

NOTE: A three-minute maximum time limit will be imposed on all comments from the public, regardless of the subject matter. A request form is available from the Deputy Town Clerk; fill it in and return it to her prior to the start of the meeting. When you speak, you must come to the podium in the front and clearly state your name and address for the record. Please turn off or mute your cell phone or pager

TOWN OF BAY HARBOR ISLANDS
QUASI-JUDICIAL PUBLIC HEARING
AGENDA

February 10, 2021

AGENDA

SPECIAL NOTICE – HYBRID / VIRTUAL MEETING

Pursuant to Ordinance No. 1054, the February 10, 2021 Public Hearing will be held as a Hybrid Meeting where a quorum of the Town Council will be physically present at the Town's 95th Street Park located 1185 95th, Bay Harbor Islands, FL 33154. The general public and other members of staff will be able to view and participate in the meeting (Virtually) by utilizing the Zoom video conferencing platform.

Zoom Link: <https://zoom.us/j/96759985342>

Meeting ID: 967 5998 5342

To request to speak during Public Comment, please utilize the "raise your hand" Zoom feature on your electronic device. You will be recognized at the direction of the Zoom Meeting Host.

In addition, any member of the public who does not wish, or is unable to participate through the Zoom video conferencing platform, but would still like to participate can do so by listening to the meeting as it happens by dialing the Toll-free number below:

US Toll Free Number: 877 853 5247 or 888 788 0099

Meeting ID: 967 5998 5342

Participant ID: Press the # key

To request to speak: Dial *9 on your telephone device to activate the "Raise your Hand" feature on the zoom platform.

Members of the Public can also submit their request to speak and/or comments via e-mail to the Office of the Town Clerk at achang@bayharborislands-fl.gov

CALL TO ORDER: 7:00 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL

1. **Discussion** for the purpose of hearing any public comment with respect to an application for variance from Section 23-12(6)(b)(iii) and Section 23-12(6)(a)(x) of the Town Code to construct a jet ski lift to the side of the existing "L" shaped boat dock, which boat lift also extends more than 25 feet seaward from the seawall cap. The application for a variance is being requested by the property owners Mark Tabacinic & Vanessa Bibliowicz for the property located at 10200 West Broadview Drive, Lot 42 & N 1/2 of Lot 43 in Block 23, Bay Harbor Islands, Florida. Enclosed is a copy of the variance application and other supporting documents.
2. **Approval or Denial** of the variance request for residence located at 10200 West Broadview Drive. As required by Section 2-22 of the Town Code, the Town Council shall determine whether to grant or deny the application for variance. An affirmative vote of five Council Member is necessary in order to grant the variance request. The decision of the Town Council is final. If the request is granted, the decision of the Town Council shall be recorded in a resolution to be prepared by the Town Attorney. It should be noted that any approval of the Town Council is subject to other requirements of the Town Code, County Code, Florida Building Code, FEMA, etc.

STAFF RECOMMENDATION: Approval

CONCLUSION OF PUBLIC HEARING - Approximately 7:10 p.m.

Pursuant to Florida Statutes 286.0105, the Town hereby advises the public that should any person decide to appeal any decision of the Town Council with respect to any matter to be considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AGENDA ITEM REPORT

February 10, 2021

ITEM NUMBER: 1.

ITEM: Discussion for the purpose of hearing any public comment with respect to an application for variance from Section 23-12(6)(b)(iii) and Section 23-12(6)(a)(x) of the Town Code to construct a jet ski lift to the side of the existing "L" shaped boat dock, which boat lift also extends more than 25 feet seaward from the seawall cap. The application for a variance is being requested by the property owners Mark Tabacinic & Vanessa Bibliowicz for the property located at 10200 West Broadview Drive, Lot 42 & N 1/2 of Lot 43 in Block 23, Bay Harbor Islands, Florida. Enclosed is a copy of the variance application and other supporting documents.

