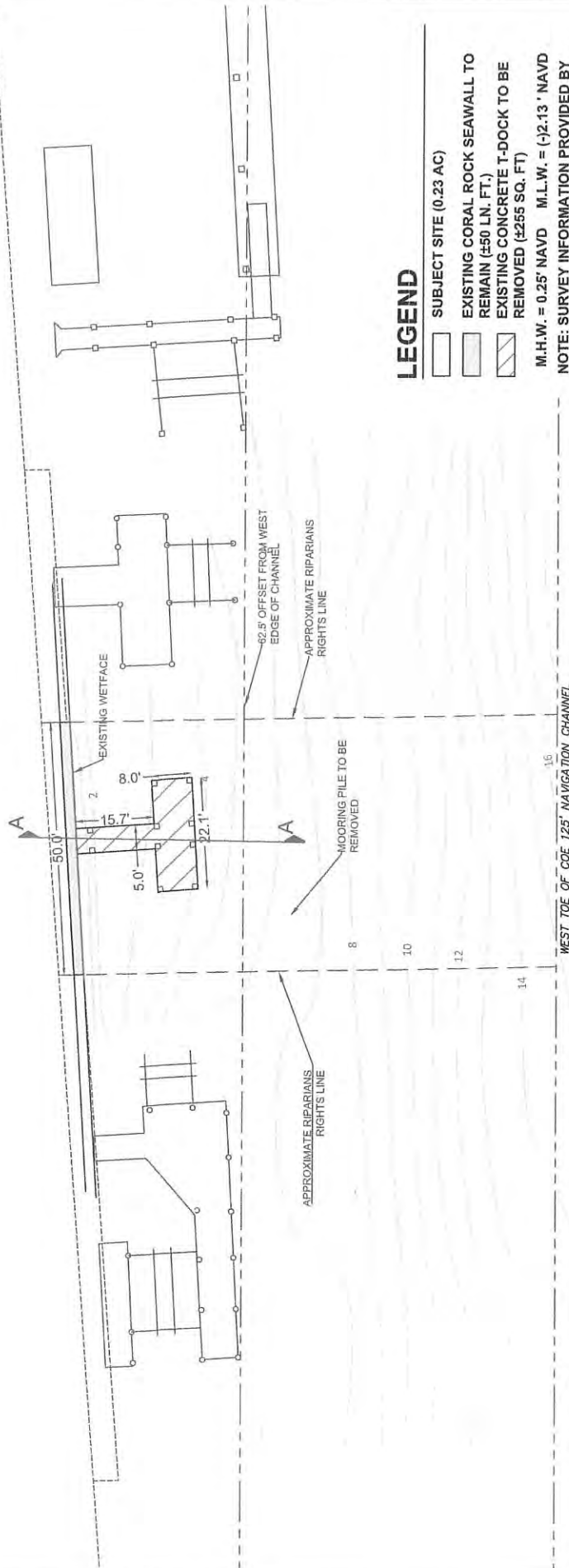
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(STREET ADDRESS)

\_\_\_\_\_  
(MAILING ADDRESS)




\_\_\_\_\_  
(CITY, STATE, ZIP CODE)

**NORTH**  
  
**SCALE**  
**1" = 20'**

APX. PROPERTY LINE (TYP)  
 PER BCPA PARCEL DATA



### LEGEND

-  SUBJECT SITE (0.23 AC)
-  EXISTING CORAL ROCK SEAWALL TO REMAIN (#50 LN. FT.)
-  EXISTING CONCRETE T-DOCK TO BE REMOVED (#255 SQ. FT.)

M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD

NOTE: SURVEY INFORMATION PROVIDED BY TERRAQUATIC. ELEVATIONS SHOWN AS NAVD83.

