

ITEM VI

MEMORANDUM MF NO. 21-04

DATE: March 10-2021

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: April 1st, 2021 MAB Meeting – Application for Dock Permit – M. Austin Foreman
Mgr. Gillis Investments 2 LTD / 915 Cordova Road

Attached for your review is an application from M. Austin Foreman Mgr. Gillis Investments 2 LTD / 915 Cordova Road (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for the installation of a 52'4" long x 8' wide marginal dock extending a maximum distance of +/-8' from the wet face of the seawall on public property abutting the waterway adjacent to 915 Cordova Road (see **Exhibit 1**). City Code Section 8-144 (**Exhibit 2**) authorizes the construction and use of docks on public property, and allows for the permit to be issued provided the permit holder agrees to maintain the improvements and seawall.

PROPERTY LOCATION AND ZONING

The property is located within the Rio Vista Isles RS-8 Residential Low Density Zoning District. The dock area is directly adjacent to the Rio Vista canal with direct access to the Intracoastal Waterway.

ENGINEERING REVIEW REQUIREMENT

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

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

1. The permit to use the docks shall expire upon the: (i) abandonment of the use of the dock; or (ii) recordation of the deed of conveyance transferring title to the upland parcel; or (iii) termination, expiration or revocation of the dock permit by the City Commission, whichever (i),(ii), or (iii) shall first occur.
2. Upon expiration of the permit to use the dock, the permit holder shall be obligated to remove the dock and all appurtenances thereto no later than three (3) months after the termination, revocation or expiration of the permit to use the dock.
3. Signage such as "private dock" may be placed on the dock within the dock area, but not upon or within the public swale area.
4. Only vessels owned by the permit holder and registered with the City as part of the dock permit application may be moored at the permitted dock.

5. During the term of the dock permit, the permit holder shall be required to repair, replace, reconstruct or maintain the dock or adjacent seawall or both to meet the requirements of City Code 8-144 (7) and ULDR section 47-19.3 (f.)(4.). The public swale area shall be landscaped in accordance with the established landscape plan for the area in question adopted by the Department of Sustainable Development.
6. All improvements such as docks, seawalls and the like which are placed upon the public dock area or within the dock permit parcel or within the dock area and public swale area by a private person shall be constructed with appropriate permits from all applicable agencies. Maintenance and repairs shall be performed according to City Engineering standards and all applicable regulatory codes.
7. The public swale area shall be kept open at all times as means of reasonable ingress and egress to the public, but the permit holder shall have the right to exclude the public from the dock area.
8. Vessels berthed within the Dock Area must not encroach into the northerly or southerly extension of the 5' set-back required for the RS-8 zoning district for Applicant's (Permit Holder's) Property.
9. All installed docks must be either (i) floating docks that can adapt to sea level rise over their useful life span ; or (ii) fixed docks installed at a minimum height consistent with the requirements of section 47-19.3(f); or (iii) fixed docks the height of which are even with the City's seawall, whichever (ii) or (iii) is the greater.
10. Except as to a tender, there shall be no rafting of vessels from the moored vessel.
11. The permit shall guarantee from the permit holder to the city to indemnify and hold the city harmless for any damage or injury to any person using such facilities.
12. The violation of any provisions of Code Section 8-144 or violations of any of the terms or conditions relative to the granting or renewal of a dock permit shall be unlawful and may constitute cause for revocation of the permit.

AC

Attachment

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

**Marine Advisory Board:
Dock Permit Application**

**Gillis Investments 2 LTD
(P.O. Box 292037, Davie, FL 33329)
915 Cordova Rd
Ft Lauderdale, FL 33316**

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- 10. Permit pack w/ survey**
- 11. Color site and aerial photos**

To whom it concerns,

We are requesting permission to rebuild the dock at 915 Cordova Rd. that was torn down during the Cordova Rd Seawall replacement project. Resolution No. 19-205 refers to an agreement made between the City and property owners all Marine advisory fees would be waived. The dock and staircase are completely free - standing structures. The staircase is pre-cast concrete with appropriate hand railing. The dock measures 8' x 52' 4". The mooring piles will measure 25' from the seawall. These dimensions are based on the projected south lot line to seawall. Document P1 shows this information. We have secured DEP approval (see attached) There is no intention to moor a vessel at the dock at this time. After the Marine Advisory Board approval, we will seek approval from Broward county DPERG and then the final step of securing the building permit with the City of Ft Lauderdale.

RESOLUTION NO. 19-205

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ESTABLISHING FEES FOR APPLICATIONS FOR DOCK PERMITS ISSUED UNDER SECTION 8-144 PRIVATE USE OF PUBLIC PROPERTY ABUTTING WATERWAYS, AND PROVIDING FOR SEVERABILITY, RESCISSION OF CONFLICTING RESOLUTION PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, it has long been the law in Florida that a reasonable license or permit fee may be charged in an amount sufficient to bear the expense of issuing the permit and the costs of necessary inspections and review connected with the administration of the permit; and

WHEREAS, the City of Fort Lauderdale has established an application process that requires technical and legal review of documents, presentation of the application to the Marine Advisory Board for recommendation, drafting of a dock permit resolution, and presentation to the City Commission for approval, and recording of the resolution; and

WHEREAS, the current administrative fee of \$300 for the dock permit application does not cover the City's costs to process the application; and

WHEREAS, based on a review of the staff resources, an application fee of \$1,500 is recommended; and

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida, wishes to establish the application fee for dock permits issued under Section 8-144 Private Use of Public Property Abutting Waterways at \$1,500 effective October 2, 2019; and

WHEREAS, a number of dock holders on Cordova Road between SE 7th Street and SE 12th Street will be required to submit full applications due to the removal of their docks associated with the reconstruction of the City seawall at that location and amendment of the terms and conditions of the dock permit under Section 8-144; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. The City hereby establishes the application fee for dock permits issued under Section 8-144 Private Use of Public Property Abutting Waterways at \$1,500 effective October 2, 2019.

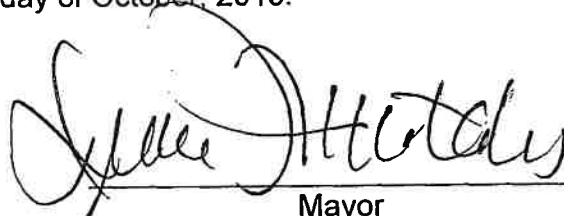
SECTION 2. The application fee for property owners whose docks were removed due to the seawall construction project on Cordova is hereby waived.

SECTION 3. That if any clause, section or other part of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That all Resolutions or parts of Resolutions in conflict are hereby repealed.

SECTION 5. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the 2nd day of October, 2019.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
JEFFREY A. MODARELLI

**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: M. Austin Forman

TELEPHONE NO: 954-304-6900 Gillis Investments 2 LTD. EMAIL: pmctigue@aol.com
(home/cellular) (business)

2. **APPLICANT'S ADDRESS** (if different than the site address):
P.O. Box 292037 Davie FL. 33329

3. **TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:**
Dock Permit

4. **SITE ADDRESS:** 915 Cordova Road Fort Lauderdale FL. 33316-1451 **ZONING:** RS-8

LEGAL DESCRIPTION AND FOLIO NUMBER:

RESUB BLK 22 RIO VISTA ISLES 23-30 B LOT 21 & PT LOT 22 DESC AS BEG AT NELY COR OF LOT 21, SLY ALG ELY BNDRY/L OF LOTS 21 & 22 A DIST OF 75, WLY 114.57 TO MIDPOINT ON E BNDRY/L OF LOT 14 BLK 22, NLY 95 TO NWLY COR OF LOT 21, ELY 109.99 TO POB

FOLIO #: 5042 11 19 0071

5. **EXHIBITS** (In addition to proof of ownership, list all exhibits provided in support of the applications).
Deed, BCPA Record, Photos, Survey, Dock Plan

Applicant's Signature M. Austin Forman

Date 10/21/20

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



MARTY KIAR
BROWARD
 COUNTY
 PROPERTY APPRAISER

Site Address	915 CORDOVA ROAD, FORT LAUDERDALE FL 33316-1451	ID #	5042 11 19 0071
Property Owner	GILLIS INVESTMENTS 2 LTD	Millage	0312
Mailing Address	PO BOX 292037 DAVIE FL 33329	Use	00
Abbr Legal Description	RESUB BLK 22 RIO VISTA ISLES 23-30 B LOT 21 & PT LOT 22 DESC AS BEG AT NELY COR OF LOT 21, SLY ALG ELY BNDRY/L OF LOTS 21 & 22 A DIST OF 75, WLY 114.57 TO MIDPOINT ON E BNDRY/L OF LOT 14 BLK 22, NLY 95 TO NWLY COR OF LOT 21, ELY 109.99 TO POB		

The just values displayed below were set in compliance with Sec. 193.011, Fla. Stat., and include a reduction for costs of sale and other adjustments required by Sec. 193.011(8).