DESCRIPTION:

On December 18, 2020, the Office of the Town Clerk received an application for a variance request from Mark Tabacinic & Vanessa Bibliowicz in order to construct a jet ski boat lift to the side of the existing "L" shaped boat dock, which boat lift also extends more than 25 feet seaward from the seawall cap. The property owners are seeking variance from the following sections:

* Section 23-12(6)(b)(iii) limiting boat lifts and/or davits from extending more than 25 feet beyond the outside face of the seawall cap;

* complying with Section 23-12(6)(a)(x) allowing for further projections, through the use of a variance granted by the Town Council, if Miami-Dade County required alterations to the above limitations. Approval shall be limited to the minimal variation of the criteria necessary to meet the unique environmental characteristics of the site.

The proposed boat lift is 16' X 16". Miami-Dade County has preliminarily approved the proposed boat lift design, subject to the Town's approval.

Enclosed is a copy of the proposed variance application and other supporting documents.

RECOMMENDED ACTION:

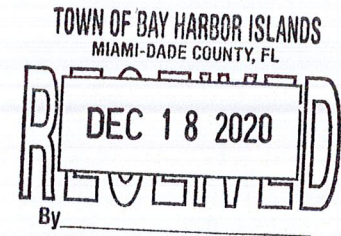
FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Alba Chang, Deputy Town Clerk

ATTACHMENTS

1. 10200 WBRD-Variance Application
2. BHI TC Staff Report 10200 WBVD Boat Lift Variance Jan 7 2021



December 16, 2020

Ms. Alba Chang
Town of Bay Harbor Islands
9665 Bay Harbor Terrace
Bay Harbor Islands, FL 33154

**RE: 10200 West Broadview
Variance Application
TCG Project No. 20-0097**

Dear Ms. Chang:

Please accept this correspondence as an application for the approval of the installation of a boat lift at the above referenced site. The site contains an existing previously authorized wood "L" dock that is to remain. The proposed project is the installation of a new 7,000 lb jet ski lift that will extend 35' beyond the seawall cap. The following information is included for your review:

- Filing fee (check #362- \$525.00)
- Signed Variance application
- Signed ownership form
- Hardship letter
- Original survey (2 copies)
- Preliminary approved plans from DERM (2 copies)
- Certified mailing list

It is anticipated that the information included within this submittal will be sufficient for your review and assignment to staff for review. The original documents and fee will follow under separate cover. If you have any further questions or comments, please feel free to contact my office at (954) 782-1908, or via email at kathryn@thechappellgroup.com.

Sincerely,

THE CHAPPELL GROUP, INC.

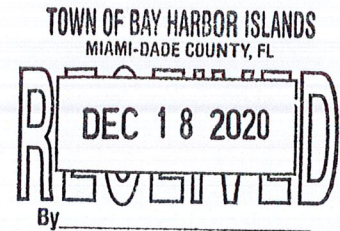
Kathryn Bongarzone

Kathryn Bongarzone
Project Manager

Cc: Mr. Mark Tabacinic

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

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



December 16, 2020

Ms. Alba Chang
Town of Bay Harbor Islands
9665 Bay Harbor Terrace
Bay Harbor Islands, FL 33154

**RE: 10200 West Broadview
Hardship Letter
TCG Project No. 20-0097**

Dear Ms. Chang:

Please accept this correspondence as a summary of the hardships at the above referenced site that are required for the approval for the installation of the proposed boat lift. The requirements are listed below with the hardship justification in **bold**:

- (1) The nature and type of hardship.

Response: It is necessary for the boat lift to be installed more than the authorized 25' beyond the seawall cap to allow for sufficient depths for the operation of the lift. The lift is 16' in length, and it cannot be operated in the shallow depths that are present adjacent to the seawall. Attached is the Completeness Summary from Miami-Dade County Department of Regulatory and Economic Resources (DERM) requesting that the lift be located a minimum of 28 feet waterward of the seawall cap.

- (2) The circumstances which caused the hardship, and make the hardship peculiar to the property in question or to such a small number of properties that may clearly constitute marked exceptions to the property in the neighborhood.

Response: Due to the location of the subject site on Bay Harbor Island, sand and silt naturally accumulate adjacent to the seawall, reducing the depths in this location.

- (3) The circumstances which show that the variance is required in order to preserve a substantial property right of the applicant. The substantial property right does not include the fact that the applicant might be denied some opportunity to use the subject property in a more profitable way or sell it at a greater profit than is possible under the terms of the ordinance. An applicant-property owner is entitled only to a reasonable use of the subject property.

