

ITEM VI

MEMORANDUM MF NO. 21-09

DATE: April 15, 2021

TO: Marine Advisory Board

FROM: Andrew Cuba, Manager of Marine Facilities

RE: May 6, 2021 MAB - Dock Waiver of Distance Limitations
Lee J. & Patti A. Engler / 321 N. Birch Road, PH 3, Slip # 4.

Attached for your review is an application from Lee. J. & Patti A. Engler / 321 N. Birch Road, PH 3, Slip # 4 (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicants are requesting approval for the installation of a +/- 46' x 18' (+/- 828 square foot) no profile boat lift extending a maximum of 51' from the property line into the Intracoastal Waterway (ICWW). The distances this proposed structure would extend from the property line into the ICWW is shown in the survey in **Exhibit 1** and summarized in Table 1 below:

TABLE 1

| PROPOSED STRUCTURE | STRUCTURE DISTANCE FROM PROPERTY LINE | PERMITTED DISTANCE WITHOUT WAIVER | DISTANCE REQUIRING WAIVER |
|----------------------------|--|--|--|
| No Profile Boatlift | 51' | 25' | 26' |

Section 47-19.3 C limits the maximum distance of mooring structures, including boatlifts, to 25% of the width of the waterway, or 25%, whichever is less. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has indicated that the boatlift is necessary to safely moor the resident's vessels, especially during high wind events and severe weather. Light penetration and protection of natural resources are also identified.

PROPERTY LOCATION AND ZONING

The property is located within the IOA Zoning District. It is situated on the ICWW where the width of the waterway to the closest structure is +/-562', according to the Summary Description provided in **Exhibit 1**

DOCK PLAN AND BOATING SAFETY

Records reflect that there have been seven (7) waivers of docking distance limitations approved by the City Commission within close proximity since 2009. A comparison of these as shown in Table 2 including the maximum distances of all mooring structures extending into the ICWW follows:

TABLE 2

| DATE | ADDRESS | MAXIMUM DISTANCE |
|-------------|--------------------------------|-------------------------|
| 2009 | 540 Lido Drive | 45'6" |
| 2009 | 209 Grand Birch, Slip 4 | 45'6" |
| 2011 | 215 N. Birch Road | 47.5' |
| 2013 | 209 Grand Birch, Slip 3 | 39.3' |
| 2014 | 321 N. Birch Road | 75' |
| 2015 | 209 Grand Birch, Slip 1 | 45' |
| 2021 | 321 N. Birch Road, PH1, Slip 2 | 55' |

RECOMMENDATIONS

Should the Marine Advisory consider approval of the application, the Resolution under consideration for approval by the City Commission should include at least the following as prescribed in the ULDR and City Code of Ordinances:

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers.
2. As a general condition of approval and in order to review for final consistency with construction of facilities in accord with this application and City building permits the applicant is required to provide the City's Supervisor of Marine Facilities with copies of "As Built" drawings from a certified and licensed contractor.

AC
Attachment

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

**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: **Lee J Engler & Patti A Engler**

TELEPHONE NO: 763-370-0800 763-370-0800 EMAIL: lengler@borderfoods.com
(home) (business)

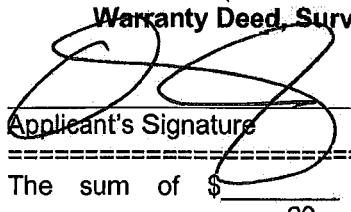
2. **APPLICANT'S ADDRESS** (If different than the site address): **321 N Birch Road #PH03, slip #4**

3. **TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:**
The applicant requests a waiver for the proposed construction of profile boat lift beyond 25 feet from the property line.

4. **SITE ADDRESS:** **321 N Birch Road #PH03 Fort Lauderdale, FL 33304** **ZONING:** **IOA**

LEGAL DESCRIPTION AND FOLIO NUMBER:
321 AT WATER'S EDGE CONDO UNIT PH 03 PER CDO CIN# 116467062
5042 12 DD 0230

5. **EXHIBITS** (In addition to proof of ownership, list all exhibits provided in support of the applications).
Warranty Deed, Survey, Zoning Aerial, Photos, Project Plans


Applicant's Signature

4/12/21
Date

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 _____

321 N BIRCH RD APPLICATION FOR WATERWAY WAIVER

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EXHIBIT II SUMMARY DESCRIPTION

Summary Description
321 N Birch Rd-Engler Lift
TCG Project No. 21-0038

The project site is located along the New River at 321 N Birch Rd, in Section 12, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida

The property is located along the Intracoastal Waterway (ICWW), which is a tidal water. The nearest direct connection to the Atlantic Ocean is approximately 2.5 miles to the south at the Port Everglades Inlet. As the project site is located along the ICWW, the incoming tidal waters (flood) at the site move to the north and the outgoing waters (ebb) move to the south.

The project site consists of an existing 200 in. ft. concrete seawall, ± 520 ft² concrete marginal dock, a ± 120 ft² finger piers, ten (10) mooring piles, three (3) triple pile clusters, and a 50,000 lb boat lift. The existing structures extending more than 25' from the property were previously authorized under Resolutions #14-0971 and #20-37. The proposed project includes the installation of a ± 828 ft² no profile boat lift. As measured from the property line, the proposed structures encroach more than 25' from the property line into the ICWW. As these distances are over the allowable 25' distance into the waterway from the property line, the proposed boatlift will require a variance waiver.

The proposed structures are being applied for concurrently with the Broward County Environmental Protection & Growth Management Department, Florida Department of Environmental Protection, and US Army Corps of Engineers.

The following five (5) matters provide justification for this waiver request:

1. All structures and piles will not exceed 30% of the width of the waterway.
2. Due to the extraordinary width of the waterway at this location to the closest structure ($\pm 562'$), the proposed project will not impede navigation within the ICWW.
3. The proposed structure is necessary for safely mooring resident's vessels, especially during high wind events and severe weather.
4. The proposed structure is consistent with the previously authorized structures located at the property and does not exceed the triple mooring piles at 75.0'

(Resolution #14-0971) or 1,000 ft² 50,000 lift installed in slip 2, that extends 55.0' (Resolution #20-37).

5. The proposed boat lift will allow for light penetration and protection of natural resources.

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

| STRUCTURE | PROPOSED STRUCTURES | STRUCTURE DISTANCE FROM PROPERTY LINE | PERMITTED DISTANCE WITHOUT WAIVER | DISTANCE REQUIRING A WAIVER |
|-----------|----------------------|---------------------------------------|-----------------------------------|-----------------------------|
| A | No Profile Boat Lift | 51.0' | 25' | 26' |

EXHIBIT III WARRANTY DEED

pared by and return to:

Deborah L. Pope
General Manager
Title Matters, LLC
4650 Donald Ross Rd. Ste. 220
Palm Beach Gardens, FL 33418
561-835-0535
File Number: 19-0031-WE

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 1st day of May, 2020 between 321 Birch, LLC, a Florida limited liability company whose post office address is 2385 NW Executive Center Drive, Ste. 370, Boca Raton, FL 33431, grantor, and Lee J. Engler, as Trustee of the Lee J. Engler Qualified Personal Residence Trust and Patti A. Engler, as Trustee of the Patti A. Engler Qualified Personal Residence Trust whose post office address is 2517 Mayflower Avenue, Hopkins, MN 55305, grantee:

The Grantee, as trustee, has the full power and authority to protect, conserve, sell, convey, lease, encumber, and to otherwise manage and dispose of said real property pursuant to F.S. 689.073.

(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)

Witnesseeth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Broward County, Florida**, to-wit:

Unit No. PII-03, of 321 AT WATER'S EDGE, a Condominium, according to The Declaration of Condominium recorded in Instrument Number 116467062, and all exhibits and amendments thereof, Public Records of Broward County, Florida

Parcel Identification Number:

SUBJECT TO Taxes and assessments for 2020 and subsequent years that are not yet due and payable.
SUBJECT TO Restrictions, conditions, reservations, easements, reservations, agreements, matters, declarations, and covenants of record affecting the property.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

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:

LABORAL COVE
Witness Name: DEBORAH COVE

Dianne Ramsarran
Witness Name: Dianne Ramsarran

321 Birch, LLC, a Florida limited liability company

By: Carol G. DeMare
Carol G. DeMare, Authorized Agent

State of Florida
County of Palm Beach

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 30 day of April, 2020 by Carol G. DeMare, Authorized Agent of 321 Birch LLC, a Florida limited liability company, on behalf of the company, who ☒ is personally known to me or ☐ has produced a driver's license as identification.