* 2021 values are considered "working values" and are subject to change.						
Property Assessment Values						
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax	
2021	\$647,500		\$647,500	\$647,500		
2020	\$647,500		\$647,500	\$647,500		
2019	\$786,250		\$786,250	\$786,250	\$14,612.23	
2021 Exemptions and Taxable Values by Taxing Authority						
	County	School Board	Municipal	Independent		
Just Value	\$647,500	\$647,500	\$647,500	\$647,500		
Portability	0	0	0	0		
Assessed/SOH	\$647,500	\$647,500	\$647,500	\$647,500		
Homestead	0	0	0	0		
Add. Homestead	0	0	0	0		
Wid/Vet/Dis	0	0	0	0		
Senior	0	0	0	0		
Exempt Type	0	0	0	0		
Taxable	\$647,500	\$647,500	\$647,500	\$647,500		
Sales History				Land Calculations		
Date	Type	Price	Book/Page or CIN	Price	Factor	Type
7/31/2019	QC*-D	\$1,995,000	115969888	\$70.00	9,250	SF
8/29/2018	WD*-E	\$1,925,000	115300911			
6/30/2014	WD-E	\$1,000,000	112384478			
6/30/2006	QCD	\$100	42424 / 359			
5/26/1998	WD	\$455,000	28290 / 262	Adj. Bldg. S.F.		
* Denotes Multi-Parcel Sale (See Deed)						
Special Assessments						

* Denotes Multi-Parcel Sale (See Deed)

Prepared by and return to:

Christopher James Gertz, Esq.
President

Christopher J. Gertz, P.A.
888 South Andrews Avenue Suite 204
Fort Lauderdale, FL 33316
954-565-2601

File Number: CCS-475

Will Call No.:

[Space Above This Line For Recording Data]

Quit Claim Deed

This Quit Claim Deed made this 31st day of July, 2019 between Tidal Wave Properties, LLC, a Florida limited liability company, whose post office address is PO Box 292037, Davie, FL 33329, grantor, and Gillis Investments #2, Ltd., a Florida limited partnership, whose post office address is PO Box 292037, Davie, FL 33329, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in **Broward County, Florida** to-wit:

Parcel 1:

Lot 15 and the North 25 feet of Lot 14, Block 22, RESUBDIVISION IN BLOCK 22-RIO VISTA ISLES, according to the map or plat thereof as recorded in Plat Book 23, Page 30, Public Records of Broward County, Florida, more particularly described as follows:

Lot 15 and a portion of Lot 14 more fully described as: Beginning at the Northwest corner of Lot 14; thence Easterly along the North boundary thereof a distance of 109.33 feet to the Northeast corner thereof; thence Southerly along the East boundary of said Lot 14 a distance of 25 feet to the mid-point of said East line; thence Westerly along a line parallel to the said North boundary of Lot 14 a distance of 109.30 feet to the mid-point of the West boundary of Lot 14; thence Northerly along the said West boundary a distance of 25 feet to the point of beginning.

Parcel 2:

All of Lot 21 and that portion of Lot 22 in Block 22, of RIO VISTA ISLES, according to the plat of a resubdivision in Block 22 of said RIO VISTA ISLES recorded in Plat Book 23, at Page 30, of the Public Records of Broward County, Florida, described as follows:

Beginning at the Northeasterly Corner of said Lot 21 and running thence Southerly along the Easterly Boundary line of said Lots 21 and 22, a distance of 75 feet to a point; thence Westerly, a distance of 114.58 feet to the midpoint on the Easterly Boundary line of Lot 14 in said Block 22; thence Northerly along the Westerly Boundary line of said Lots 22 and 21 in said Block 22, a distance of 95 feet to the Northwesterly corner of said Lot 21, thence Easterly along the Northerly line of said Lot 21, a distant of 109.99 feet to the Point of Beginning.

Said lands situate, lying and being in Broward County, Florida.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

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:

Witness Name: Clay Carreon

Witness Name: Patrick McZigie

Tidal Wave Properties, LLC, a Florida limited liability company

By: M. Austin Forman
M. Austin Forman, its Manager

State of Florida
County of Broward

The foregoing instrument was acknowledged before me this 31ST day of July, 2019 by M. Austin Forman, Manager of Tidal Wave Properties, LLC, a Florida limited liability company, who ☒ is personally known or ☐ has produced a driver's license as identification.

[Notary Seal]



Helen Gray
Notary Public

Printed Name: HELEN GRAY

My Commission Expires: _____

**City of Fort Lauderdale****Municipal Service Bill**100 North Andrews Avenue
Fort Lauderdale Florida 33301-1016

7329382

0

Municipal Services Information

Water Billing: 954-828-5150
24-Hour Customer Service: 954-828-8000
E-Mail: customerservice@fortlauderdale.gov
Lobby Hours: Monday-Friday, 7:30 a.m. to 5 p.m.
Pay Online At: utilitybilling.fortlauderdale.gov

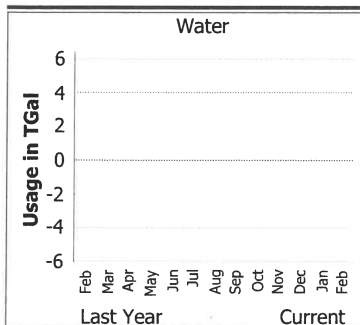
Account Number	Bill Type	Due Date	Amount Due
2143768	Regular	3/9/21	\$41.64

TIDAL WAVE PROPERTIES LLC
P O BOX 292037
FT LAUDERDALE FL 33329-2037



Customer	TIDAL WAVE PROPERTIES LLC
Living Units	1
Period	1/15/21 to 2/11/21
Days	28
Previous Bill	\$41.64
Payments	-\$41.64
Adjustments	\$0.00
Past Due ***	\$0.00
Penalties	\$0.00
Current	\$41.64
Total Due	\$41.64

Service Address: 915 CORDOVA RD

**Description**

Water Single Family in the City
Water Base (1 inch Water meter)
Water Monthly Fixed Charge
Utility Tax
Sewer Base City
Sewer Monthly Fixed Charge

Meter/Dial	Reading			\$ Amount
	Previous	Current	Usage	
200902475-M	569	569	0	\$0.00
				\$11.59
				\$2.37
				\$1.16
				\$23.98
				\$2.54
				\$41.64

***** Sweepstakes: Select a paperless bill option and/or enroll in Autopay for a chance to win a Ring Video Doorbell.**
Landlord Registry: Residential property owners with rental properties are required to register with the City at

<https://aca-prod.accela.com/FTL/Default.aspx> ***

Detach and return this stub with remittance - Please make check payable in US funds to CITY of FORT LAUDERDALE - Allow 5 days for mailing

Account Number	Address Served	Bill Date	Due Date	Amount Due
2143768	915 CORDOVA RD	Feb 12, 2021	Mar 09, 2021	\$41.64

Amount Enclosed \$

City of Fort Lauderdale

Municipal Services

P.O. Box 31687

Tampa, FL 33631-3687



0000041640500021437685

* DRIVE THRU LOCATION
EAST OF CITY HALL IN PARKING LOT, A
24 HR SELF-SERVICE PAYMENT KIOSK IS
AVAILABLE FOR YOUR CONVENIENCE.

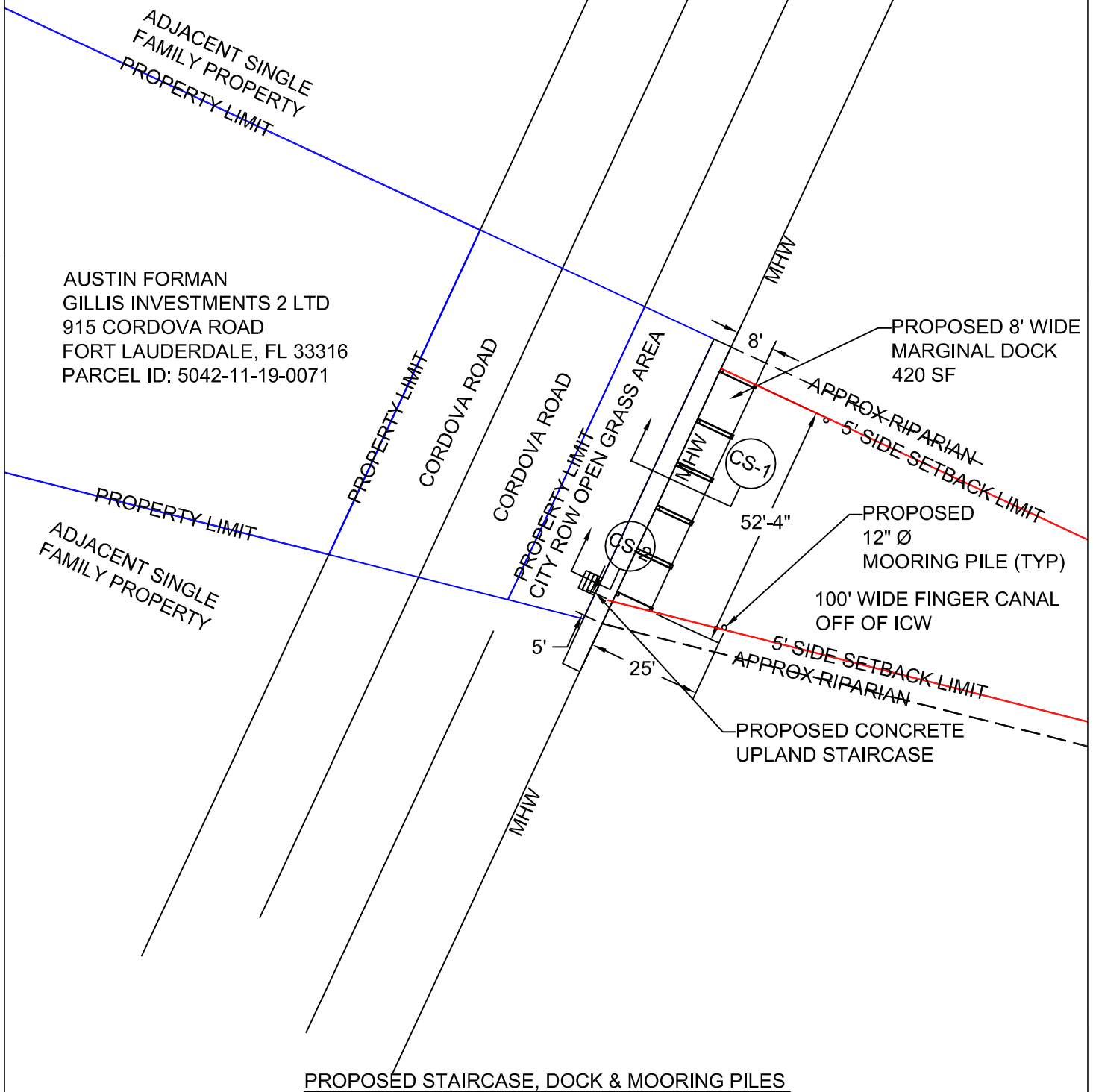
DRIVE THRU HOURS:
MONDAY - FRIDAY
8:00 AM - 4:30 PM