**THE Chappell GROUP**  
 714 East McVie Road  
 Pompano Beach, Florida 33069  
 Tel. 954.782.1908  
 Fax. 954.782.1105  
[www.thechappellgroup.com](http://www.thechappellgroup.com)

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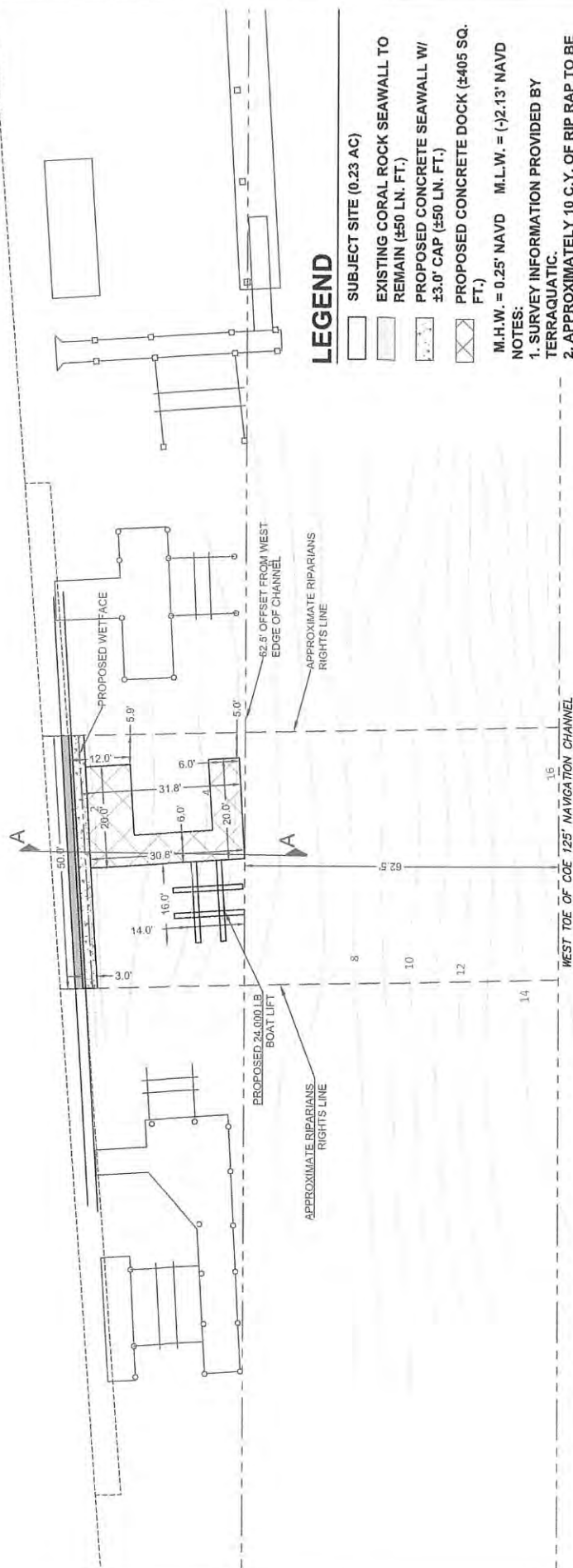
- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- TSE Species Surveys
- Phase I ESAs

**515 IDLEWYLD DRIVE**  
 PREPARED FOR:  
 PYRAMID BUILDERS




EXISTING CONDITIONS	
Date: 5/16/2019	Sheet: 1 of: 4
Proj No: 19-0018	

**NORTH**  
  
**SCALE**  
**1" = 20'**

APX. PROPERTY LINE (TYP)  
 PER BOPA PARCEL DATA



### LEGEND

-  SUBJECT SITE (0.23 AC)
-  EXISTING CORAL ROCK SEAWALL TO REMAIN (±50 LN. FT.)
-  PROPOSED CONCRETE SEAWALL W/ ±3.0' CAP (±50 LN. FT.)
-  PROPOSED CONCRETE DOCK (±405 SQ. FT.)

M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD

**NOTES:**

1. SURVEY INFORMATION PROVIDED BY TERRAQUATIC.
2. APPROXIMATELY 10 C.Y. OF RIP RAP TO BE INSTALLED UNDERNEATH 20 LN. FT. OF DOCK.