[Notary Seal]



Dianne Ramsarran
Notary Public

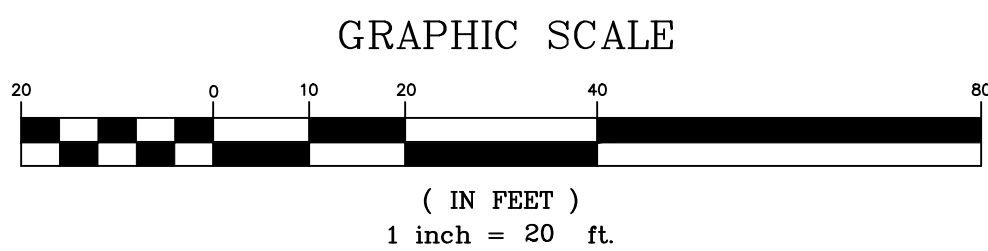
Printed Name: Dianne Ramsarran

My Commission Expires: 10/09/23

EXHIBIT IV ORIGINAL SURVEY



prepared by:
McLAUGHLIN ENGINEERING COMPANY (LB#285)
400 N.E. 3rd AVENUE FORT LAUDERDALE, FLORIDA
PHONE: (954) 763-7611
FAX: (954) 763-7615



www.MECO400.com

TREE SYMBOLS

- INDICATES DIAMETER± (D.B.H.)
- PINE TREE
 - PALM TREE
 - BOTTLE BRUSH TREE
 - FICUS TREE
 - BUSH OR SHRUB
 - UNKNOWN TREE
 - GUMBO LIMBO

ALTA/ACSM CERTIFICATION

TO: Ticor Title Insurance Company; Fieldstone, Lester, Shear & Denberg, L.L.P. AND Premier Developers Managements, L.L.C., a Florida limited liability company and/or assigns.

This is to certify that this map or plat and the survey on which it is based as surveyed on August 1st, 2007, was made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by the American Land Title Association (ALTA), & the National Society of Professional Surveyors (NSPS) in 2005. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and ACSM and in effect on the date of this certification.

The undersigned further certifies that in my professional opinion, as a Registered Land Surveyor in the State of Florida, the Relative Positional accuracy of the this survey does not exceed that which is specified therein.

The undersigned further certifies that this survey was prepared in accordance with the minimum technical standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

This survey reflects any easements road reservations or rights-of-way of record affecting this property per Ticor Title Insurance Company Agent File No: w0700156, dated July 17th, 2007, at 11:59 P.M.

Notes corresponding to exceptions contained in Schedule B- Section 2, of the above referenced title commitment:

7) Easement per O.R. 15189, Page 658 affects this property. (Blanket Easement)

NOTES:

- This survey reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- Underground improvements if any not located.
- This drawing is not valid unless sealed with an embossed surveyors seal.
- Boundary survey information does not infer Title or Ownership.
- All iron rods 5/8", unless otherwise noted.
- Reference Bench Mark: Storm Manhole at Intersection of Birch Road & Granada Street. ELEVATION = 5.57
- Elevations shown refer to National Geodetic Vertical Datum (1929), and are indicated thus: ∇ Elev. = 5.57
- This property lies in Flood Zone "AE", Elev.=6.0 Per Flood Insurance Rate Map No. 1201100210F. Dated: August 18, 1992. Community Panel No. 125105 Index Map Dated: October 2, 1997.

OFFICE NOTES

FIELD BOOK NO. TDS w/Worksheets, Print, LB# 266/15-16

JOB ORDER NO. U-1785, U-3717

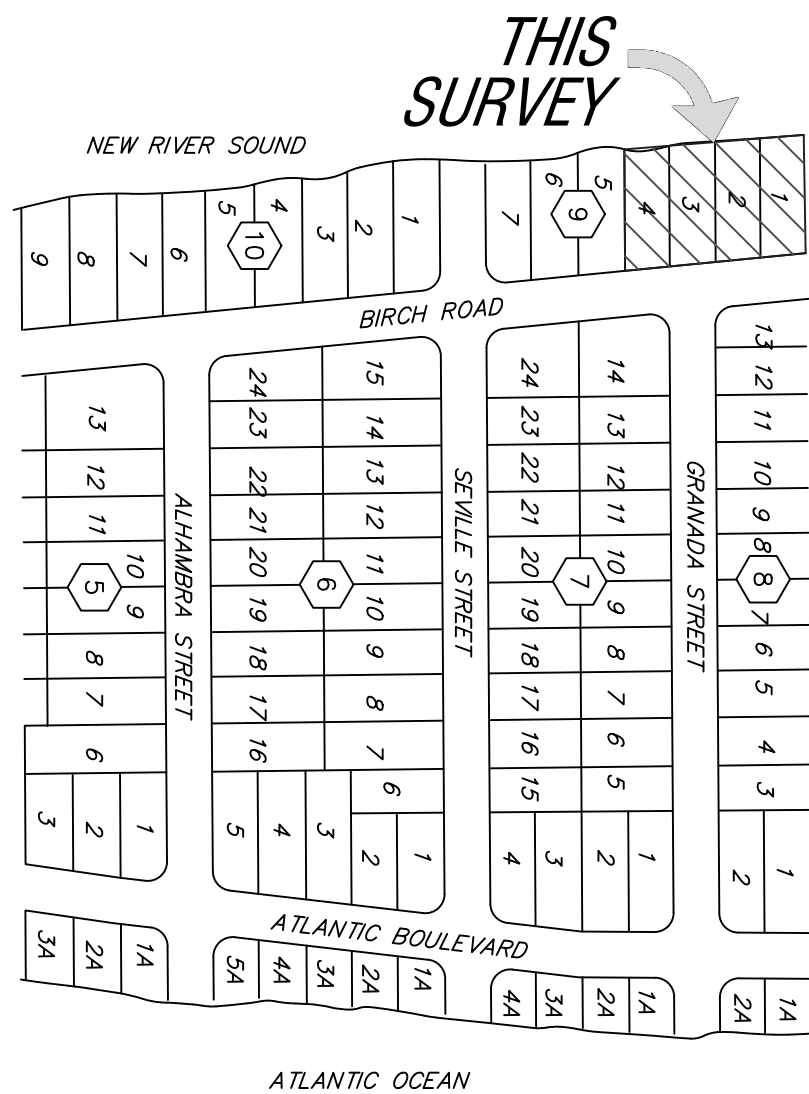
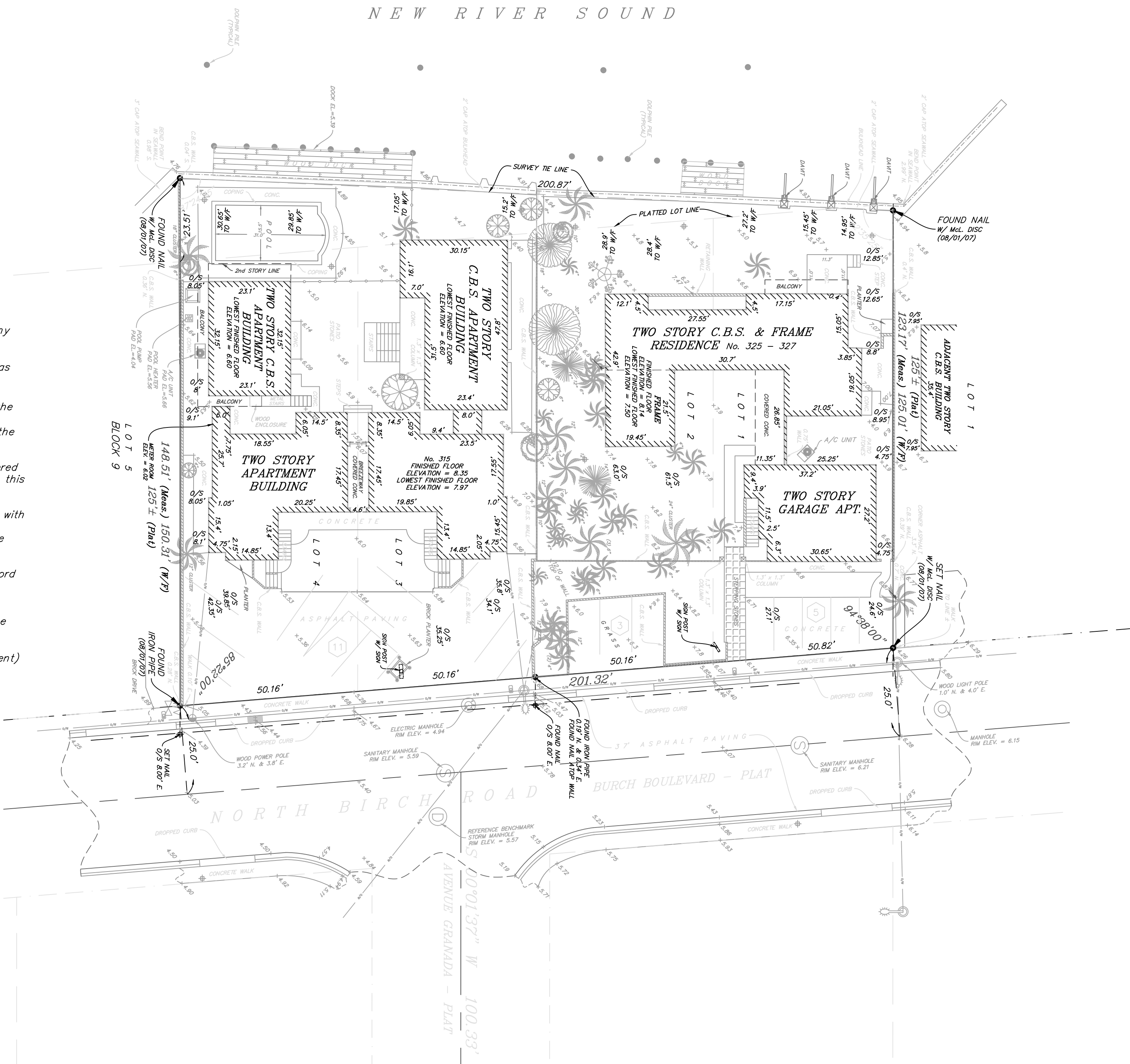
CHECKED BY:

DRAWN BY: EJJ3

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ALTA/ACSM LAND TITLE SURVEY

LOTS 1-4, BLOCK 9, LAUDER-DEL-MAR PLAT BOOK 7 PAGE 30, B.C.R.



Legal Description

Lots 1, 2, 3 and 4, Block 9, LAUDER DEL MAR, according to the plat thereof, as recorded in Plat Book 7, Page 30, of the public records of Broward County, Florida.

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

LEGEND

- | | |
|---|--------------------------------------|
| Δ = CENTRAL ANGLE (DELTA) | ELEV. = ELEVATION |
| R = RADIUS | O/S = OFFSET |
| A OR L = ARC LENGTH | A/C = AIR CONDITIONING |
| CH.BRG. = CHORD BEARING | C = CENTERLINE OF RIGHT-OF-WAY |
| TAN.BRG. = TANGENT BEARING | F.P.L. = FLORIDA POWER AND LIGHT CO. |
| P.O.C. = POINT OF COMMENCEMENT | S.B.T. = SOUTHERN BELL TELEPHONE |
| P.O.B. = POINT OF BEGINNING | B.C.R. = BROWARD COUNTY RECORDS |
| W/MCL CAP = WITH McLAUGHLIN ENGINEERING CO. CAP | D.C.R. = DADE COUNTY RECORDS |
| P.R.M. = PERMANENT REFERENCE MONUMENT | P.B.R. = PALM BEACH COUNTY RECORDS |
| CONC. = CONCRETE | O.R. = OFFICIAL RECORDS BOOK |
| C.B.S. = CONCRETE, BLOCK AND STUCCO | PG. = PAGE |
| I.C.V. = IRRIGATION CONTROL VALVE | R/W = RIGHT-OF-WAY |
| W.M. = WATER METER | C.O. = CLEAN OUT |
| B.F.P. = BACK FLOW PREVENTOR | C.L.F. = CHAIN LINK FENCE |
| | P.C.D. = POLLUTION CONTROL DEVICE |

CERTIFICATION

We hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Professional Land Surveyors in Chapter 61G17-6 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Dated at Fort Lauderdale, Florida, this 12th day of January, 2006.
Rotated Drawing orientation this 1st day of May, 2006.
Resurveyed this 1st day of August, 2007.

McLAUGHLIN ENGINEERING COMPANY

SCOTT A. McLAUGHLIN
Professional Surveyor & Mapper No. 5842
State of Florida.

FILE NO:

06 - 3 - 004(07)

EXHIBIT V ZONING AERIAL



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

321 N Birch Road



0 90 180 Feet

GIS
Fort Lauderdale

EXHIBIT VI SITE PHOTOGRAPHS

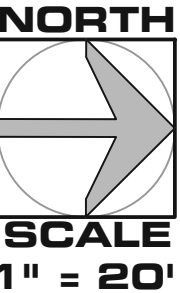


1. Central portion of the subject site, facing southeast along the ICWW.



2. Central portion of the subject site, facing northeast along the ICWW.

EXHIBIT VII PROJECT PLANS



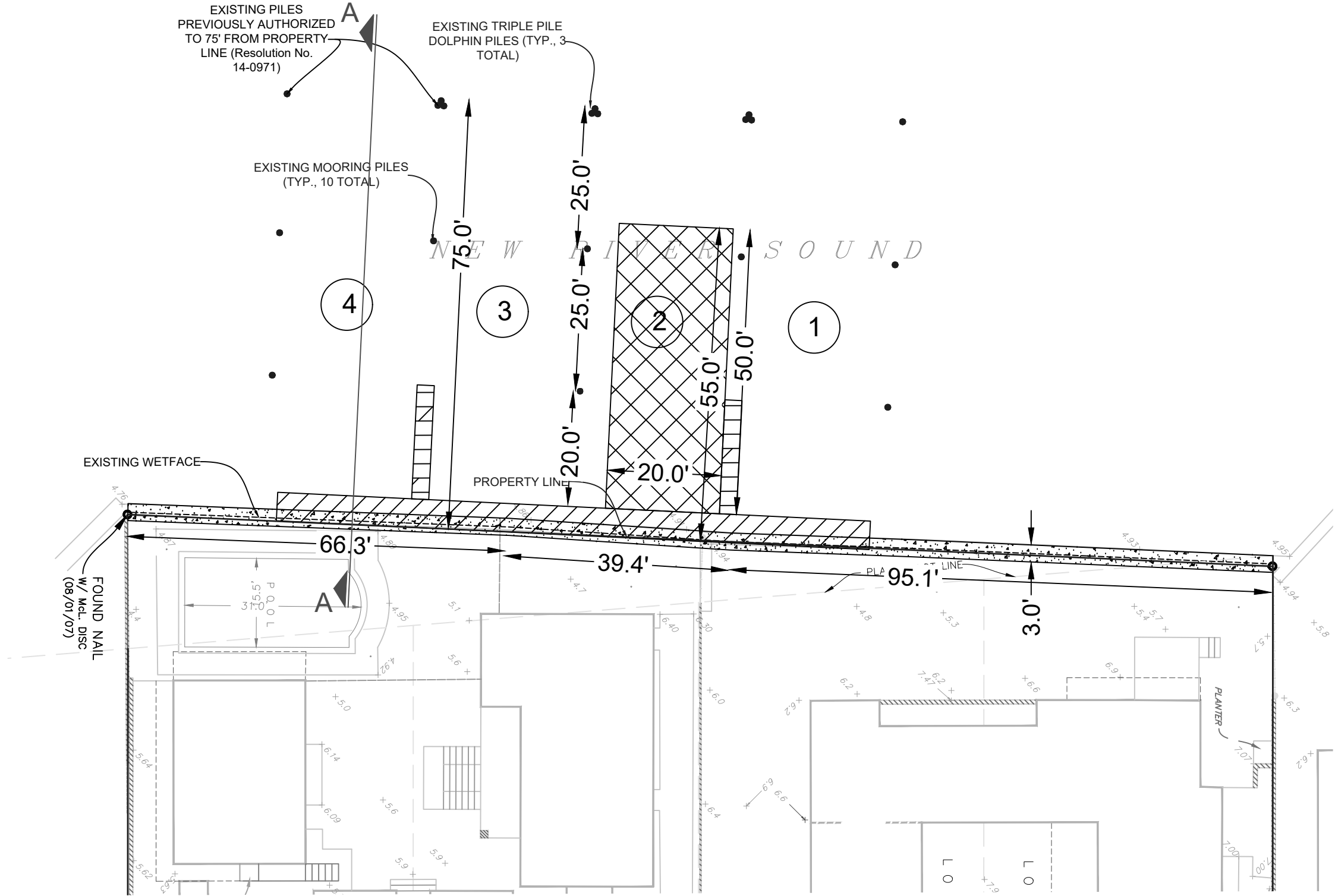
LEGEND

- SUBJECT SITE (0.58 AC)
- EXISTING CONCRETE SEAWALL W/ 3.0' CAP TO REMAIN (±200 LN. FT.; ±300 SQ. FT. OVERWATER)
- EXISTING CONCRETE MARGINAL DOCK TO REMAIN (±520 SQ. FT.)
- EXISTING WOOD FINGER PIERS TO REMAIN (±120 SQ. FT.)
- EXISTING 50,000 LB NO PROFILE BOATLIFT (±1,000 SQ. FT.)
- EXISTING MOORING PILES TO REMAIN (10)
- EXISTING TRIPLE MOORING PILES TO REMAIN (3)
- EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL17-0002 (4)

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

NOTE:

- EXISTING LOCATIONS ARE APPROXIMATE AND BASED ON SURVEY BY MCLAUGHLIN ENGINEERING COMPANY FILE NO. 06-3-004(07).
- EXISTING STRUCTURES PREVIOUSLY AUTHORIZED UNDER BCEPGMD ERL NO. DF14-1052 AND FDEP NO. 06-0323079-001.
- EXISTING PILES WERE PREVIOUSLY AUTHORIZED UNDER RESOLUTION 14-0971.
- EXISTING BOAT LIFT PREVIOUSLY AUTHORIZED UNDER RESOLUTION 20-37.