OFFICE HOURS:
7:30 AM - 5:00 PM
MONDAY - FRIDAY
CLOSED SATURDAY, SUNDAY AND HOLIDAYS

Exhibit 1
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NOTES

- LAYOUT PER BROWARD COUNTY PROPERTY APPRAISER MAP
- NEW DOCK AND UPLAND STAIRCASE TO BE ADJACENT TO NEW SEAWALL
- MOORING PILES AND DOCK WITHIN 25% OF CANAL WIDTH
- TURBIDITY CURTAIN TO BE USED DURING PILE INSTALLATION
- NO SEAGRASS IN AREA
- DOCK DECKBOARD AND STRINGERS NOT SHOWN FOR CLARITY



PROPOSED STAIRCASE, DOCK & MOORING PILES

PLAN VIEW
SCALE 1" = 30'

CHRISTOPHER R. CROUSHORE, PE
FLORIDA PE # 74580

Croushore Marine Engineering Inc.

100 ANDROS ROAD, PALM SPRINGS, FLORIDA 33461
PH (561) 951-6036
FL CERT OF AUTH #30254

SCALE: 1" = 30'
DATE: 08.10.20
REVISED: 02.08.21
DRAWN BY: CRC

AUSTIN FORMAN
915 CORDOVA STREET
FORT LAUDERDALE, FL

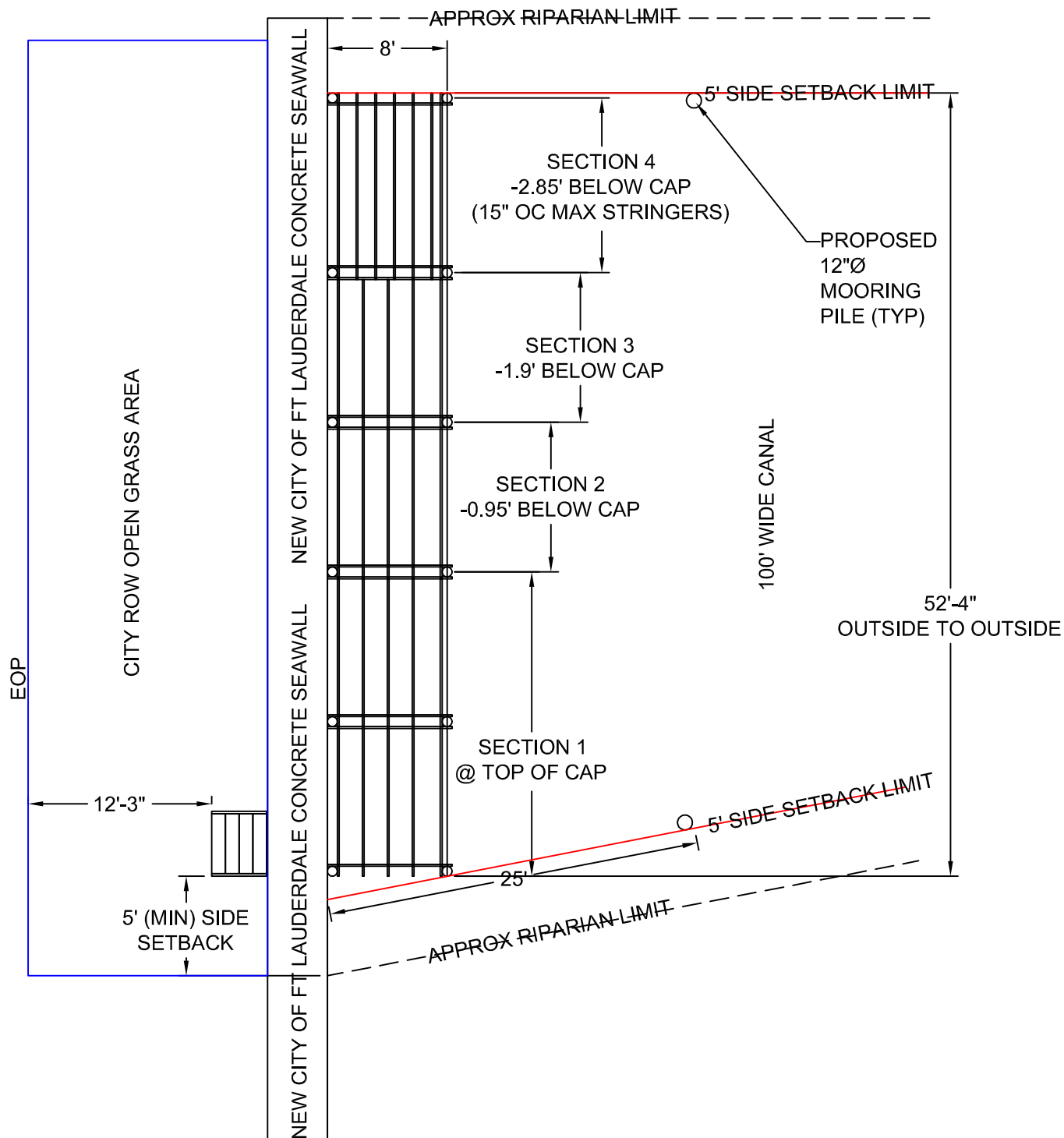
PROPOSED STAIRCASE, DOCK & MOORING PILES
PLAN VIEW

P-1

CAM 21-0423

SHEET 1 OF 6

Exhibit 1
Page 13 of 45



CHRISTOPHER R. CROUSHORE, PE
FLORIDA PE # 74580

Croushore Marine Engineering Inc.

100 ANDROS ROAD, PALM SPRINGS, FLORIDA 33461
PH (561) 951-6036
FL CERT OF AUTH #30254

SCALE: 1" = 10'

DATE: 08.10.20

REVISED: 02.08.21

DRAWN BY: CRC

AUSTIN FORMAN
915 CORDOVA STREET
FORT LAUDERDALE, FL

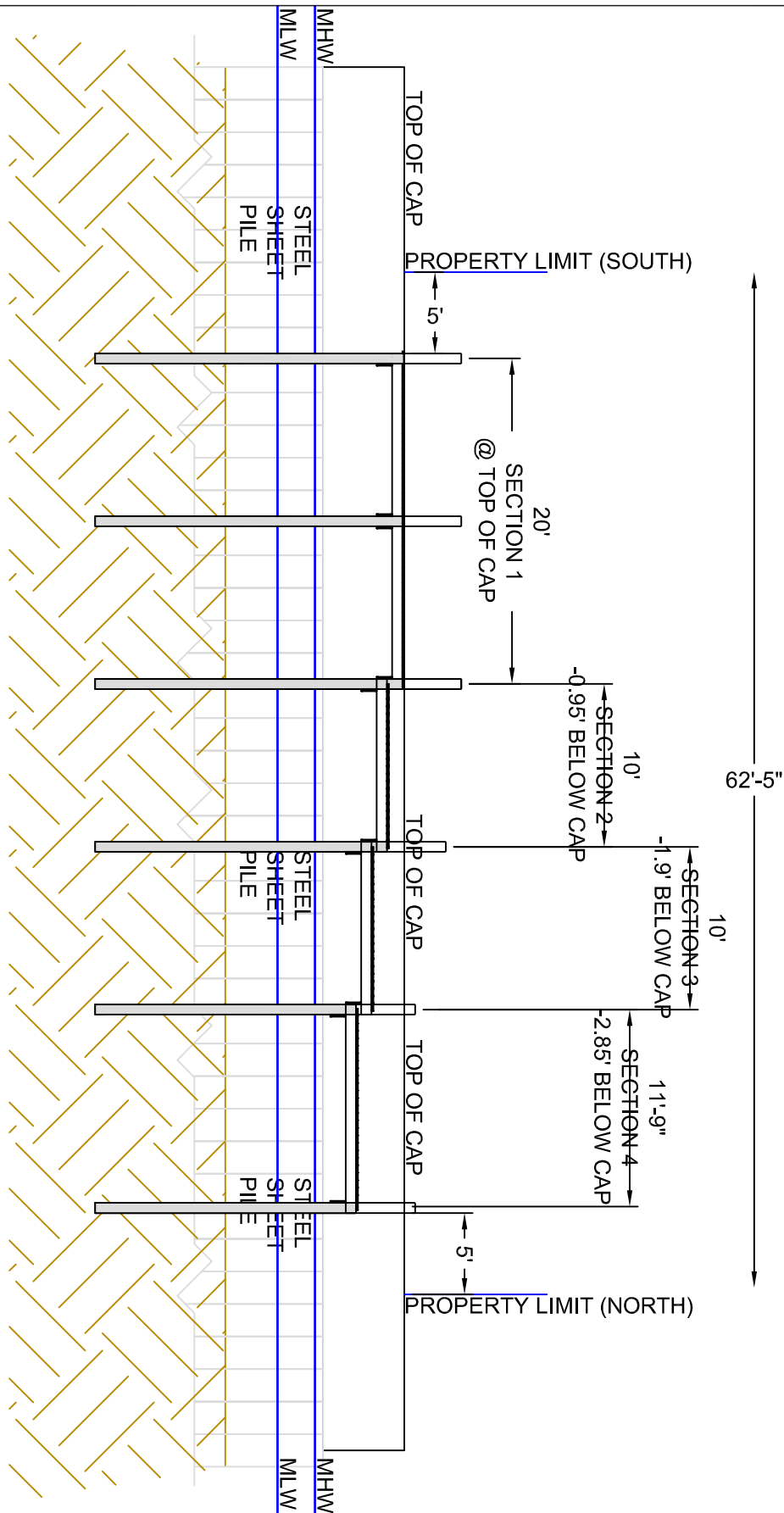
PROPOSED STAIRCASE, DOCK & MOORING PILES
DETAILED PLAN VIEW

P-2

CAM 21-0423

Exhibit 1

Page 14 of 45



CHRISTOPHER R. CROUSHORE, PE
FLORIDA PE # 74580

Croushore Marine Engineering Inc.