<b>THE Chappell GROUP</b> 714 East McNeil Road Pompano Beach, Florida 33060 Tel. 954.782.1908 Fax. 954.782.1108 <a href="http://www.thechappellgroup.com">www.thechappellgroup.com</a>		<b>515 IDLEWYLD DRIVE</b> PREPARED FOR: PYRAMID BUILDERS	
		PROPOSED CONDITIONS Date: 5/19/2019 Sheet: 2 of: 4 Proj No.: 19-0018	

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.

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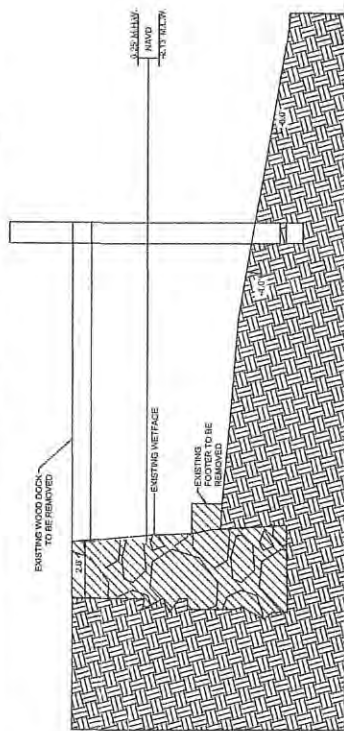
EXISTING UPLANDS

DISTANCE FROM EXISTING WETFACE TO EDGE OF EXISTING DOCK

120.7'

INTRACOSTAL WATERWAY

VARIES



INTRACASTAL WATERWAY

DISTANCE FROM PROPOSED WETFACE TO EDGE OF PROPOSED DOCK

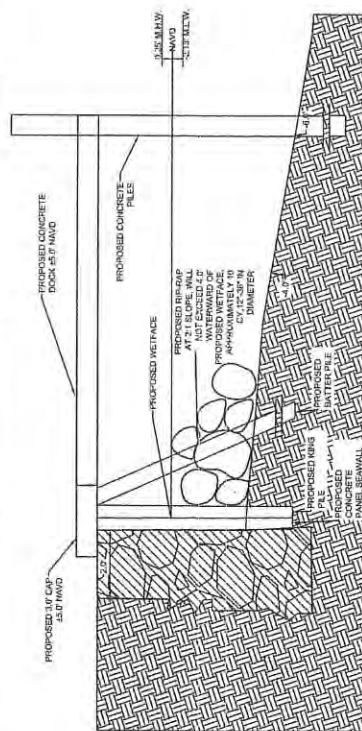
EXISTING UPLANDS

131' 0"

131' 0"

262' 0"

VARIES



NOTE PROPOSED WETFACE TO BE NO GREATER THAN 18" WATERWARD OF EXISTING WETFACE

**THE Chappell** GROUP  
7714 East McNabb Road  
Pompano Beach, Florida 33060  
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[www.thechappellgroup.com](http://www.thechappellgroup.com)

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

515 IDLEWYLD DRIVE

PREPARED FOR:

PYRAMID BUILDERS

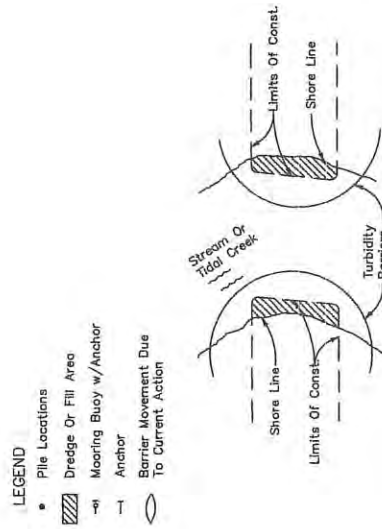
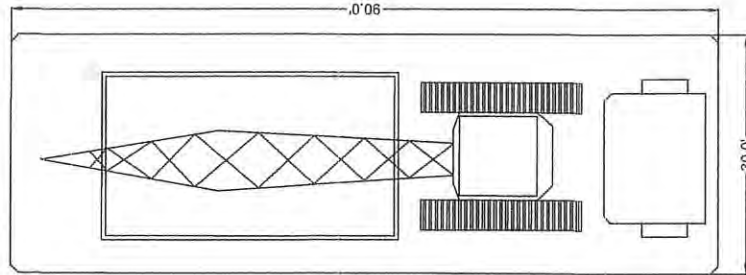
## SECTIONS