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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THE Chappell GROUP INC.
714 East McNab Road
Pompano Beach, Florida 33060
tel. 954.782.1908
fax. 954.782.1108
www.thechappellgroup.com

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

321 N BIRCH RD- ENGLER LIFT

PREPARED FOR:
MR. LEE ENGLER

EXISTING CONDITIONS

| | | |
|----------------------|--------------|-----------|
| Date: 4/16/2021 | Sheet : 1 | of : 4 |
| Proj No.: 21-0038 | | |

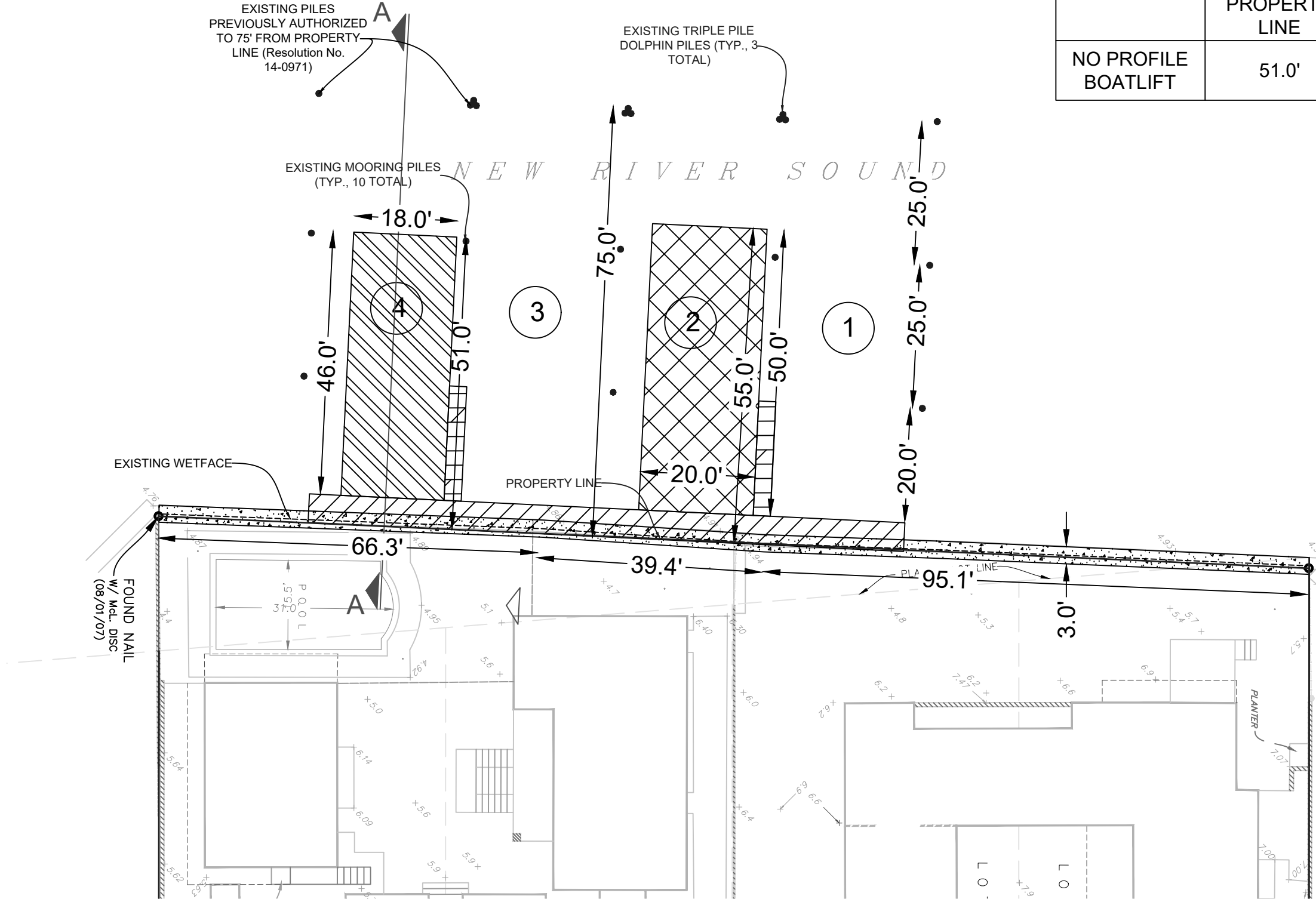
| PROPOSED STRUCTURES | STRUCTURE DISTANCE FROM PROPERTY LINE | PERMITTED DISTANCE WITHOUT WAIVER | DISTANCE REQUIRING A WAIVER |
|---------------------|---------------------------------------|-----------------------------------|-----------------------------|
| NO PROFILE BOATLIFT | 51.0' | 25' | 26.0' |



LEGEND

- SUBJECT SITE (0.58 AC)
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 - EXISTING CONCRETE MARGINAL DOCK TO REMAIN (±520 SQ. FT.)
 - EXISTING WOOD FINGER PIERS TO REMAIN (±120 SQ. FT.)
 - EXISTING 50,000 LB NO PROFILE BOATLIFT (±1,000 SQ. FT.)
 - EXISTING MOORING PILES TO REMAIN (10)
 - EXISTING TRIPLE MOORING PILES TO REMAIN (3)
 - EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL17-0002 (4)
 - PROPOSED 40,000 LB NO PROFILE BOATLIFT (±828 SQ. FT.)
- M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD

- NOTE:**
- EXISTING LOCATIONS ARE APPROXIMATE AND BASED ON SURVEY BY MCLAUGHLIN ENGINEERING COMPANY FILE NO. 06-3-004(07).
 - EXISTING STRUCTURES PREVIOUSLY AUTHORIZED UNDER BCEPGMD ERL NO. DF14-1052 AND FDEP NO. 06-0323079-001.
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714 East McNab Road
Pompano Beach, Florida 33060
tel. 954.782.1908
fax. 954.782.1108
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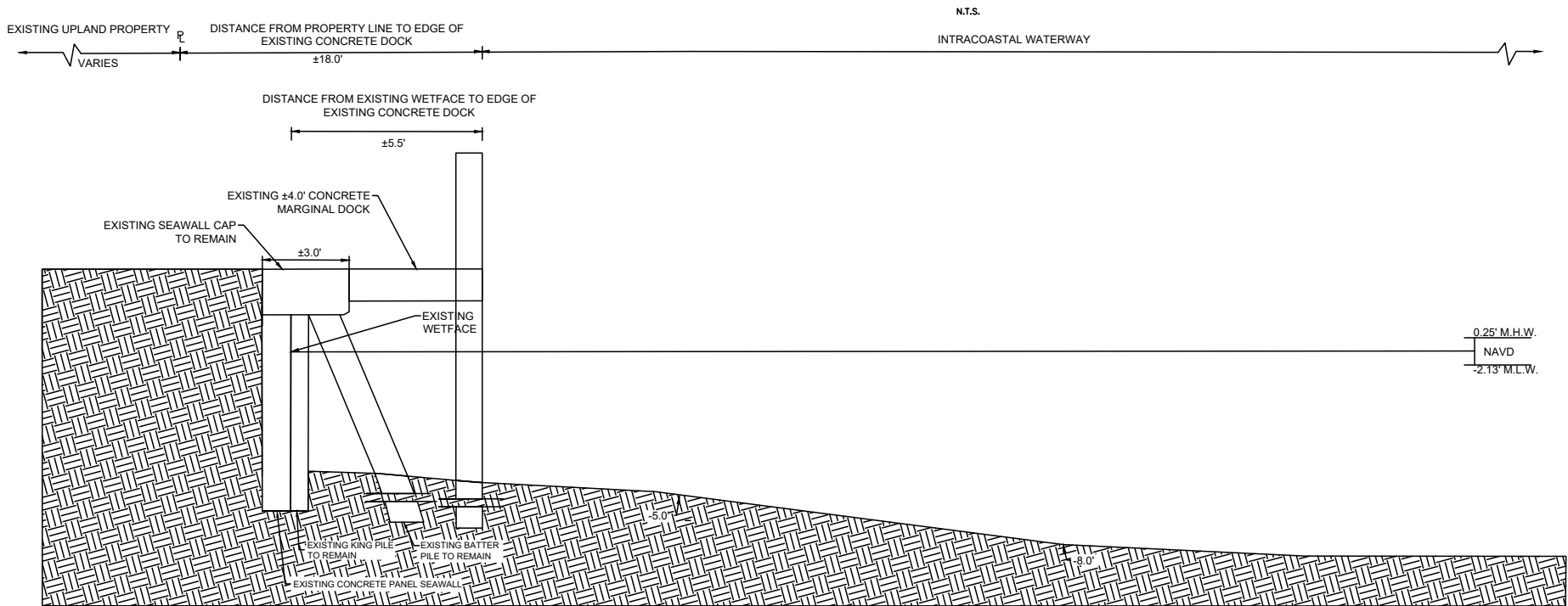
- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys

321 N BIRCH RD-ENGLER LIFT

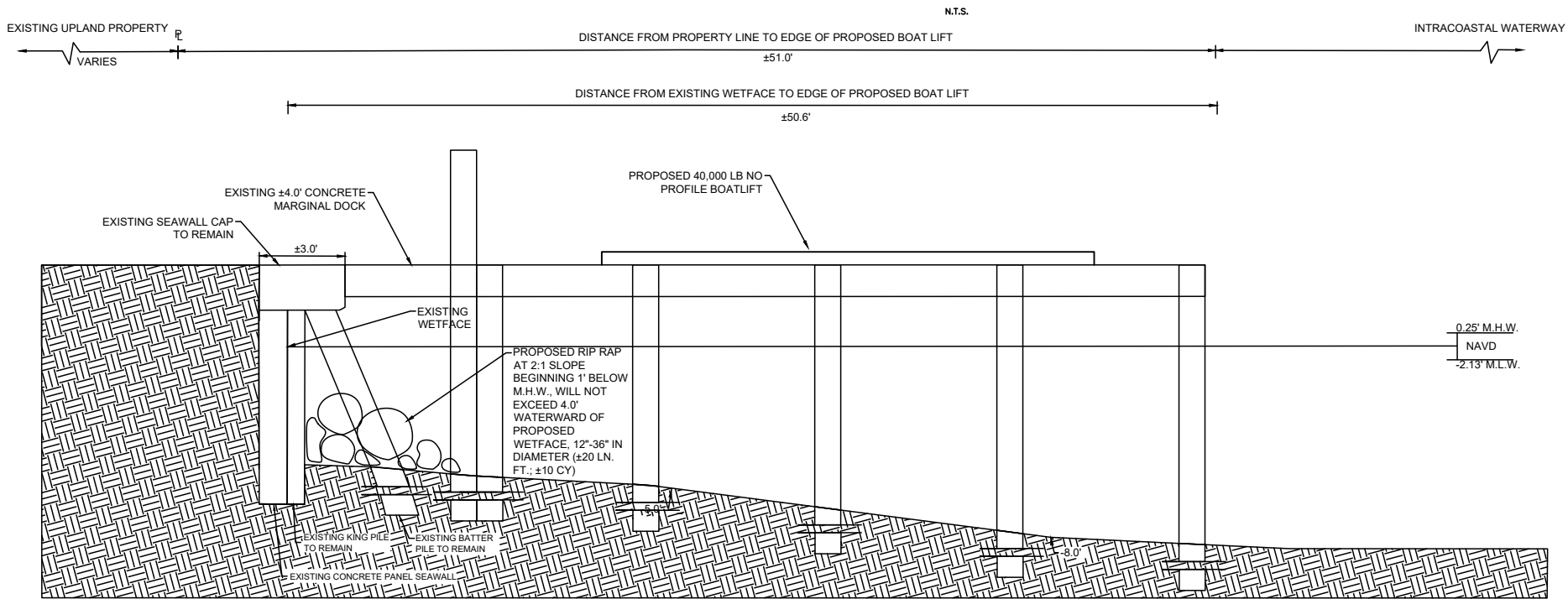
PREPARED FOR:
MR. LEE ENGLER

| PROPOSED CONDITIONS | | |
|----------------------|--------------|-----------|
| Date: 4/16/2021 | Sheet : 2 | of : 4 |
| Proj No.: 21-0038 | | |

EXISTING CONDITIONS A-A (TYP.)



PROPOSED CONDITIONS A-A (TYP.)



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THE Chappell GROUP INC.
714 East McNab Road
Pompano Beach, Florida 33060
tel. 954.782.1908
fax. 954.782.1108
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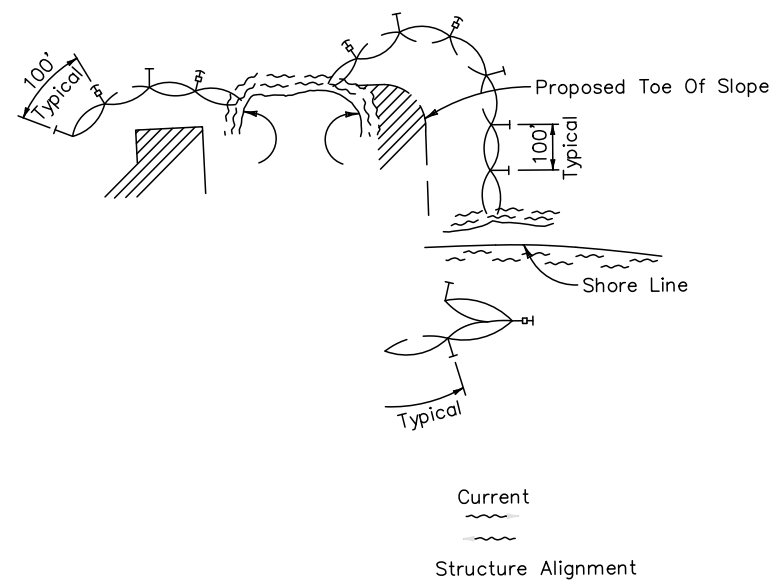
321 N BIRCH RD-ENGLER LIFT

PREPARED FOR:
MR. LEE ENGLER

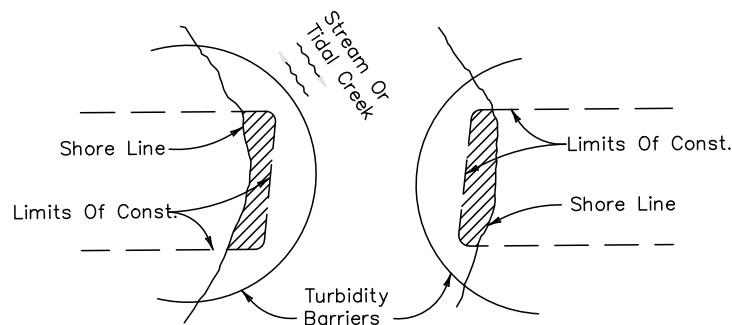
SECTIONS

| | | |
|----------------------|---------------------|------------------|
| Date: 4/16/2021 | Sheet : 3 | of : 4 |
| Proj No.: 21-0038 | | |

CONSTRUCTION BARGE
(TYP.)