100 ANDROS ROAD, PALM SPRINGS, FLORIDA 33461
PH (561) 951-6036
FL CERT OF AUTH #30254

SCALE: 1" = 10'
DATE: 08.10.20
REVISED: 02.11.21
DRAWN BY: CRC

AUSTIN FORMAN
915 CORDOVA STREET
FORT LAUDERDALE, FL

PROPOSED DOCK
PROFILE VIEW

PR-1

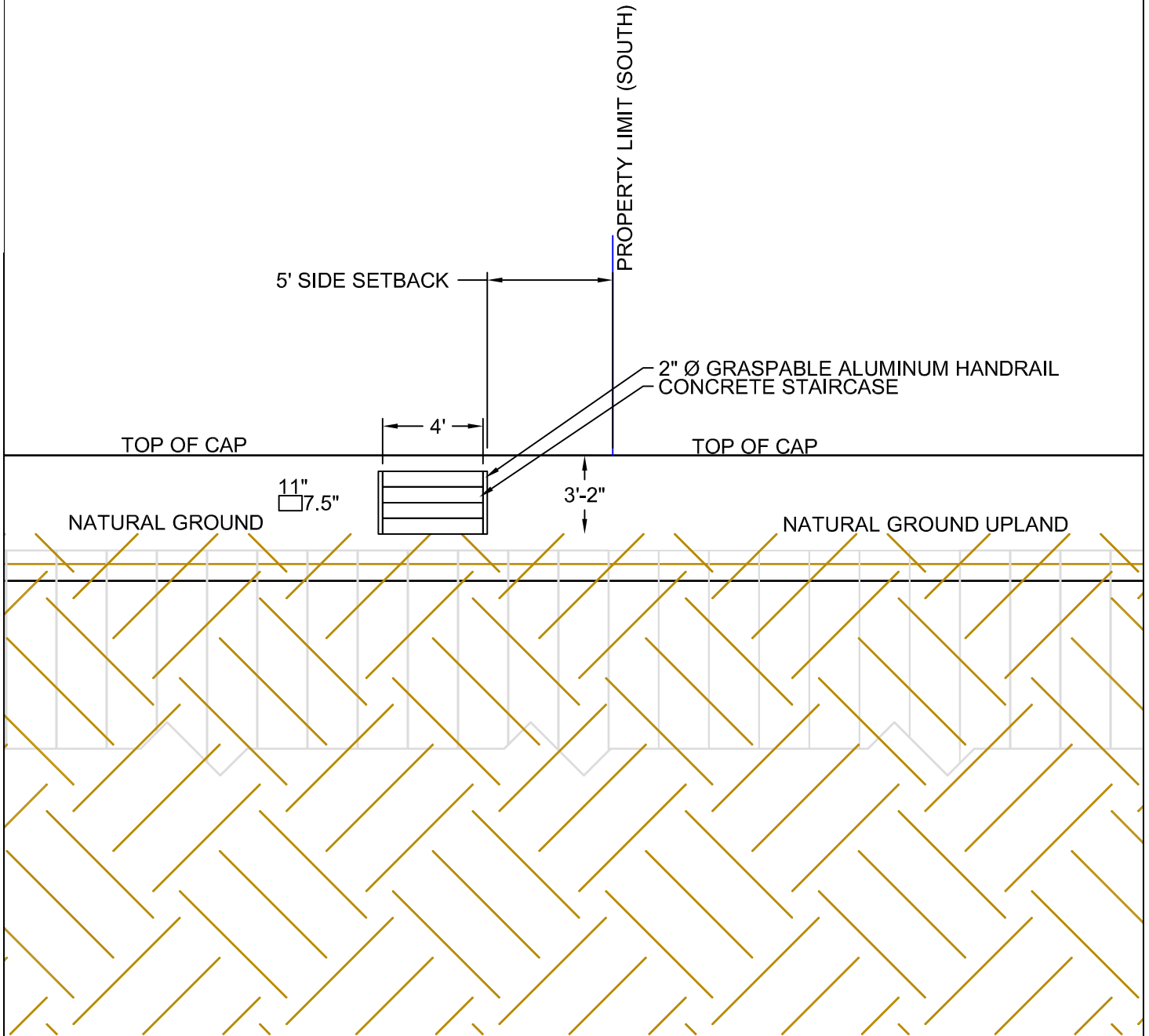
SHEET 3 OF 6

CAM 21-0423

Exhibit 1
Page 15 of 45

NOTES

- CONCRETE TO BE 5000 PSI AFTER 28 DAYS
- STAIRCASE SYSTEM IS NOT TO ATTACH TO, CONNECT TO, OR BE IN DIRECT CONTACT WITH THE CITY OF FT LAUDERDALE SEAWALL OR SEAWALL CAP
- ALL HARDWARE TO BE MARINE GRADE 316 SS
- ALL ALUMINUM THAT COMES IN CONTACT OR CLOSE TO ANY STEEL HARDWARE OR REBAR, SHALL BE POLYMER COATED



CHRISTOPHER R. CROUSHORE, PE
FLORIDA PE # 74580

Croushore Marine Engineering Inc.