Sheet:

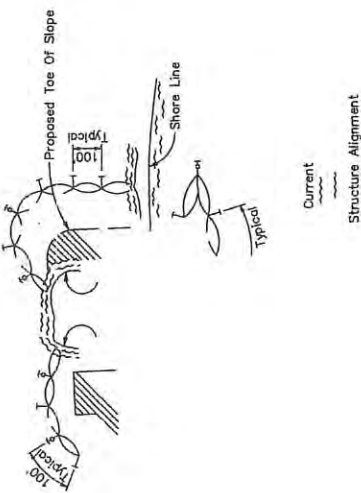
Date:

Proj No.: 19-0018

# CONSTRUCTION BARGE (TYP.)



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 design and construction of the barriers shall be the responsibility of the Contractor 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.



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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515 IDLEWYLD DRIVE

PREPARED FOR:  
PYRAMID BUILDERS

### DETAILS

Date: 5/16/2019	Sheet: 4	of: 4
Proj No.: 19-0018		

## **AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER**

*Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Enforcement Section, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, Florida. For electronic mail [saj-rd-enforcement@usace.army.mil](mailto:saj-rd-enforcement@usace.army.mil) (not to exceed 10 MB). If you have questions regarding this requirement, please contact the Enforcement Branch at 904-232-3131.*

1. Department of the Army Permit Number: SAJ-2018-01809 (NW/GP-CGK)

2. Permittee Information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

3. Project Site Identification (physical location/address):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. As-Built Certification: I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled, and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

\_\_\_\_\_  
Signature of Engineer

\_\_\_\_\_  
Name (*Please type*)

\_\_\_\_\_  
(FL, PR, or VI) Reg. Number

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
ZIP

(Affix Seal)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone Number

Date Work Started: \_\_\_\_\_ Date Work Completed: \_\_\_\_\_

Identify any deviations from the approved permit drawings and/or special conditions (attach additional pages if necessary):

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

## STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at [ImperiledSpecies@myFWC.com](mailto:ImperiledSpecies@myFWC.com)
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at [MyFWC.com/manatee](http://MyFWC.com/manatee). Questions concerning these signs can be sent to the email address listed above.

# CAUTION: MANATEE HABITAT

**All project vessels**

## **IDLE SPEED / NO WAKE**

When a manatee is within 50 feet of work  
all in-water activities must

## **SHUT DOWN**

Report any collision with or injury to a manatee:

**Wildlife Alert:**

**1-888-404-FWCC(3922)**

cell \*FWC or #FWC



**U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological  
Opinion (JaxBO) Project Design Criteria (PDCs) for In-Water Activities**

