ITEM IX

MEMORANDUM MF NO. 21-15

DATE: May 19, 2021

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities Manager

RE: June 3, 2021 MAB Meeting - Dock Waiver of Distance Limitations - Alan

and Michelle Sincich / 9 Hendricks Isle

Attached for your review is a revised application from Alan & Michelle Sincich / 9 Hendricks Isle.

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for installation of a 24,000 pound 4 post boat lift. The distances this structure will extend from the property line into waterway is shown in the survey and summarized in Table 1 below:

TABLE 1

PROPOSED STRUCTURE	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	AMOUNT OF DISTANCE REQUIRING WAIVER
Boat Lift	+/-43.4'	25'	+/-18.4'

The City's Unified Land and Development Regulations (UDLR) Sec. 47-19.3.C limits the maximum distance of mooring structures to 25' or 25% of the width of the waterway, whichever is less, from the property line. Section 47-19.3.E authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances. The applicant indicates that the proposed mooring boat lift is necessary to safely moor resident's vessels, especially during high wind events and sever weather. It will also allow for light penetration and protection of natural resources.

PROPERTY LOCATION AND ZONING

The property is located within the RMM-25 Residential Mid Rise Multi Family / Medium High Density District. It is situated along the Lago Karen Waterway.

DOCK PLAN AND BOATING SAFETY

Marine Facilities' records reflect there has been at least six (6) Waivers of Limitation approved by the City Commission within close proximity to 141 Isle of Venice (**Table 2**).

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
July 1985	440 Hendricks Isle	Pilings – 39'
June 1989	13 Hendricks Isle	Pilings – 80'
July 2007	101 Hendricks Isle	Pilings – 30'
April 2013	91 Isle of Venice	Pilings – 45'
April 2019	1 Hendricks Isle	Boatlift – 43'
July 2019	95 Hendricks Isle	Pilings/Finger Pier – 35'

RECOMMENDATIONS

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

- 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.
- 3. The applicant is required to provide guide poles on any portion of the mooring device that is capable of being submerged in accord with Code Section 8-91(d).

AC Attachment

CC:

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



9 HENDRICKS ISLE APPLICATION FOR WATERWAY WAIVER

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)

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: Alan Sincicl	n & Michelle Sincich	
	TELEPHONE NO:	6145706201	6/4 582-2002 EMAIL:
		(home)	(business) ASINCICHERACKARDTOICEST the site address): 9 Hendricks Isle
2.	APPLICANT'S ADDI Fort Lauderdale, FL	RESS (if different than . 33301	the site address): 9 Hendricks Isle
TYPE	OF AGREEMENT AN	D DESCRIPTION OF R	FOLIEST:

The applicant requests a waiver for the proposed construction of a 24,000lb 4-post boat lift beyond 25 feet from the property line.

SITE ADDRESS:

ZONING:

9 Hendricks Isle Fort Lauderdale, FL 33301

RMM-25

LEGAL DESCRIPTION AND FOLIO NUMBER:

LAUDERDALE ISLE AMEN PLAT 16-33 B PT OF BLK 3 FPA:LOT 16 S 27 OFN 35.83 BLK 3 TOG WITH DOCK SPACE 4 S AKA: UNIT 5 TOG WITH DOCK SPACE 4 S RIO LAS OLAS

Folio No. 504211240105

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

Date/1/4/6,202/

======================================	
Lauderdale	City of Fort
======================================	========For Official City Use ==================
Marine Advisory Board Action Formal Action taken on	Commission Action Formal Action taken on
RecommendationAction	



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EXHIBIT II SUMMARY DESCRIPTION



Summary Description 9 Hendricks Isle TCG Project No. 21-0020

The project site is located along Lago Karen at 9 Hendricks Isle, in Section 11, Township 40, Range 42, in the City of Fort Lauderdale, Broward County, Florida.

The property is located along Lago Karen, which is a tidal water. The nearest direct connection to the Atlantic Ocean is approximately 2.0 miles to the south at the Port Everglades Inlet. As the project site is located along the Lago Karen, the incoming tidal waters (flood) at the site move to the south and the outgoing waters (ebb) move to the north.

The project site consists of an existing ±27 ln. ft. concrete seawall, and a ±427 sq. ft. wood dock with a finger pier. The proposed project includes the installation of a 24,000lb 4-post boat lift. As measured from the existing wetface and property line, the proposed boat lift encroaches more than 25' from the wetface and property line into the Lago Karen. As this distance is over the allowable 25' distance into the waterway from the property line, the proposed boat lift will require a variance waiver.

The proposed structure has been authorized by the Broward County Environmental Protection & Growth Management Department (Permit No. GL-FTL2012-051) and Florida Department of Environmental Protection (Permit No. 06-0396130-002).

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 from wetface to wetface (±305'), the proposed project will not impede navigation within the Lago Karen.
- 3. The proposed structures are necessary for safely mooring resident's vessels, especially during high wind events and severe weather.
- 4. The proposed boat lift will allow for light penetration and protection of natural resources.
- 5. Due to the limited length of the property and existing dock, mooring parallel to the marginal dock is not an option.