100 ANDROS ROAD, PALM SPRINGS, FLORIDA 33461
PH (561) 951-6036
FL CERT OF AUTH #30254

SCALE: 1" = 6'
DATE: 08.10.20
REVISED: 02.08.21
DRAWN BY: CRC

AUSTIN FORMAN
915 CORDOVA STREET
FORT LAUDERDALE, FL

PROPOSED STAIRCASE
PROFILE VIEW

SHEET 4 OF 6

PR-2

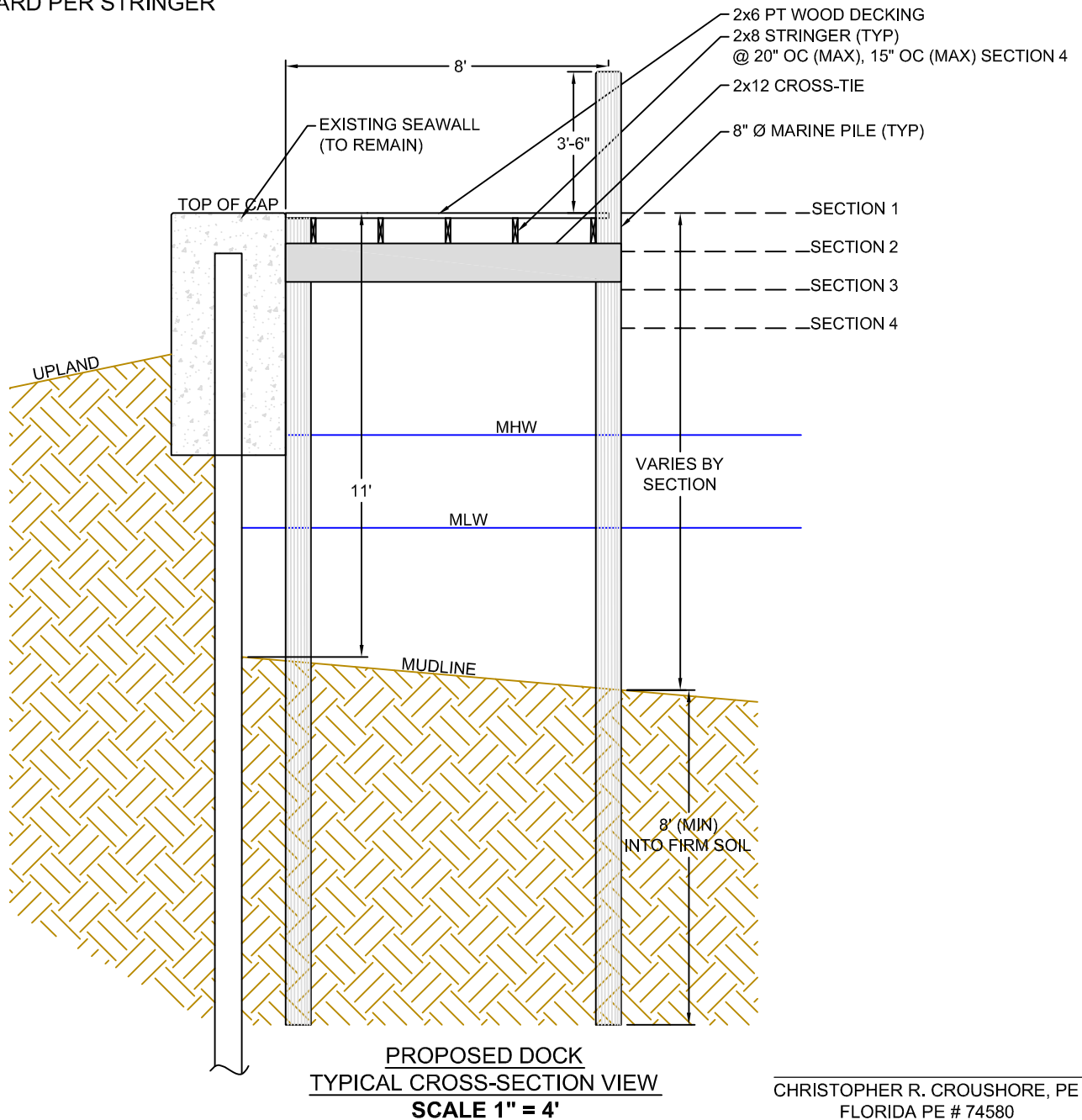
CAM 21-0423

Exhibit 1

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NOTES

- ALL WOOD TO BE SYP GRADE #1 OR BETTER
- MARINE PILES TO BE 2.50 CCA, SUB-FRAMING TO BE 0.60 CCA, DECK BOARDS TO BE 0.40 ACQ (OR EQUAL)
- DOCK SYSTEM IS NOT TO ATTACH TO, CONNECT TO, OR BE IN DIRECT CONTACT WITH THE CITY OF FT LAUDERDALE SEAWALL OR SEAWALL CAP
- ALL HARDWARE TO BE 316 SS
- 2x12 CROSS-TIES CONNECTED TO 8" MARINE PILES W/ (2) $\frac{5}{8}$ " BOLT ASSEMBLY KITS PER CROSS-TIE PER PILE
- 2x8 EDGE STRINGERS CONNECTED TO 8" MARINE PILES W/ (1) $\frac{5}{8}$ " LAG BOLT PER EXTERIOR STRINGER PER PILE ALONG SIDE CLOSEST TO SEAWALL
- 2x8 INTERIOR STRINGERS CONNECTED TO 2x12 CROSS-TIE W/ SIMPSON H2.5A HURRICANE STRAP
- 2x6 DECK BOARD CONNECTED TO 2x8 STRINGERS W/ #10 DECK SCREWS.
- 2 PER BOARD PER STRINGER



Croushore Marine Engineering Inc.

100 ANDROS ROAD, PALM SPRINGS, FLORIDA 33461
PH (561) 951-6036
FL CERT OF AUTH #30254

SCALE: 1" = 4"
DATE: 08.10.20
REVISED: 02.08.21
DRAWN BY: CRC

AUSTIN FORMAN
915 CORDOVA STREET
FORT LAUDERDALE, FL

PROPOSED DOCK & MOORING PILES
TYPICAL CROSS-SECTION VIEW

CS-1

SHEET 5 OF 6

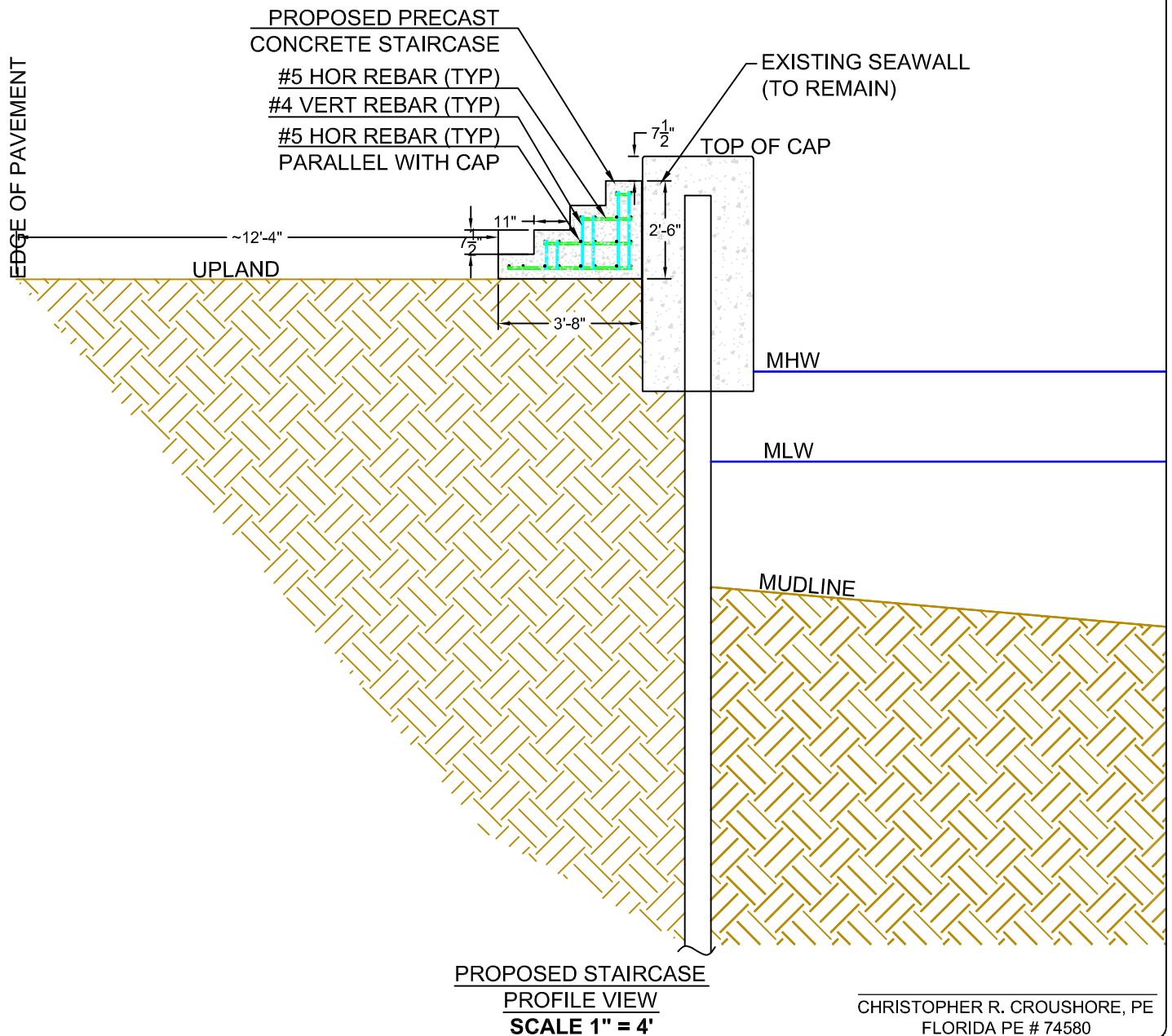
CAM 21-0423

Exhibit 1

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NOTES

- STAIR SYSTEM IS NOT TO ATTACH TO, CONNECT TO, OR BE IN DIRECT CONTACT WITH THE CITY OF FT LAUDERDALE SEAWALL OR SEAWALL CAP
- ALL CONCRETE TO BE 5000 PSI AFTER 28 DAYS, WITH CORROSION INHIBITOR
- ALL REBAR TO BE GRADE 60 PER ASTM A-615
- ALL REBAR TO HAVE 3" (MIN) CONCRETE COVER
- AFTERMARKET 2"Ø GRASPABLE HANDRAIL TO BE 36" TALL ABOVE STEP. NOT SHOWN FOR CLARITY
- ALL HARDWARE TO BE MARINE GRADE 316 SS
- AFTERMARKET 2"Ø GRASPABLE HANDRAIL TO BE ATTACHED
- ANY PORTION OF ALUMINUM THAT COMES IN CONTACT OR NEAR ANY STEEL, SHALL BE POLYMER COATED IN AREAS TO MINIMIZE DISSIMILAR METALS CONTACT



Croushore Marine Engineering Inc.

100 ANDROS ROAD, PALM SPRINGS, FLORIDA 33461
PH (561) 951-6036
FL CERT OF AUTH #30254

SCALE: 1" = 4'
DATE: 08.10.20
REVISED: 02.08.21
DRAWN BY: CRC

AUSTIN FORMAN
915 CORDOVA STREET
FORT LAUDERDALE, FL
PROPOSED STAIRCASE PLATFORM
TYPICAL CROSS-SECTION VIEW

CS-2

SHEET 6 OF 6



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

August 4, 2020

Austin Forman
c/o Gillis Investments 2 LTD
P.O. Box 292037
Davie, FL 33329

Re: File No.: 06-389190-001&002-EE
File Name: Forman Gillis

Dear Austin Forman:

On June 18, 2020, we received your request for verification of exemption to perform the following activities: (1) install an 8 ft. by 75 ft (600 sq. ft.) marginal dock, and (2) install mooring piles. The project is located in a residential canal, Class III Waters, adjacent to 915 Cordova Road in Fort Lauderdale (Section 11, Township 50 South, Range 42 East), in Broward County (Latitude N 26° 6' 39.33", Longitude W -80° 7' 41.10").

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 qualifies for all three. However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity.

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 Ashley Drda at the letterhead address or at 561-681-6671, Ashley.Drda@FloridaDEP.gov.

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)(a) and Chapter 62-330.051(5)(b), 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 - NOT REQUIRED

The activity does not appear to be located on sovereign submerged lands, and does not require further authorization under chapter 253 of the Florida Statutes, or chapters 18-20 or 18-21 of the Florida Administrative Code.

3. Federal Review - APPROVED

Your proposed activity as outlined in your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit V-R1, and a **SEPARATE permit or authorization will not be required** from the Corps. Please note that the Federal authorization expires on July 26, 2021. However, your authorization may remain in effect for up to 1 additional year, if provisions of Special Condition 19 of the SPGP V-R1 permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP V-R1 with all terms and conditions and the General Conditions may be found 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. 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 21 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 21 days of publication of the notice or within 21 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, 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



Ashley Drda
Environmental Specialist
Southeast District

Enclosures:

Attachment A - Specific Exemption Rule
Special Conditions for Federal Authorization for SPGP V-R1
General Conditions for Federal Authorization for SPGP V-R1
Project drawings, 5 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, Ashley Drda
Chris Croushore - Ccroushore@gmail.com

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.