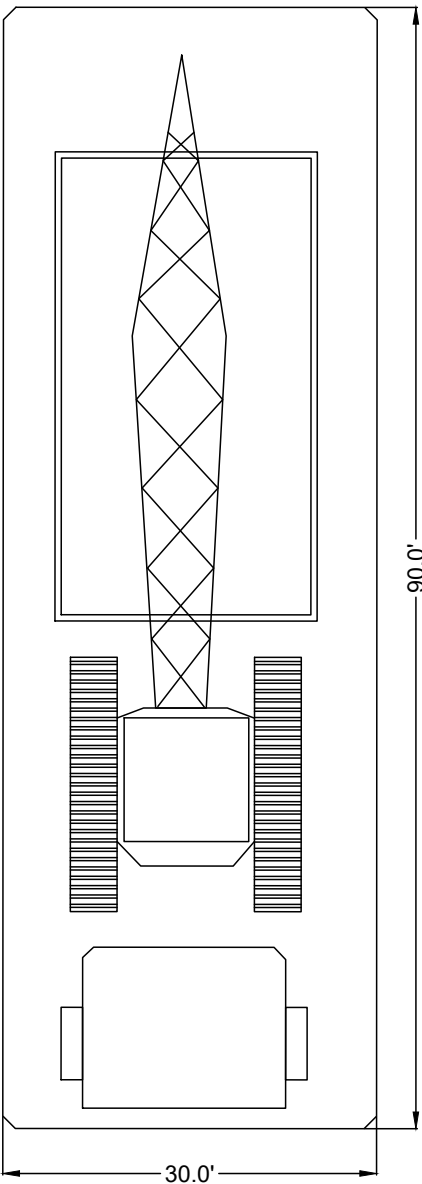
- LEGEND
- Pile Locations
 - ▨ Dredge Or Fill Area
 - Mooring Buoy w/Anchor
 - Anchor
 - Barrier Movement Due To Current Action



Note:
Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractors option unless otherwise specified in the plans, however payment will be under the pay item(s) established in the plans for Floating Turbidity Barrier and/or Staked Turbidity Barrier. Posts in staked turbidity barriers to be installed in vertical position unless otherwise directed by the Engineer.

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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714 East McNab Road
Pompano Beach, Florida 33060
tel. 954.782.1908
fax. 954.782.1108
www.thechappellgroup.com

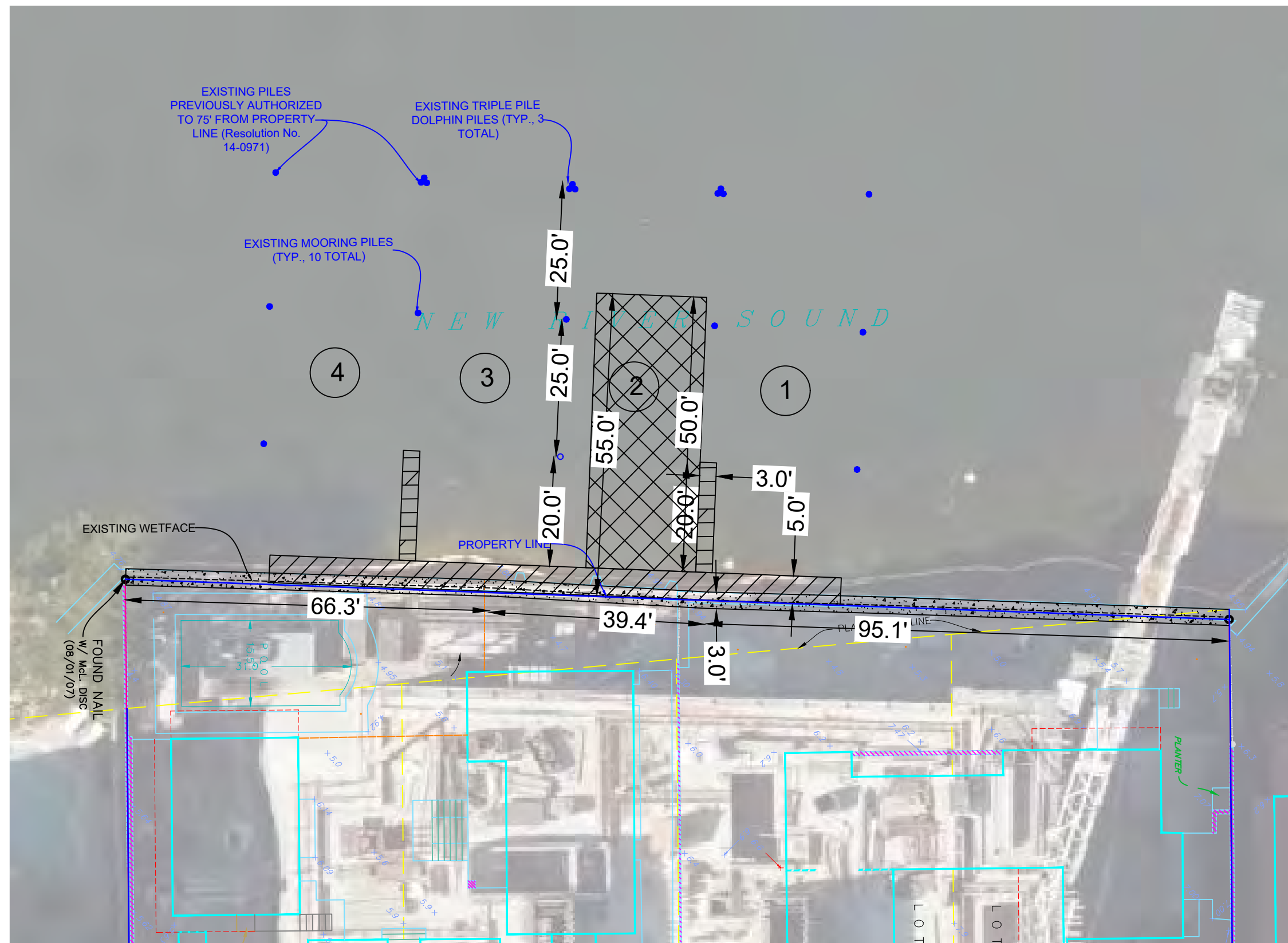
- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys

321 N BIRCH RD-ENGLER LIFT

PREPARED FOR:
MR. LEE ENGLER

| DETAILS | | |
|----------------------|--------------|-----------|
| Date: 4/16/2021 | Sheet : 4 | of : 4 |
| Proj No.: 20-0038 | | |

EXHIBIT VIII DISTANCE EXHIBIT



LEGEND

- SUBJECT SITE (0.58 AC)
- EXISTING CONCRETE SEAWALL W/ 3.0' CAP TO REMAIN (± 200 LN. FT.; ± 300 SQ. FT. OVERWATER)
- EXISTING CONCRETE MARGINAL DOCK TO REMAIN (± 520 SQ. FT.)
- EXISTING WOOD FINGER PIERS TO REMAIN (± 120 SQ. FT.)
- EXISTING 50,000 LB NO PROFILE BOATLIFT ($\pm 1,000$ SQ. FT.)
- EXISTING MOORING PILES TO REMAIN (10)
- EXISTING TRIPLE PILE DOLPHIN PILES TO REMAIN (3)
- EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL17-0002 (4)

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

NOTE:

1. EXISTING LOCATIONS ARE APPROXIMATE AND BASED ON SURVEY BY MCLAUGHLIN ENGINEERING COMPANY FILE NO. 06-3-004(07).
2. EXISTING STRUCTURES PREVIOUSLY AUTHORIZED UNDER BCEPGMD ERL NO. DF14-1052 AND FDEP NO. 06-0323079-001.
3. EXISTING PILES WERE PREVIOUSLY AUTHORIZED UNDER RESOLUTION 14-0971.
4. EXISTING BOAT LIFT PREVIOUSLY AUTHORIZED UNDER RESOLUTION 20-37.