4

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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
Α	Boat Lift	43.4'	25'	18.4'

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EXHIBIT III WARRANTY DEED

Instr# 116486277 , Page 1 of 2, Recorded 05/04/2020 at 10:23 AM

Broward County Commission Deed Doc Stamps: \$0.70

This instrument prepared by: JOSEPH M. BALOCCO, JR. ESQ. JOSEPH M. BALOCCO, JR., P.A. 4332 E Tradewinds Avenue Lauderdale-by-the-Sea, FL 33308

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED, executed this 27 day of APRIL, 2020, by Alan Sincich and Michelle Sincich, husband and wife, whose post office address is: 9 Hendricks Isle, Fort Lauderdale, FL 33301, First Party, to Alan C. Sincich and Michelle Sincich, Trustees of the Alan and Michelle Sincich Trust dated April 25, 2016, with the full power and authority in the Trustees to protect, conserve, sell, lease, encumber or otherwise dispose of the real property described herein, all in accordance with Florida Statute 689.073, whose post office address is: 9 Hendricks Isle, Fort Lauderdale, FL 33301, Second Party:

WITNESSETH: That the said First Party, for and in consideration of the sum of \$10.00, in hand paid by the said Second Party, the receipt of which is hereby acknowledged, does hereby remises, release and quit-claim unto the said Second Party, forever, all of the right, title, interest, claim and demand which the said First Party has in and to the following described lot, piece or parcel of land, situate, lying and being in Broward County, Florida, to-wit:

The South 27 feet of the North 35.83 feet of Lot 16, Block 3, of Unit A, Lauderdale Isles, according to the map or plat thereof, as recorded in Plat Book 9, Page(s) 28, of the Public Records of Broward County, Florida.

TAX FOLIO NUMBER: 504211-24-0105

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 the said First Party, either in law or equity, to the only proper use, benefit and behoof of the said Second Party forever.

This Quit-Claim Deed was prepared without the benefit of title examination, based solely on information supplied by the Parties and as a result no title related liability is assumed.

(IN WITNESS WHEREOF, the said First Party has signed and sealed these presents the date and year first above written.
i	Signed, sealed and delivered in the presence of: Sign Witness Name (as to both) Alan Sincich
Ī	Print Witness Name Michelle Sincich Michelle Sincich
Ē	Print Witness Name
	STATE OF OHIO COUNTY OF FRANKLIN) ss.:
	The foregoing instrument was acknowledged before me by means of physical presence, this 27 day of APPL, 2020, by Alan Sincich and Michelle Sincich, who are personally known to me.
	Matthew W. Gibson, Attorney At Law NOTARY Public Name typed, printed or stamped: My commission has no expiration date Sec. 147.03 R.C. Matthew W. Gibson, Attorney At Law Notary Public Name typed, printed or stamped: My Commission Expires: My Commission Expires: My Commission Expires:



EXHIBIT IV ORIGINAL SURVEY



PINNELL SURVEY, INC.

5300 W. HILLSBORO BLVD., SUITE 215-A COCONUT CREEK, FLORIDA 33073 PHONE(954)418-4940 FAX(954)418-4941 EMAIL: order@sfland.net CERTIFICATE NO.: LB6857

SURVEY ADDRESS:

9 HENDRICKS ISLE

FORT LAUDERDALE, FLORIDA 33301

FLOOD ZONE & ELEVATIONS:

FLOOD ZONE: AE /X(0.2%)
BASE FLOOD ELEVATION: 5'

CONTROL PANEL NO.: 125105-0576-H DATE OF FIRM INDEX: 08/18/14

CERTIFY TO:

- 1. ALAN SINCICH AND MICHELLE SINCICH
- 2. JOSEPH M. BALOCCO, JR., P.A.
- 3. CHICAGO TITLE INSURANCE COMPANY
- 4. JPMORGAN CHASE BANK, N.A., ITS SUCCESSORS AND/OR ASSIGNS, AS THEIR INTEREST MAY APPEAR

POTENTIAL ENCROACHMENTS:

- COLUMNS CROSS OVER THE NORTHERLY, SOUTHERLY AND EASTERLY PROPERTY LINES.
- 2. C.B.S. WALL CROSSES OVER THE NORTHERLY AND SOUTHERLY PROPERTY LINES.

LEGAL DESCRIPTION:

THE SOUTH 27 FEET OF THE NORTH 35.83 FEET OF LOT 16, IN BLOCK 3, ACCORDING TO THE PLAT OF UNIT "A" LAUDERDALE ISLES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 9, PAGE 28, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

LEGEND & ABBREVIATIONS:

GENERAL NOTES:

- 1. TYPE OF SURVEY: BOUNDARY
- IF THIS SURVEY HAS BEEN REVISED AS INDICATED IN THE REVISION BOX SHOWN HEREON, THEN ANY AND ALL PREVIOUS VERSIONS OF THIS SURVEY PREPARED BY PINNELL SURVEY, INC. ARE NULL & VOID.
- 3. THE PROPERTY SHOWN HEREON WAS NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD BY PINNELL SURVEY, INC. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT DEPICTED ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY, FOR WHICH THE SUBJECT PROPERTY IS LOCATED IN.
- UNLESS OTHERWISE NOTED, FIELD MEASUREMENTS ARE IN AGREEMENT WITH RECORD MEASUREMENTS.
- ELEVATIONS SHOWN HEREON (IF ANY) ARE RELATIVE TO NAVD 1988, UNLESS OTHERWISE NOTED.
- 6. UNDERGROUND IMPROVEMENTS AND UTILITIES ARE NOT LOCATED.
- 7. FENCE AND WALL OWNERSHIP IS NOT DETERMINED.
- 8. THIS DRAWING IS THE PROPERTY OF PINNELL SURVEY, INC. AND SHALL NOT BE USED OR REPRODUCED, WHOLE OR IN PART WITHOUT WRITTEN PERMISSION & AUTHORIZATION FROM PINNELL SURVEY, INC.
- ALL EASEMENTS SHOWN ON THE ATTACHED DRAWING ARE PER THE RECORD PLAT (UNLESS OTHERWISE NOTED).
- 10. THIS SURVEY IS FOR MORTGAGE AND TITLE PURPOSES ONLY.

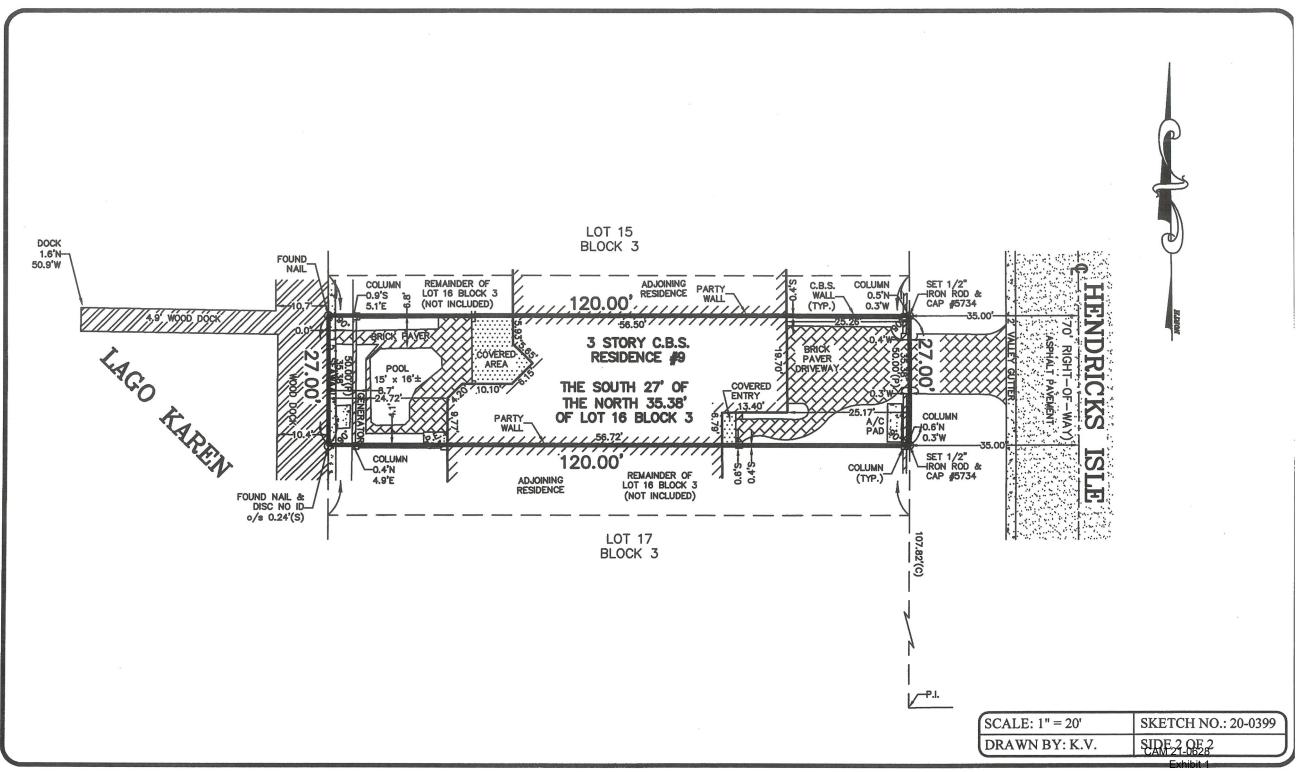
CERTIFICATION:

THIS IS TO CERTIFY THAT I HAVE RECENTLY SURVEYED THE PROPERTY DESCRIBED IN THE FOREGOING TITLE CAPTION AND HAVE SET OR FOUND MONUMENTS AS INDICATED ON THIS SKETCH AND THAT SAID ABOVE GROUND SURVEY AND SKETCH ARE ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE UNDER RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA STATE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