Barbara Browning

Clerk

August 4, 2020
Date

Attachment A

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., as applicable.

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

- (a) Installation or repair of pilings and dolphins associated with private docking facilities or piers that are exempt under section 403.813(1)(b), F.S.;
- (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.

Rulemaking Authority 373.026(7), 373.043, 373.4131, 373.4145, 403.805(1) FS. Law Implemented 373.406, 373.4131, 373.4145, 373.415, 403.813(1) FS. History—New 10-1-13, Amended 6-1-18

Special Conditions for Federal Authorization for SPGP V-R1

Note: JAXBO (Jacksonville District's Programmatic Biological Opinion), referenced throughout, may be found online in the Jacksonville District Regulatory Division Sourcebook, or at <http://cdm16021.contentdm.oclc.org/utils/getfile/collection/p16021coll13/id/577>.

The SPGP V-R1 instrument and all attachments may be found online through the Sourcebook, or at <https://www.saj.usace.army.mil/SPGP/>

In addition to the conditions specified above, the following Special Conditions apply to all projects reviewed and/or authorized under the SPGP V-R1.

Special Conditions for All Projects

1. Authorization, design and construction must adhere to the terms of the SPGP V-R1 instrument including the Procedure and Work Authorized sections.
2. Design and construction must adhere to the PDCs for In-Water Activities ([Attachment 6](#), from PDCs AP.7 through AP11, inclusive, of JAXBO) (Reference: JAXBO PDC AP.1.).
3. All activities performed during daylight hours (Reference: JAXBO PDC AP.6.).
4. For all projects involving the installation of piles or sheet piles, the maximum number of piles, sheet piles or concrete slab walls or boatlift I-beams installed by impact hammer per day is limited to no more than 5 per day. Any installation of metal pipe or metal sheet pile by impact hammer is not authorized (Reference: Categories D and E of JAXBO PDCs for In-Water Noise from Pile and Sheet Pile Installation, page 86.).
5. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary (Reference: JAXBO PDCs AP.14 and A1.6).
6. Notifications to the Corps. For all authorizations under this SPGP V-R1, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:
 - a. Commencement Notification. Within 10 days before the date of initiating the work authorized by this permit or for each phase of the authorized project, the Permittee shall provide a written notification of the date of commencement of authorized work to the Corps.
 - b. Corps Self-Certification Statement of Compliance form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form ([Attachment 32](#)) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.
 - c. Permit Transfer. 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. To validate

the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form (Attachment 2).

d. 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.

- (1) For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.
- (2) For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ- 2015-02575 on all submittals.

7. The District Engineer reserves the right to require that any request for authorization under this SPGP V-R1 be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP V-R1 does not automatically guarantee Federal authorization.

8. On a case-by-case basis, the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.

9. Failure to comply with all conditions of the SPGP V-R1 constitutes a violation of the Federal authorization.

10. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant's/Permittee's behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us. The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at <http://www.cr.nps.gov/nr/research>.

a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes 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 in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245-6333 and the Corps Regulatory Project Manager to assess the significance of the discovery and devise appropriate actions, including salvage operations. 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 C.F.R. § 325.7.

b. In the unlikely event that human remains are identified, the remains will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, and the State Archaeologist (850-245-6444) and the Corps Regulatory Project Manager shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.

11. The Permittee is responsible for obtaining any "take" permits required under the U.S. Fish and Wildlife Service's regulations governing compliance with these laws. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such "take" permits are required for a particular activity.

12. For Projects authorized under this SPGP V-R1 in navigable waters of the U.S., 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 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.

13. The SPGP V-R1 will be valid through July 26, 2021 unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the period ending July 26, 2021, is not contrary to the public interest. The SPGP V-R1 will not be extended beyond July 26, 2021, but may be replaced by a new SPGP. If revocation occurs, all future applications for activities covered by the SPGP V-R1 will be evaluated by the Corps.

14. If the SPGP V-R1 expires, is revoked, or is terminated prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP V-R1 will remain in effect provided the activity is completed within 12 months of the date the SPGP V-R1 expired or was revoked.

Special Conditions for Docks, Piers, Associated Facilities, and other Minor Piling-Supported Structures

1. For temporary structures associated with marine events. Upon completion of the event, these structures must be removed and, to the maximum extent practical, the site must be restored to pre-construction elevations. Water depths in the area of marine events must be deep enough to support at least 5 ft of water depth under the keel of a vessel and between the keel of a vessel and Endangered Species Act listed coral colonies, if present, when transiting to the mooring areas (Reference: JAXBO PDC A2.1.4.).

2. Educational Signs. For commercial, multi-family, or public facilities, and marine events, signs must be posted as described below (Reference: These replicate JAXBO PDCs A.2.2 and A.2.2.1 to A.2.2.3., inclusive, within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, starting on page 112.):

- a. (A2.2.) For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at:

(http://sero.nmfs.noaa.gov/protected_resources/section_7/protected_species_educational_signs/index.html). The signs required to be posted by area are stated below:

- (1) (A2.2.1.) All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign. These signs shall include contact information to the sea turtle and marine mammal stranding networks and smalltooth sawfish encounter database.

- (2) (A2.2.2.) Projects within the North Atlantic right whale educational sign zone shall post the Help Protect North Atlantic Right Whales sign.
 - (3) (A2.2.3.) On the east coast of Florida, projects located within the St. Johns River and those occurring north of the St. Johns River to the Florida-Georgia line shall post the Report Sturgeon sign. On the west coast of Florida, projects occurring from the Cedar Key, Florida north to the Florida-Alabama line.
3. Monofilament Recycling Bins. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided as described below (Reference: The below replicates PDC A2.3 within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, the PDC itself on page 113 of the JAXBO.):
 - a. (A2.3.) For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:
 - (1) (A2.3.1.) Be constructed and labeled according to the instructions provided at <http://mrpp.mvfwc.com>.
 - (2) (A2.3.2.) Be maintained in working order and emptied frequently (according to <http://mrpp.mvfwc.com> standards) so that they do not overflow.
 4. North Atlantic Right Whale. The attached North Atlantic Right Whale Information Form ([Attachment 27](#)) describes the presence of North Atlantic right whales in the area and the Federal regulations governing the approach to North Atlantic right whales. (The FDEP or Designee will attach this document to their authorizations for a dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of North Atlantic right whale critical habitat as measured in a radius from the center of the nearest inlet to open ocean described by [Attachment 29](#), the North Atlantic Right Whale Educational Sign Zones (from Section 2.1.1.4 of JAXBO, pages 31 and 32, inclusive) (Reference: JAXBO PDC A2.4.).
 5. Aids to Navigation. Aids to navigation must be approved by and installed in accordance with the requirements of the U.S. Coast Guard (i.e., 33 C.F.R., chapter I, subchapter C, part 66, Section 10 of the Rivers and Harbors Act, and any other pertinent requirements) (Reference: JAXBO PDC A2.5.).
 6. Lighting for docks installed within visible distance of ocean beaches. If lighting is necessary, then turtle-friendly lighting shall be installed. Turtle-friendly lighting is explained and examples are provided on the Florida Fish and Wildlife Conservation Commission website: <http://mvfwc.com/wildlifehabitats/managed/sea-turtles/lighting/> (Reference: JAXBO PDC A2.8.).
 7. Construction Location. Project construction shall take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited (Reference: JAXBO PDC A2.9.).
 8. Regarding submerged and emergent aquatic vegetation, the design and construction of a Project must comply with the following:
 - a. A pile supported structure (i) that is located on a natural waterbody (i.e., outside an artificial waterway that was excavated for boating access and is bordered by residential properties) and (ii) that is within the range of seagrass (estuarine waters within all coastal

counties except for Nassau, Duval, St Johns, Flagler and Volusia north of Ponce Inlet), will be constructed to the following standards:

- (1) Must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers' National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" updated November 2017 ([Attachment 5](#)).

- (2) In addition to (1), above, IF the project is within range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida), THEN the design and construction shall comply with, in some cases, the more restrictive requirements within paragraph 8.c., below (Reference: JAXBO PDC A2.17).

b. For all other Projects,

- (1) Within the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida), the presence of submerged aquatic vegetation will be determined utilizing the "Submerged Aquatic Vegetation Survey Guidelines" ([Attachment 7](#)). If no survey performed, aquatic vegetation, including Johnson's seagrass, will be presumed to be present for purposes of this Special Condition.
- (2) Outside the range of Johnson's seagrass but within the range of seagrass (estuarine waters within all coastal counties except for Nassau, Duval, St Johns, Flagler and Volusia County north of Ponce Inlet) and within tidal waters, the presence of seagrass and tidal freshwater submerged aquatic vegetation will be determined using the "Submerged Aquatic Vegetation Survey Guidelines" ([Attachment 7](#)) unless a site visit or aerial photography observes absence during the growing season (if water depth and clarity allows) or aquatic vegetation has not been found in the vicinity in the past.
- (3) Pile-supported structures, IF aquatic vegetation is present (including seagrass, tidal freshwater submerged aquatic vegetation and emergent vegetation), THEN must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers' National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" updated November 2017 ([Attachment 5](#)).
- (4) In addition to (1) to (3) above, IF the proposed dock or proposed structure is within range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida), and IF the proposed dock or proposed structure falls within the following scenarios, THEN the design and construction shall comply with, in some cases, the more restrictive requirements within paragraph 8.c., below. (Reference: The following replicates "Scenario B" as defined within A2.17, PDCs for Docks or Other Minor Structures of JAXBO.):
 - (i) Dock replacement in the exact footprint (i.e., same location/configuration/size) as the previous dock and:
 - (a) within Johnson's seagrass critical habitat with No current seagrass survey (completed no earlier than 1 year before submitting the application); or,
 - Johnson's seagrass under the dock; or, Native seagrass, other than Johnson's seagrass, under the dock; or,