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321 N BIRCH RD-ENGLER LIFT

PREPARED FOR:
MR. LEE ENGLER

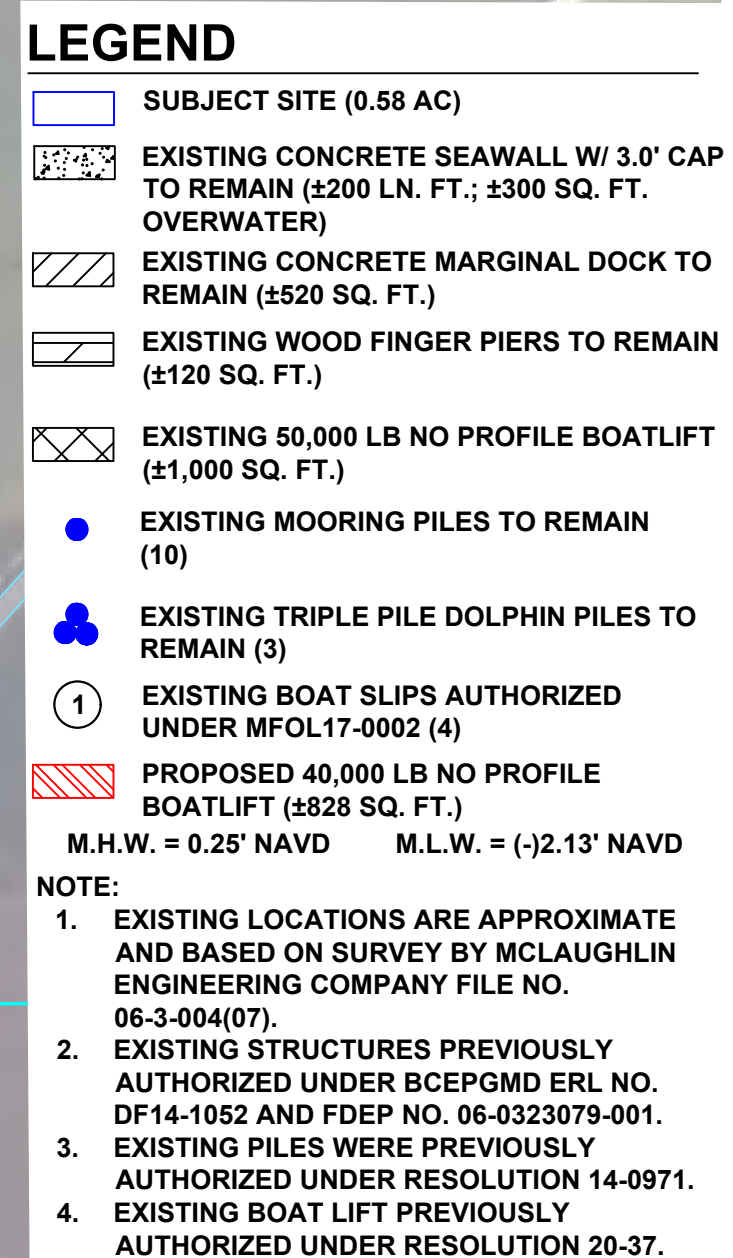
DISTANCE AERIAL - EXISTING

| | | |
|----------------------|--------------|-----------|
| Date: 4/16/2021 | Sheet : 1 | of : 3 |
| Proj No.: 21-0038 | | |

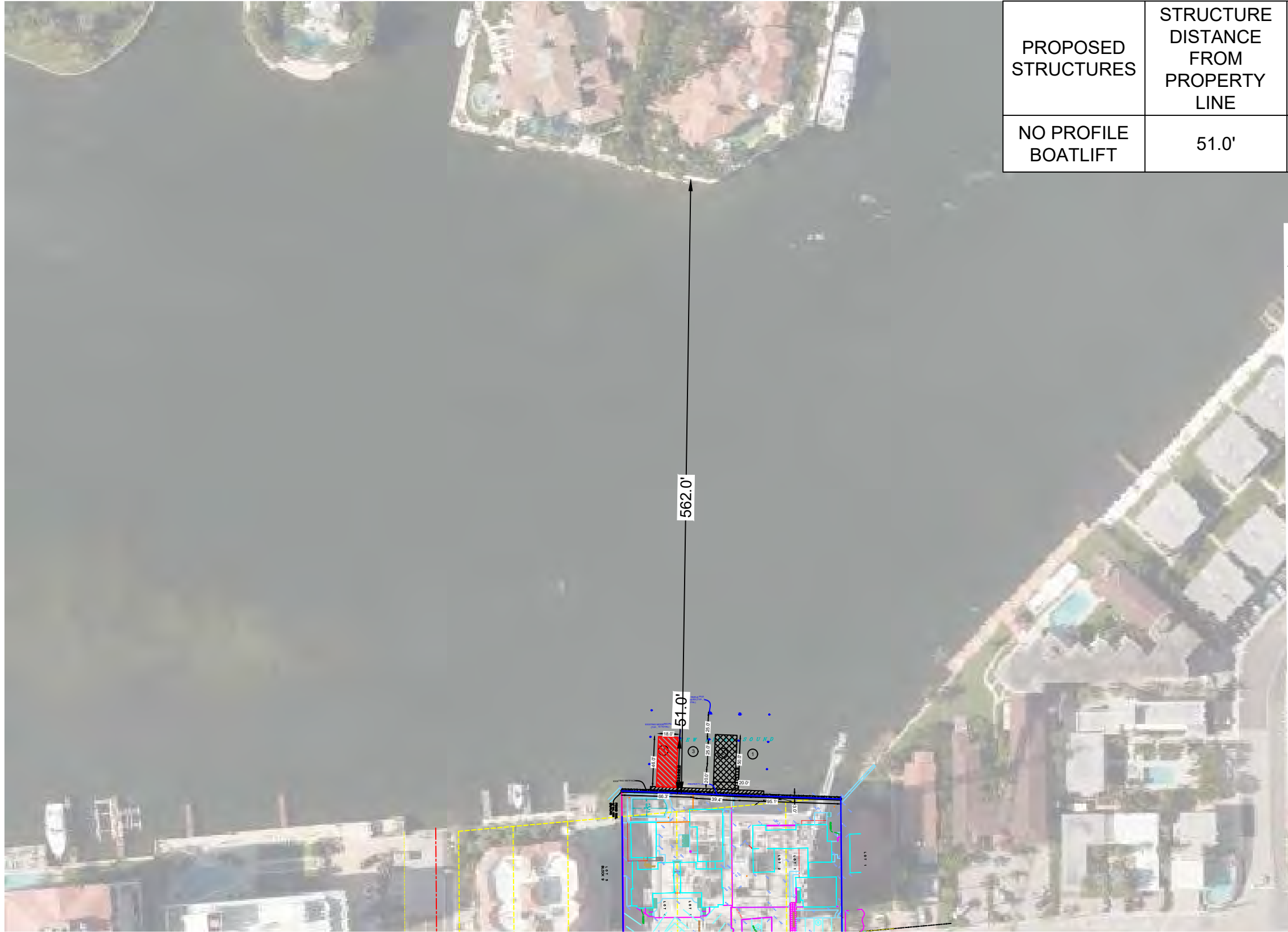
NORTH



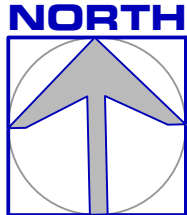
SCALE
1" = 20'



CAM 21-0526
Exhibit 1
Page 25 of 36



| PROPOSED STRUCTURES | STRUCTURE DISTANCE FROM PROPERTY LINE | PERMITTED DISTANCE WITHOUT WAIVER | DISTANCE REQUIRING A WAIVER |
|---------------------|---------------------------------------|-----------------------------------|-----------------------------|
| NO PROFILE BOATLIFT | 51.0' | 25' | 26.0' |



SCALE
1" = 100'

LEGEND

- SUBJECT SITE (0.58 AC)
 - EXISTING CONCRETE SEAWALL W/ 3.0' CAP TO REMAIN (±200 LN. FT.; ±300 SQ. FT. OVERWATER)
 - EXISTING CONCRETE MARGINAL DOCK TO REMAIN (±520 SQ. FT.)
 - EXISTING WOOD FINGER PIERS TO REMAIN (±120 SQ. FT.)
 - EXISTING 50,000 LB NO PROFILE BOATLIFT (±1,000 SQ. FT.)
 - EXISTING MOORING PILES TO REMAIN (10)
 - EXISTING TRIPLE PILE DOLPHIN PILES TO REMAIN (3)
 - EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL17-0002 (4)
 - PROPOSED 40,000 LB NO PROFILE BOATLIFT (±828 SQ. FT.)
- M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD

NOTE:

- EXISTING LOCATIONS ARE APPROXIMATE AND BASED ON SURVEY BY MCLAUGHLIN ENGINEERING COMPANY FILE NO. 06-3-004(07).
- EXISTING STRUCTURES PREVIOUSLY AUTHORIZED UNDER BCEPGMD ERL NO. DF14-1052 AND FDEP NO. 06-0323079-001.
- EXISTING PILES WERE PREVIOUSLY AUTHORIZED UNDER RESOLUTION 14-0971.
- EXISTING BOAT LIFT PREVIOUSLY AUTHORIZED UNDER RESOLUTION 20-37.