JASON H. PINNELL
PROFESSIONAL SURVEYOR & MAPPER

SKETCH NO.: 20-0399
DATE OF SURVEY: 03/04/20

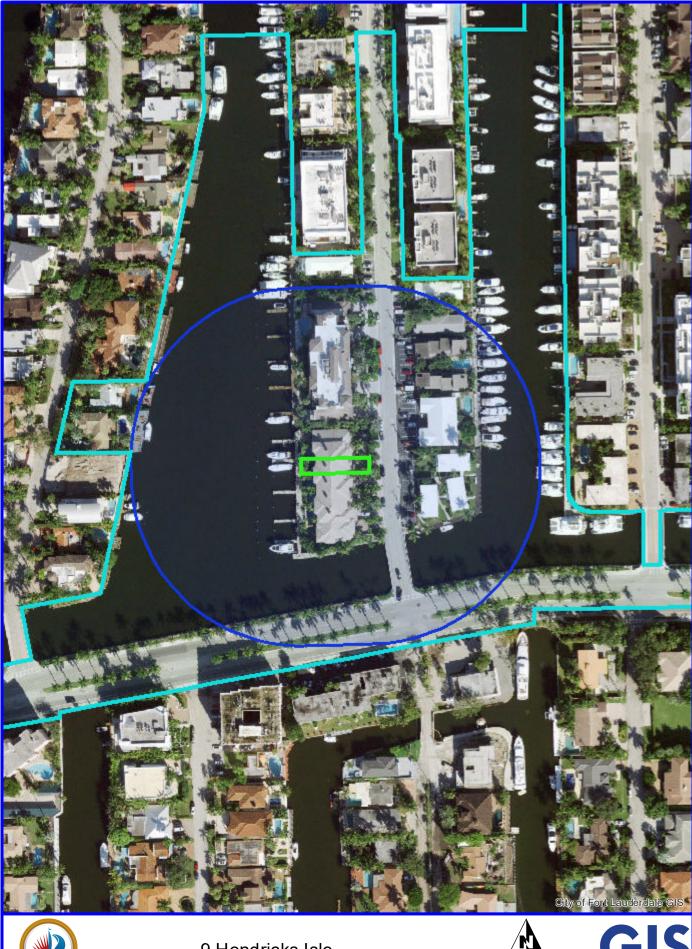
			SKETCH NO.: 20-0399
			DATE OF SURVEY: 03/04/20
			CHECKED BY: O.C.
			FIELD BOOK/PAGE: FILE 21-0628
REVISIONS	DATE	CHK'D BY	SIDE 1 OF 2 Exhibit 1 Page 14 of 39



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EXHIBIT V ZONING AERIAL



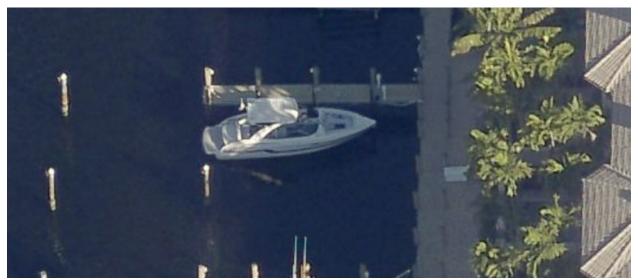


9 Hendricks Isle

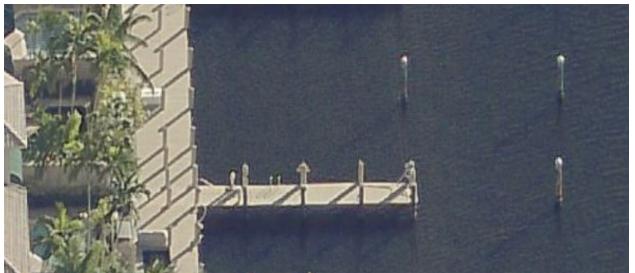


EXHIBIT VI SITE PHOTOGRAPHS





1. Southern portion of the subject site, facing north along Lago Karen.

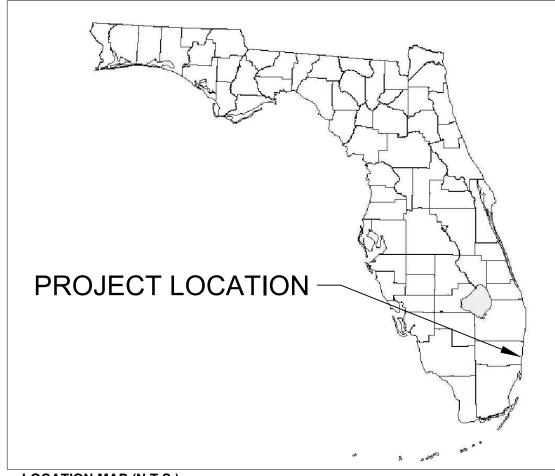


2. Northern portion of the subject site, facing south along Lago Karen.



EXHIBIT VII PROJECT PLANS

9 HENDRICKS ISLE PLAN SET



tel. 954.782.1908

DRAWING INDEX

SHEET 1: COVER

SHEET 2: EXISTING CONDITIONS

SHEET 3: PROPOSED CONDITIONS

SHEET 4: SECTION A

SHEET 5: SECTION B

SHEET 6: DETAILS



VICINITY AERIAL (N.T.S.)

LOCATION MAP (N.T.S.)