- (b) within the Range of Johnson's seagrass (outside of critical habitat) with No current seagrass survey or Johnson's seagrass under the dock,
- (ii) New docks or dock expansions and:
 - (a) within Johnson's seagrass critical habitat; or,
 - (b) within the Range of Johnson's seagrass (outside of critical habitat) with: No current seagrass survey (completed no earlier than 1 year before submitting the application) or, Johnson's seagrass within property limit.
- c. The following additional restrictions apply when required by paragraphs 8.a.(2) or 8.b.(4), above (Reference: The following replicates the "Dock PDCs for Scenario B" within A2.17. PDCs for Docks or Other Minor Structures of JAXBO.):
 - (1) To avoid and minimize impacts to Johnson's seagrass and native, non-listed seagrasses to the maximum extent practicable:
 - (i) The dock must be positioned to avoid and minimize effects to Johnson's seagrass.
 - (ii) Over any area that contains Johnson's seagrass or native, non-listed seagrasses, the dock shall be oriented in a north-south orientation to the maximum extent that is practicable to allow maximum sunlight under the structure.
 - (iii) If practicable, terminal platforms shall be placed in deep water, waterward of Johnson's seagrass beds or native, non-listed seagrasses beds or in an area devoid of Johnson's seagrass or native, non-listed seagrasses.
 - (iv) Piles must be spaced a minimum of 10 ft apart in any area that contains Johnson's seagrass to minimize direct impacts.
 - (v) Piles shall be installed in a manner that will not result in the formation of sedimentary deposits (e.g., donuts or halos) around the newly installed pilings.
 - (vi) No covered boat lifts are allowed over any Johnson's seagrass.
- (2) Decking options: Deck surfaces (parallel with the water) that are located waterward of the MHWL must be constructed of grated materials or plank construction or a combination of the both methods (e.g. plank decking on the walkway and grated decking on the terminal platform). These decking options are described below:
 - (i) For grated decking:
 - (a) Height requirement: The surface of the structure, including the dock walkway (the over- water narrow portion connecting the terminal platform to the shore and any over-water ramp required for access) and the dock, must be a minimum of 3 ft above MHW when constructed with grated decking.
 - (b) Size limitations: The dock walkway is limited to a width of 4 ft. The terminal platform is limited to a total area of 160 ft². Marginal docks are limited to a width of 5 ft. The 5 ft width restriction is measured from wet side of the seawall. For example, if a seawall cap is 3 feet overwater then the dock would be limited to 2 feet.
 - (c) Material description: Decking materials shaped in the form of grids, grates, lattices, etc., to allow the passage of light through the open spaces. These materials must provide a minimum of 43% open space.
- (ii) For plank decking:
 - (a) Height requirement: The surface of the structure, including the dock walkway (the over- water narrow portion connecting the terminal platform to the shore and any over-water ramp required for access) and the dock, must be a minimum of 5 ft above MHW when constructed of plank decking.

- (b) Size limitations: The dock walkway is limited to a width of 4 ft. The terminal platform is limited to a total area of 120 ft². Marginal docks are limited to a width of 5 ft.
- (c) Material description: Deck boards may be constructed of any material. Deck Boards must be installed to provide a minimum of a 0.5-in gap between individual deck boards.
- d. Aids to Navigation in Acropora critical habitat. The distance from Aids to Navigation (ATONs) to ESA-listed corals and Acropora critical habitat shall ensure there are no impacts to the corals or the essential feature of Acropora critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit the contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom (Reference: JAXBO PDC A2.10.).

General Conditions for Federal Authorization for SPGP V-R1

1. The time limit for completing the work authorized ends on July 26, 2021.
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 on the enclosed form 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.
6. You must allow representatives 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.

Further Information:

1. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or Construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
6. 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. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.
7. 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, relocation or alteration.

Department of the Army Permit Transfer for SPGP V-R1

PERMITEE: _____

PERMIT NUMBER: _____ DATE: _____

ADDRESS/LOCATION OF PROJECT: _____

(Subdivision) _____ (Lot) _____ (Block) _____

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 Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

(Transferee Signature) _____ (Date)

(Name Printed)

(Street address)

(Mailing address)

(City, State, Zip Code)

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 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
- 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 Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com/manatee). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" 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. 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

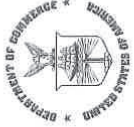
Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.

- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.
- h. Any collision(s) with and/or injuries to any whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312).
- i. Reports to NMFS's Protected Resources Division (PRD) may be made by email to takereport.nmfs@noaa.gov.
- j. Sea turtle and marine stranding/rescue organizations' contact information is available by region at <http://www.nmfs.noaa.gov/pr/health/networks.htm>.
- k. Smalltooth sawfish encounters shall be reported to <http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html>.
- l. All work must occur during daylight hours.



[illegible]

6" DEEP SWALE (PER STD DETAIL D4.2)