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321 N BIRCH RD-ENGLER LIFT

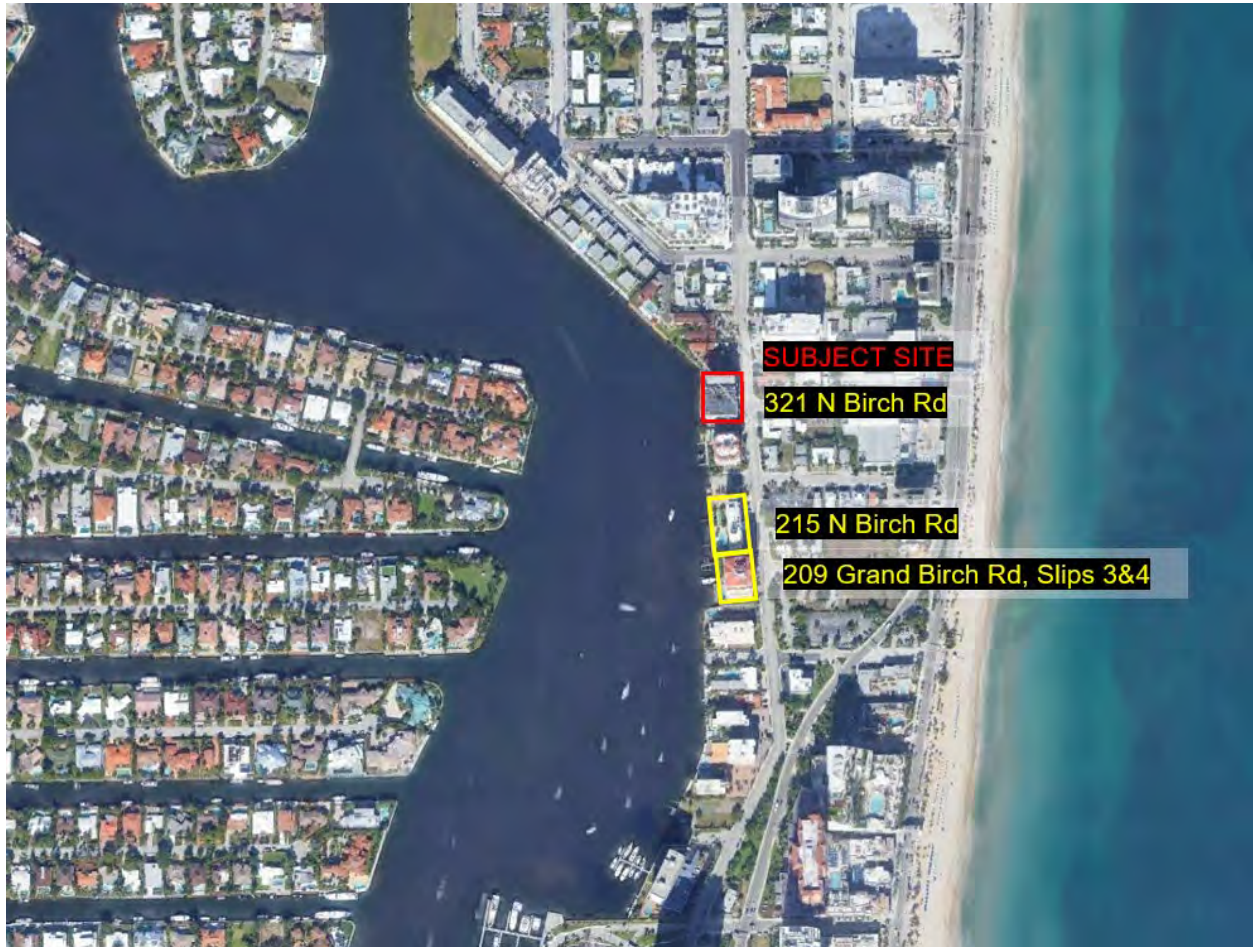
PREPARED FOR:
MR. LEE ENGLER

DISTANCE AERIAL - PROPOSED

| | | |
|----------------------|--------------|-----------|
| Date: 4/16/2021 | Sheet : 3 | of : 3 |
| Proj No.: 21-0038 | | |

EXHIBIT IX EXISTING WAIVERS IN THE VICINTY

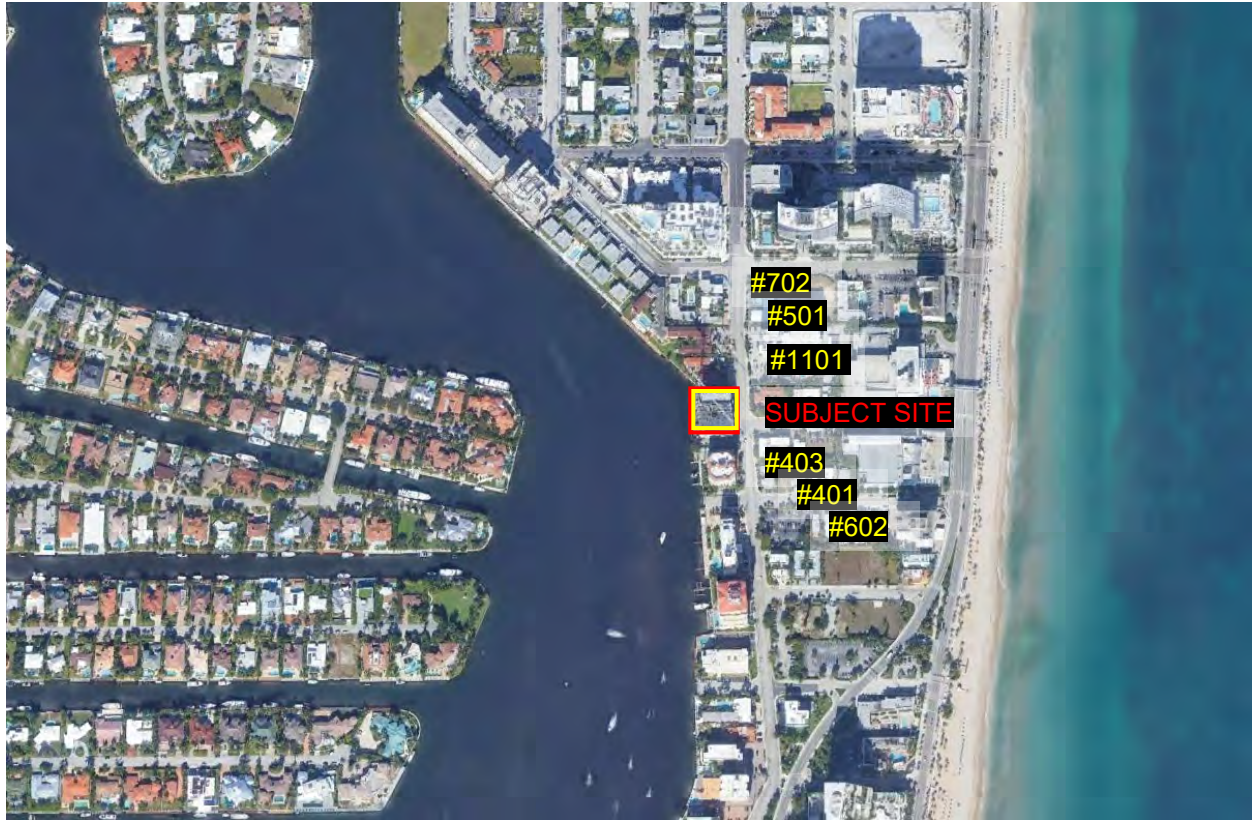
EXISTING WAIVERS IN THE VICINITY



| ADDRESS | MAXIMUM DISTANCE |
|-------------------------|------------------|
| 321 N Birch Rd | 75' |
| 321 N Birch Rd | 55' |
| 215 N Birch Rd | 47.5' |
| 209 Grand Birch, Slip 3 | 39.3' |
| 209 Grand Birch, Slip 4 | 45.5' |
| Subject Site | 51' |

EXHIBIT X LETTERS OF SUPPORT

LETTERS OF SUPPORT



| ADDRESS | OWNER |
|-----------------------|-------------------|
| 321 N Birch Road #401 | Richard Caparso |
| 321 N Birch Rd #403 | Edward Cave |
| 321 N Birch Road #602 | Jeff Grubs |
| 321 N Birch Rd #702 | Harry Weckstrom |
| 321 N Birch Rd #501 | Michael DiTullio |
| 321 N Birch Rd #1101 | Bob & Mary Berard |

April 12, 2021

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install a boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,

A handwritten signature in cursive script that reads "Michael DiTullio".

Michael DiTullio
321 N Birch Road Apt 501
Fort Lauderdale, FL 33304

April 12, 2021

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install a boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Harri Weckstrom', with a long horizontal flourish extending to the right.

Harri Weckstrom
321 N Birch Road Apt 702
Fort Lauderdale, FL 33304

April 12, 2021

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install a boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob & Mary Berard". The signature is written in a cursive, flowing style.

Bob & Mary Berard
321 N Birch Road Apt 1101
Fort Lauderdale, FL 33304

April 12, 2021

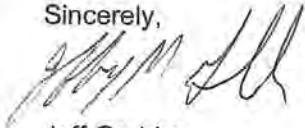
Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install a boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Grubbs', written over a horizontal line.

Jeff Grubbs
321 N Birch Road Apt 602
Fort Lauderdale, FL 33304

April 12, 2021

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install a boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Caparso", written in a cursive style.

Richard Caparso
321 N Birch Road Apt 401
Fort Lauderdale, FL 33304

April 12, 2021

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd

City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install a boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,



Ed Cave
321 N Birch Road Apt 403
Fort Lauderdale, FL 33304