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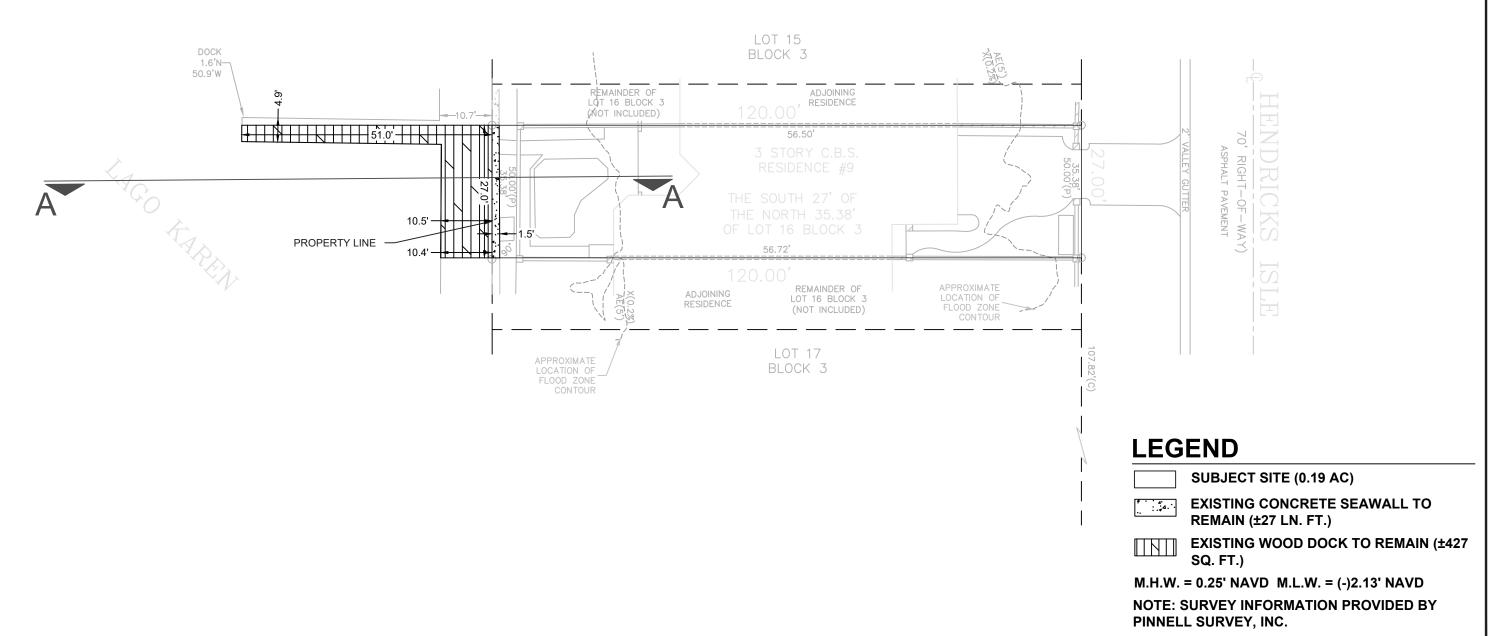
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- Mitigation Design & Monitoring
- T&E Species Surveys
- Tree Surveys/Appraisals