EXISTING EDGE OF ASPHALT PAVEMENT

ST. AUGUSTINE SOD

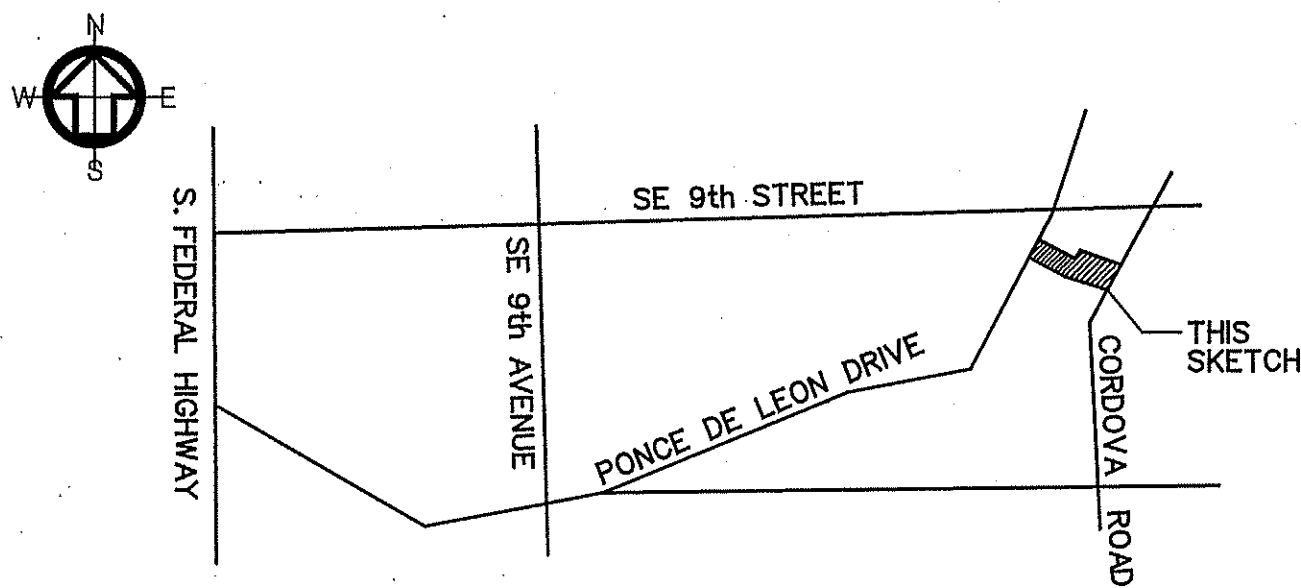
EXISTING OR PROPOSED SEAWALL

EXISTING OR PROPOSED DOCK

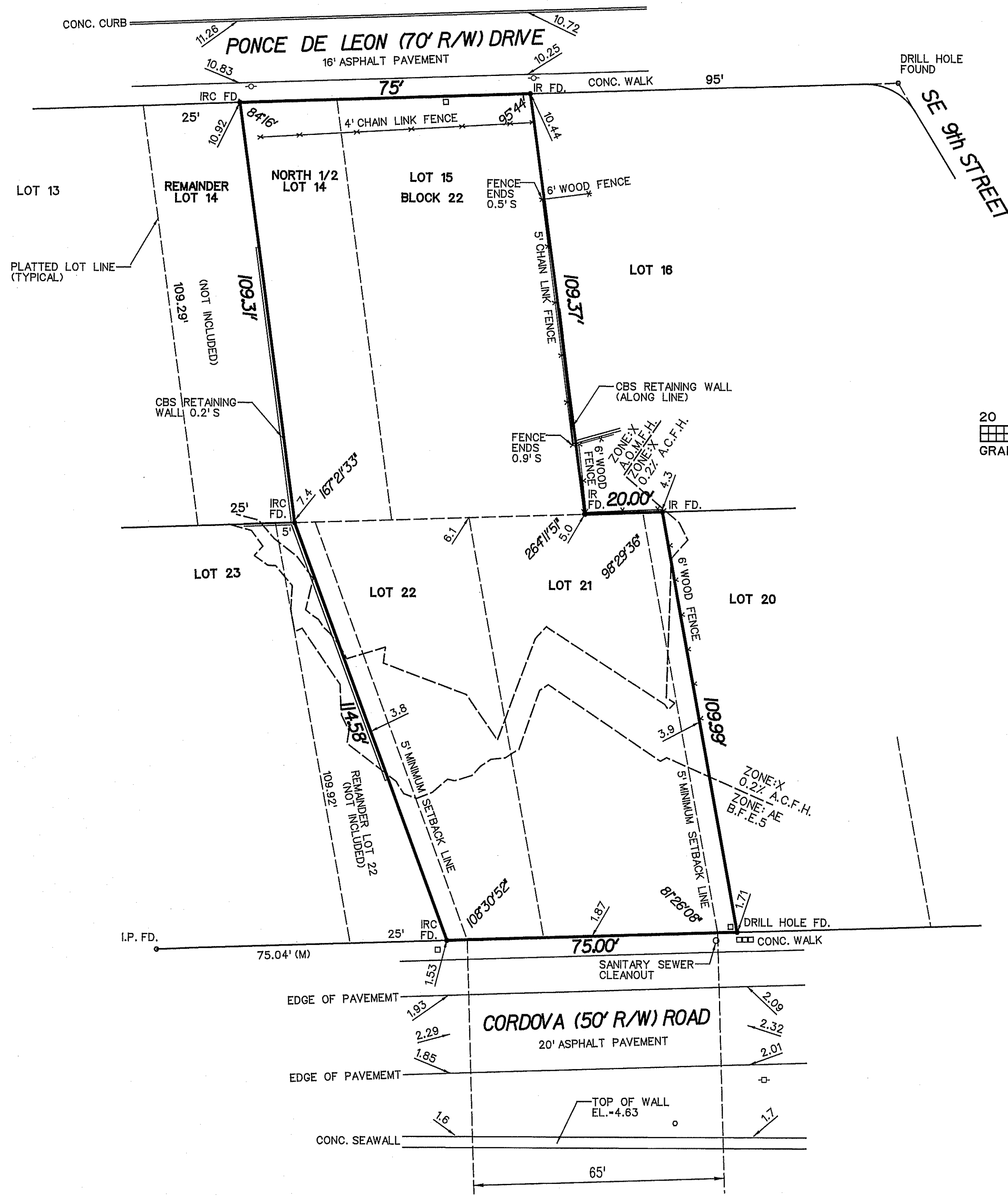
PLAN

1. ALL IRRIGATION & PLANT MATERIAL SHALL BE INSTALLED & MAINTAINED BY APPLICANT.
2. ALL PLANT MATERIAL SHALL BE FLORIDA #1 GRADE OR BETTER.
3. ALL PLANT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH INDUSTRY BEST MANAGEMENT PRACTICES.
4. ALL AREAS TO RECEIVE AUTOMATIC IRRIGATION FROM A PERMANENT WATER SOURCE PROVIDING 100% COVERAGE AND A RAIN SENSOR SHUT OFF.
5. ALL PLANT MATERIAL SUBSTITUTIONS SHALL BE FLORIDA-FRIENDLY LANDSCAPING (FFL) EQUIVALENT.

SCALE:
1"=10'



LOCATION SKETCH
(NOT TO SCALE)



NOTE: ZONE LINES AS SHOWN HEREON ARE SCALED FROM F.E.M.A. FLOOD MAP 12011C0557.

A.C.F.H. - ANNUAL CHANCE OF FLOOD HAZARD
A.O.M.F.H. - AREA OF MINIMAL FLOOD HAZARD
B.F.E. - BASE FLOOD ELEVATION

LEGAL DESCRIPTION:

THE NORTH HALF (N 1/2) OF LOT 14 AND LOT 15, BLOCK 22, RESUBDIVISION IN BLOCK 22 - RIO VISTA ISLES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

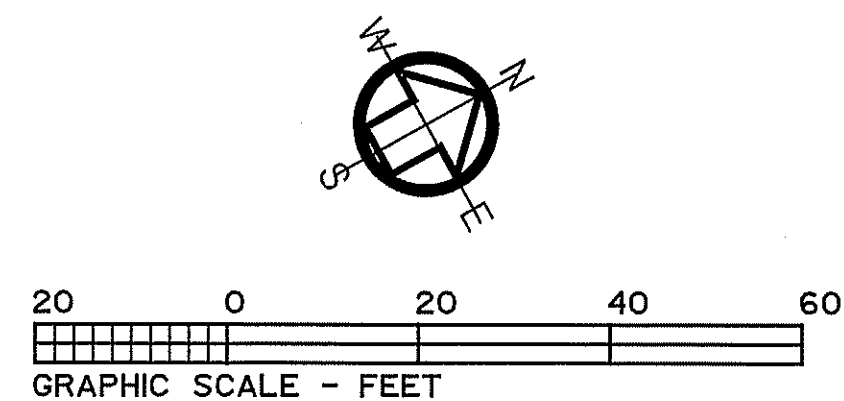
TOGETHER WITH:

ALL OF LOT 21 AND THAT PORTION OF LOT 22, BLOCK 22, RIO VISTA ISLES, ACCORDING TO THE PLAT OF A RESUBDIVISION IN BLOCK 22 - RIO VISTA ISLES, RECORDED IN PLAT BOOK 23 AT PAGE 30 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID LOT 21 AND RUNNING THENCE SOUTHERLY, ALONG THE EASTERLY BOUNDARY OF LOTS 21 AND 22, A DISTANCE OF 75 FEET TO A POINT; THENCE WESTERLY A DISTANCE OF 114.68 FEET TO THE MIDPOINT ON THE EASTERLY BOUNDARY LINE OF LOT 14, BLOCK 22; THENCE NORTHERLY, ALONG THE WESTERLY BOUNDARY LINE OF SAID LOTS 22 AND 21, BLOCK 22, A DISTANCE OF 95 FEET TO THE NORTHWEST CORNER OF SAID LOT 21; THENCE EASTERLY, ALONG THE NORTHERLY LINE OF SAID LOT 21, A DISTANCE OF 109.99 FEET TO THE POINT OF BEGINNING.

NOTES:

- REPRODUCTIONS OF THIS SURVEY ARE NOT VALID UNLESS SEALED BY THE SIGNING SURVEYOR.
- THIS DRAWING IS THE PROPERTY OF SCOTT A. GUZZI & ASSOCIATES, INC. AND SHALL NOT BE USED OR REPRODUCED IN WHOLE OR IN PART WITHOUT PERMISSION OF SCOTT A. GUZZI & ASSOCIATES, INC.
- THE LANDS SHOWN HEREON WERE NOT REVIEWED FOR RIGHTS-OF-WAY, EASEMENTS, OR OTHER SIMILAR MATTERS OF RECORD. ALL EASEMENTS PER RECORD PLAT UNLESS OTHERWISE NOTED.
- LEGAL DESCRIPTION FURNISHED BY CLIENT.
- THIS SURVEY DOES NOT PURPORT TO IDENTIFY IMPROVEMENTS BELOW GRADE, IF ANY, EXCEPT AS SPECIFICALLY NOTED HEREON.
- BUILDING TIES ARE PERPENDICULAR OR RADIAL TO BOUNDARY LINES UNLESS NOTED OTHERWISE.
- ANGLES SHOWN HEREON ARE BASED ON FIELD MEASUREMENTS WITHIN THE PLAT ENTITLED "RESUBDIVISION IN BLOCK 22- RIO VISTA ISLES, AS RECORDED IN PLAT BOOK 23, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA."
- ELEVATIONS SHOWN HEREON ARE RELATIVE TO N.G.V.D. 1929 AND ARE BASED ON BROWARD COUNTY ENGINEERING BENCHMARK NO. 1881, ELEVATION = 4.839
- FLOOD ELEVATION INFORMATION:
COMMUNITY NO. - 125105
DATE OF FIRM - 8-18-14
FIRM ZONE - AS SHOWN
PANEL NO. - 12011C0557
SUFFIX - H
BASE FLOOD ELEVATION - AS SHOWN
- PROPERTY ADDRESS: 1342 PONCE DE LEON DRIVE AND 915 CORDOVA ROAD, FORT LAUDERDALE, FLORIDA 33316
- CONTAINING 17,404 SQUARE FEET, MORE OR LESS.
- CERTIFIED TO: GULF BUILDING



LEGEND:

- SET 5/8" IR & CAP (LB 6893)
- △ NAIL & TAB
- PCP
- ⊙ PRM
- 11.5 ELEVATION
- ⊙ FIRE HYDRANT
- ⊙ CENTERLINE
- ⊙ LIGHT POLES
- MANHOLE (SANITARY)
- MANHOLE (STORM)
- ⊙ CATCH BASIN
- ⊙ ELECTRIC SERVICE
- ⊙ TELEPHONE JUNCTION BOX
- ⊙ WATER METER
- ⊙ CABLE TV BOX
- ⊙ UTILITY POLE

BOUNDARY SURVEY SCALE: 1"=20'

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON COMPLIES WITH MINIMUM TECHNICAL STANDARDS FOR SURVEYS AS CONTAINED IN CHAPTER 51-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT SAID SURVEY IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SCOTT A. GUZZI, PSM
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NUMBER 5108

1-7-21

DATE OF LAST FIELD WORK

VIC-SCOTT LAND SURVEYING & MAPPING

Certificate of Authorization No. LB 6893
6047 Kimberly Boulevard, Suite T
North Lauderdale, FL 33068
PH 954/722-3030
scottguzzi@aol.com

1342 PONCE DE LEON DRIVE AND 915 CORDOVA ROAD
FORT LAUDERDALE, FLORIDA 33316

CLIENT: PATRICK MCTISSE
SCALE: 1"=20'
DATE: 5-07-14
DRAWN BY: SAG
FIELD BOOK NO. 138A
CHECKED BY:
PAGE NO. 2, 35

PROJECT NO.
1946
SHEET NO.
1 OF 1