**November 20, 2017**

- 1) **(AP.7.) Education and Observation:** The permittee must ensure that all personnel associated with the project are instructed about the potential presence of species protected under the ESA and the Marine Mammal Protection Act (MMPA). All on-site project personnel are responsible for observing water-related activities for the presence of protected species. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing ESA-listed species or marine mammals. To determine which species may be found in the project area, please review the relevant Protected Species List at:  
[http://sero.nmfs.noaa.gov/protected\\_resources/section\\_7/threatened\\_endangered/index.html](http://sero.nmfs.noaa.gov/protected_resources/section_7/threatened_endangered/index.html)
- 2) **(AP.8.) Reporting** of interactions with protected species:
  - a) Any collision(s) with and/or injury to any sea turtle, sawfish, whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (1-727-824-5312) or by email to [takeareport.nmfs@noaa.gov](mailto:takeareport.nmfs@noaa.gov) and [SAJ-RD-Enforcement@usace.army.mil](mailto:SAJ-RD-Enforcement@usace.army.mil).
  - b) Smalltooth sawfish: Report sightings to 1-844-SAWFISH or email [Sawfish@MyFWC.com](mailto:Sawfish@MyFWC.com)
  - c) Sturgeon: Report dead sturgeon to 1-844-STURG 911 (1-844-788-7491) or email [nmfs.ser.sturgeonnetwork@noaa.gov](mailto:nmfs.ser.sturgeonnetwork@noaa.gov)
  - d) Sea turtles and marine mammals: Report stranded, injured, or dead animals to 1-877-WHALE HELP (1-877-942-5343).
  - e) North Atlantic right whale: Report injured, dead, or entangled right whales to the USCG via VHF Channel 16.
- 3) **(AP.9.) Vessel Traffic and Construction Equipment:** All vessel operators must watch for and avoid collision with species protected under the ESA and MMPA. Vessel operators must avoid potential interactions with protected species and operate in accordance with the following protective measures:
  - a) *Construction Equipment:*
    - i) All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while operating in water depths where the draft of the vessel provides less than a 4-foot (ft) clearance from the bottom, and in all depths after a protected species has been observed in and has departed the area.
    - ii) All vessels will follow marked channels and/or routes using the maximum water depth whenever possible.
    - iii) Operation of any mechanical construction equipment, including vessels, shall cease immediately if a listed species is observed within a 50-ft radius of

construction equipment and shall not resume until the species has departed the area of its own volition.

- iv) If the detection of species is not possible during certain weather conditions (e.g., fog, rain, wind), then in-water operations will cease until weather conditions improve and detection is again feasible.

b) *All Vessels:*

- i) Sea turtles: Maintain a minimum distance of 150 ft.
- ii) North Atlantic right whale: Maintain a minimum 1,500-ft distance (500 yards).
- iii) Vessels 65 ft in length or longer must comply with the Right Whale Ship Strike Reduction Rule (50 CFR 224.105) which includes reducing speeds to 10 knots or less in Seasonal Management Areas (<http://www.fisheries.noaa.gov/pr/shipstrike/>).
- iv) Mariners shall check various communication media for general information regarding avoiding ship strikes and specific information regarding right whale sightings in the area. These include NOAA weather radio, USCG NAVTEX broadcasts, and Notices to Mariners.
- v) Marine mammals (i.e., dolphins, whales [other than North Atlantic right whales], and porpoises): Maintain a minimum distance of 300 ft.
- vi) When these animals are sighted while the vessel is underway (e.g., bow-riding), attempt to remain parallel to the animal's course. Avoid excessive speed or abrupt changes in direction until they have left the area.
- vii) Reduce speed to 10 knots or less when mother/calf pairs or groups of marine mammals are observed, when safety permits.

- 4) **(AP.10.) Turbidity Control Measures during Construction:** Turbidity must be monitored and controlled. Prior to initiating any of the work covered under this Opinion, the Permittee shall install turbidity curtains as described below. In some instances, the use of turbidity curtains may be waived by the USACE project manager if the project is deemed too minimal to generate turbidity (e.g., certain ATON installation, scientific survey device placement, marine debris removal) or if the current is too strong for the curtains to stay in place. Turbidity curtains specifications:

- a) Install floating turbidity barriers with weighted skirts that extend to within 1 ft of the bottom around all work areas that are in, or adjacent to, surface waters.
- b) Use these turbidity barriers throughout construction to control erosion and siltation and ensure that turbidity levels within the project area do not exceed background conditions.
- c) Position turbidity barriers in a way that does not block species' entry to or exit from designated critical habitat.
- d) Monitor and maintain turbidity barriers in place until the authorized work has been completed and the water quality in the project area has returned to background conditions.
- e) In the range of ESA-listed corals (St. Lucie Inlet, Martin County south to the Dry Tortugas and the U.S. Caribbean) and Johnson's seagrass (Turkey Creek/Palm

Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida):

- i) Projects that include upland earth moving (e.g., grading to install a building or parking lot associated with a dock and seawall project), must install sediment control barriers to prevent any upland sediments from reaching estuarine or marine waters.
  - ii) The turbidity curtain requirement cannot be waived for any project that moves or removes sediment (e.g., dredging, auger to create a pile, trenching to install a cableline). If turbidity curtains are not feasible in an area based on site conditions such as water current, high wave action, or stormy conditions, the project must undergo individual Section 7 consultation and is not covered under this Programmatic Opinion.
- 5) **(AP.11.) Entanglement:** All turbidity curtains and other in-water equipment must be properly secured with materials that reduce the risk of entanglement of marine species (described below). Turbidity curtains likewise must be made of materials that reduce the risk of entanglement of marine species.
- a) In-water lines (rope, chain, and cable, including the lines to secure turbidity curtains) must be stiff, taut, and non-looping. Examples of such lines are heavy metal chains or heavy cables that do not readily loop and tangle. Flexible in-water lines, such as nylon rope or any lines that could loop or tangle, must be enclosed in a plastic or rubber sleeve/tube to add rigidity and prevent the line from looping and tangling. In all instances, no excess line is allowed in the water.
  - b) Turbidity curtains and other in-water equipment must be placed in a manner that does not entrap species within the construction area or block access for them to navigate around the construction area.

Prepared by:

Permittee: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

### **NOTICE OF DEPARTMENT OF THE ARMY AUTHORIZATION**

**TAKE NOTICE** the United States Army Corps of Engineers (Corps) has issued a permit or verification SAJ-2018-01809 to Robert Anderson (Permittee) on August 6, 2019, authorizing work in navigable waters of the United States in accordance with Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C 403) on a parcel of land known as Folio/Parcel ID: \_\_\_\_\_

located at 515 Idlewyld Drive (Section 12, Township 50 South, Range 42 East), Fort Lauderdale, Florida.

Within 30 days of any transfer of interest or control of said property, the Permittee must notify the Corps in writing of the property transfer by submitting the completed permit transfer page included with the issued permit or verification. The subject permit or verification concerns only that portion of the property determined to fall within the jurisdiction of the Corps and this notice is applicable only to those portions of the subject property in, over, under, or affecting navigable waters of the United States.

**Conditions of the Permit/Verification:** The permit or verification is subject to General Conditions and Special Conditions which may affect the use of the work authorized in Intracoastal Waterway. Accordingly, interested parties should closely examine the entire permit or verification, all associated applications, and any subsequent modifications.

To obtain a copy of the authorization in its entirety submit a written request to:

U.S. Army Corps of Engineers  
Regulatory Division - Special Projects & Enforcement Branch  
Post Office Box 4970  
Jacksonville, Florida 32232-0019

Questions regarding compliance with these conditions should be directed to:

U.S. Army Corps of Engineers  
Enforcement Section  
Post Office Box 4970  
Jacksonville, Florida 32232-0019

### **Conflict Between Notice and Permit**

This Notice of Authorization is not a complete summary of the issued permit or verification. Provisions in this Notice of Permit shall not be used in interpreting the

permit or verification provisions. In the event of conflict between this Notice of Permit and the permit or verification, the permit or verification shall control.

**This Notice is Not an Encumbrance**

This Notice is for informational purposes only. It is not intended to be a lien, encumbrance, or cloud on the title of the premises.

**Release**

This Notice may not be released or removed from the public records without the prior written consent of the Corps.

This Notice of Authorization is executed on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_. This document is being submitted for recordation in the Public Records of Broward County, Florida as part of the requirement imposed by the authorization SAJ-2018-01809 issued by Corps.

Permittee:

\_\_\_\_\_

Address:

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public

(seal)

\_\_\_\_\_  
Print

My Commission Expires \_\_\_\_\_