9 HENDRICKS ISLE

PREPARED FOR:
BOAT LIFTS & DOCKS OF SOUTH FLORIDA

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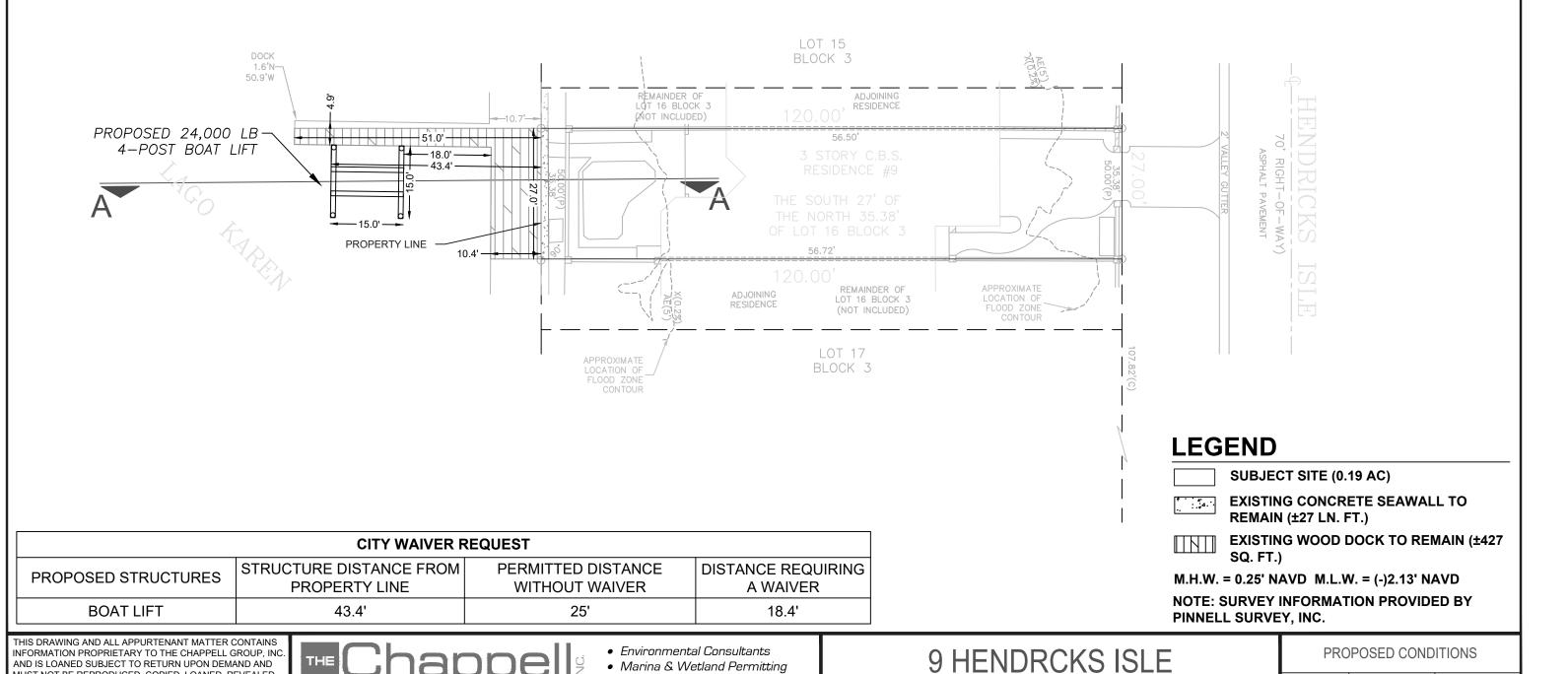
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EXISTING CONDITIONS		
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CAM 21-0628 Exhibit 1 Page 23 of 39

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4/29/2021

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21-0020

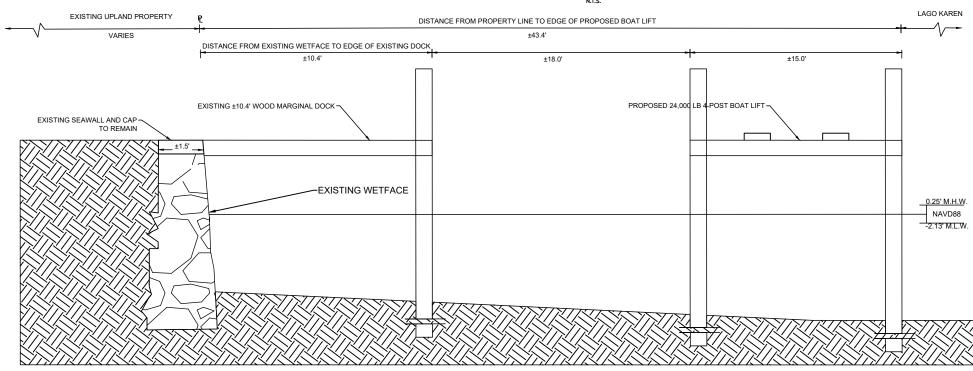
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BOAT LIFTS & DOCKS OF SOUTH FLORIDA

Sheet:

EXISTING CONDITIONS A-A (TYP.) EXISTING UPLAND PROPERTY P DISTANCE FROM PROPERTY LINE TO EDGE OF EXISTING DOCK LAGO KAREN DISTANCE FROM EXISTING WETFACE TO EDGE OF EXISTING DOCK EXISTING ±10.4' WOOD MARGINAL DOCK EXISTING SEAWALL AND CAP-TO REMAIN EXISTING WETFACE 0.25' M.H.W. NAVD88

PROPOSED CONDITIONS A-A (TYP.)



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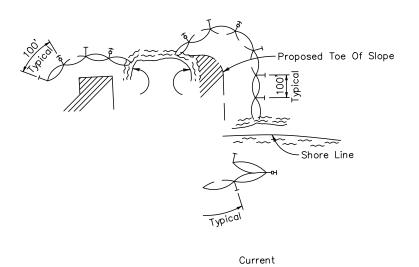
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9 HENDRICKS ISLE

PREPARED FOR: **BOAT LIFTS & DOCKS OF SOUTH FLORIDA**

	SECTION A	
Date: 4/29/2021	Sheet :	of :
Proj No.: 21-0020	4	5

CONSTRUCTION BARGE (TYP.)



LEGEND

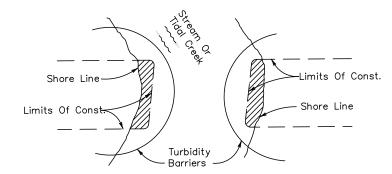
Pile Locations

Dredge Or Fill Area

-→ Mooring Buoy w/Anchor

→ Anchor

Barrier Movement Due
To Current Action



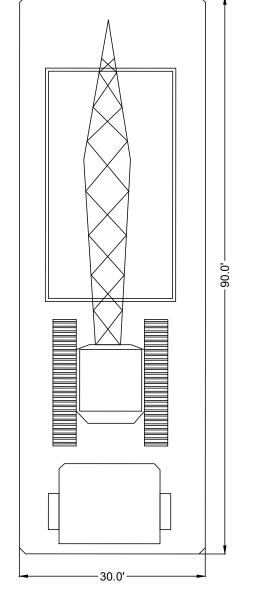
1. Turbidity barriers are to be used in all permanent bodies of water regardless of water depth.

Structure Alignment

- 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.

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

TURBIDITY BARRIER APPLICATIONS



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BOAT LIFTS & DOCKS OF SOUTH FLORIDA

DETAILS					
Date: 4/29/2021	Sheet :	of :	_		
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EXHIBIT VIII DISTANCE EXHIBIT



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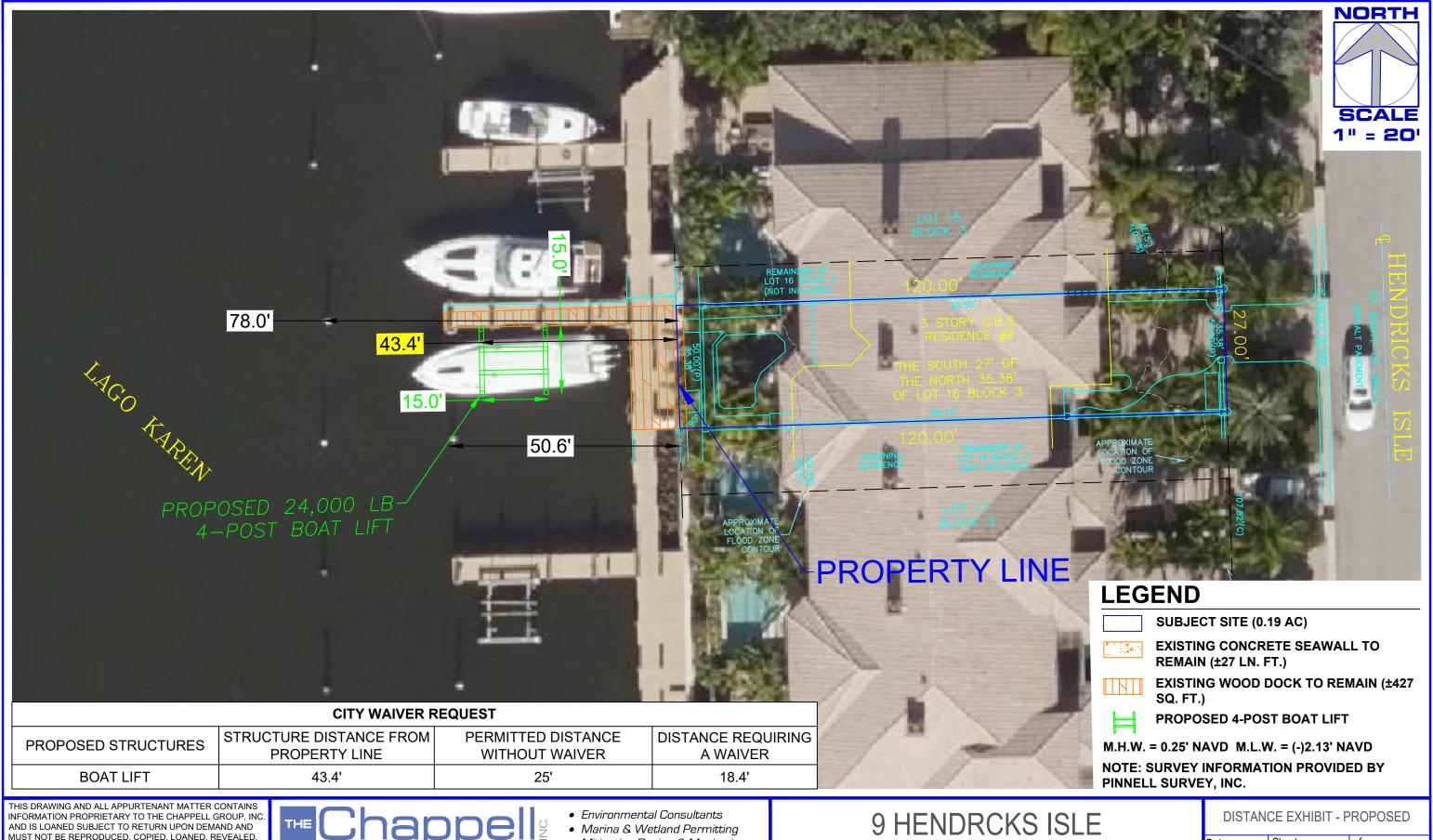
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Date: Sheet: 5/18/2021 Proj No.:



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9 HENDRCKS ISLE

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Date: Sheet: 5/18/2021 Proj No.:



EXHIBIT IX EXISTING WAIVERS IN THE VICINTY

EXISTING WAIVERS IN THE VICINITY



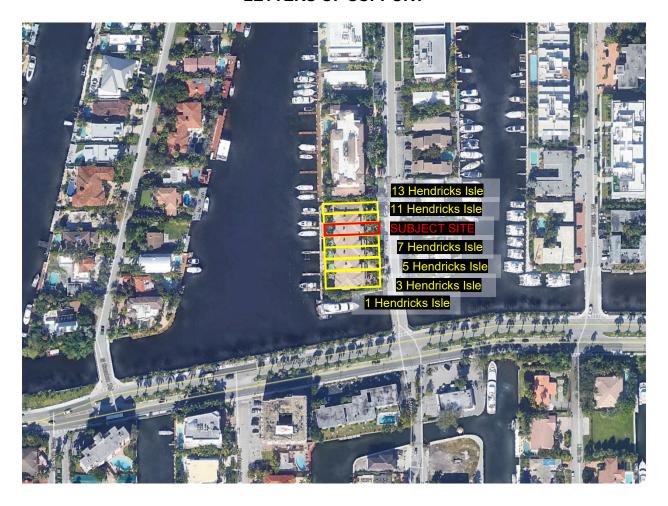
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101 Hendricks Isle	Pilings – 30'
91 Isle of Venice	Pilings – 45'
1 Hendricks Isle	Boatlift – 43'
95 Hendricks Isle	Pilings/Finger Pier – 35'
Subject Site	<mark>43.4'</mark>



EXHIBIT X LETTERS OF SUPPORT



LETTERS OF SUPPORT



ADDRESS	OWNER
1 Hendricks Isle	Kenneth Ricketts
3 Hendricks Isle	Francie & Mark Norris
5 Hendricks Isle	John Orsini
7 Hendricks Isle	Susan Orsini
11 Hendricks Isle	Bruce & Keri Berger
13 Hendricks Isle	Mel Trustees, LLC

Alan Sincich & Michelle Sincich 9 Hendricks Isle Fort Lauderdale, FL 33301

RE:

9 Hendricks Isle

City of Fort Lauderdale Waiver Request

Dear Mr. Alan Sincich and Mrs. Michelle Sincich,

I have reviewed the attached plans (Attachment A), for the proposed project to install a 24,000lb 4-post boat lift beyond 25 feet from the property line into Lago Karen. 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 1 Hendricks Isle, and support the project as proposed.

Sincerely,

Kenneth Ricketts 1 Hendricks Isle

Alan Sincich & Michelle Sincich 9 Hendricks Isle Fort Lauderdale, FL 33301

RE:

9 Hendricks Isle

City of Fort Lauderdale Waiver Request

Dear Mr. Alan Sincich and Mrs. Michlle Sincich,

I have reviewed the attached plans (Attachment A), for the proposed project to install a 24,000lb 4-post boat lift beyond 25 feet from the property line into Lago Karen. 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 3 Hendricks Isle, and support the project as proposed.

Sincerely,

Mark Norris & Francie Norris

3 Hendricks Isle

Mand Ir

Alan Sincich & Michelle Sincich 9 Hendricks Isle Fort Lauderdale, FL 33301

RE:

9 Hendricks Isle

City of Fort Lauderdale Waiver Request

Dear Mr. Alan Sincich and Mrs. Michelle Sincich,

I have reviewed the attached plans (Attachment A), for the proposed project to install a 24,000lb 4-post boat lift beyond 25 feet from the property line into Lago Karen. 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 5 Hendricks Isle, and support the project as proposed.

Sincerely,

John Orsini

5 Hendricks Isle

Alan Sincich & Michelle Sincich 9 Hendricks Isle Fort Lauderdale, FL 33301

RE:

9 Hendricks Isle

City of Fort Lauderdale Waiver Request

Dear Mr. Alan Sincich and Mrs. Michelle Sincich,

I have reviewed the attached plans (Attachment A), for the proposed project to install a 24,000lb 4-post boat lift beyond 25 feet from the property line into Lago Karen. 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 7 Hendricks Isle, and support the project as proposed.

Sincerely,

Susan Orsini 7 Hendricks Isle

Fort Lauderdale, FL 33301

usan 7. Orsini

Alan Sincich & Michelle Sincich 9 Hendricks Isle Fort Lauderdale, FL 33301

RE:

9 Hendricks Isle

City of Fort Lauderdale Waiver Request

Dear Mr. Alan Sincich and Mrs. Michelle Sincich,

I have reviewed the attached plans (Attachment A), for the proposed project to install a 24,000lb 4-post boat lift beyond 25 feet from the property line into Lago Karen. 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 11 Hendricks Isle, and support the project as proposed.

Sincerely,

Bruce Berger & Keri Berger

11 Hendricks Isle

Alan Sincich & Michelle Sincich 9 Hendricks Isle Fort Lauderdale, FL 33301

RE:

9 Hendricks Isle

City of Fort Lauderdale Waiver Request

Dear Mr. Alan Sincich and Mrs. Michlle Sincich,

I have reviewed the attached plans (Attachment A), for the proposed project to install a 24,000lb 4-post boat lift beyond 25 feet from the property line into Lago Karen. 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 13 Hendricks Isle, and support the project as proposed.

Sincerely,

Santiago Eljaiek III MEL TRUSTEES, LLC Trustee for Land Trust 1756-007 13 Hendricks Isle Fort Lauderdale, FL 33301

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