Response: The applicant is entitled to access to the water from the subject site and the proposed jet ski lift will provide this access. There is no other location on the site to install the lift that would have adequate depths and not require a variance.

- (4) The circumstances which show that any alleged hardship is not self-created by any person having any interest in the subject property or is not the result of mere disregard for or ignorance of the provisions of any ordinance

Response: The natural sedimentation that has occurred at the site is not self-created and is a natural, tidal process.

- (5) The circumstances under which the ordinance to which the variance is sought shall be modified as little as possible so that the substantial intent and purpose of the ordinance or regulations contained therein shall be preserved

Response: The proposed location of the lift is 10' more waterward than what the code allows. This location is the least substantial location for the lift while still being able to operate safely.

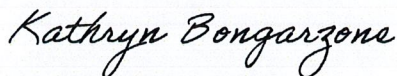
- (6) The circumstances under which it can be established that a variance will not result in substantial detriment to adjacent property, or the surrounding neighborhood, and will not be materially detrimental to the public welfare.

Response: The proposed lift is within the applicant's riparian lines and will not impact the adjacent neighbors or the public welfare.

It is anticipated that the information included within this submittal will be sufficient for your review and assignment to staff for review. If you have any further questions or comments, please feel free to contact my office at (954) 782-1908, or via email at kathryn@thechappellgroup.com.

Sincerely,

THE CHAPPELL GROUP, INC.

A handwritten signature in cursive script that reads "Kathryn Bongarzone".

Kathryn Bongarzone
Project Manager

Cc: Mr. Mark Tabacinic

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

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



APPLICATION FOR VARIANCE AND PUBLIC HEARING

DATE: 12/1/2020	PROPERTY ADDRESS: 10200 West Broadview Drive	
LEGAL DESCRIPTION	LOT: 42 & N 1/2 of 43	BLOCK: 23
SUBDIVISION:	TOWN OF BAY HARBOR ISLANDS	

APPLICANT'S NAME:	Mark Tabacinic	
ADDRESS:	10200 W Broadview Drive	
BUSINESS PHONE:	RESIDENCE PHONE:	CELL PHONE: 786-210-9996

PROPERTY OWNER'S NAME: (If different from applicant)		
ADDRESS:		
BUSINESS PHONE:	RESIDENCE PHONE:	CELL PHONE:

NAME OF CONTRACTOR and/or ARCHITECT:	Sean McCarthy	
COMPANY NAME:	Southeast Atlantic Boat Lifts, Inc.-	
ADDRESS:	1121 NW 51st Court, Fort Lauderdale FL, 33309	
BUSINESS PHONE: 954-630-2300	RESIDENCE PHONE:	CELL PHONE:

PRESENT ZONING CLASSIFICATION:

- | | |
|--|---|
| ☐ BAA - Business District | ☐ CA - Causeway |
| ☐ RBA - Tract | ☐ RE - Multiple Family |
| ☒ RD - Single Family | ☐ PUD - Planned Unit Development |
| ☐ PRD - Planned Residential Development | |

IF APPLICANT IS THE PROPERTY OWNER, INDICATE DATE ACQUIRED: 1 / 14 / 2014

IF APPLICANT IS THE LESSEE, INDICATE LEASE DATE: / /

INDICATE TERMS OF LEASE:	

LEGAL DESCRIPTION OF ANY CONTIGUOUS PROPERTY OWNED BY THE APPLICANT:

LOT:	BLOCK:	SUBDIVISION:
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IS THERE AN OPTION TO PURCHASE OR LEASE THE SUBJECT PROPERTY? ☐ Yes ☐ No

IS IT PREDICATED ON APPROVAL OF APPLICATION? ☐ Yes ☐ No

IS HEARING BEING REQUESTED AS A RESULT OF A VIOLATION NOTICE? ☐ Yes ☐ No

HAS A PUBLIC HEARING PREVIOUSLY BEEN HELD REGARDING THIS PROPERTY? ☐ Yes ☐ No
IF YES DATE: _____ DECISION: _____

ARE THERE ANY EXISTING STRUCTURES ON THE PROPERTY TO BE DEMOLISHED? ☐ Yes ☐ No
DESCRIBE: _____

BRIEFLY STATE REQUEST:	
Installation of a new 7,000 lb double jet ski lift, to be attached to the existing dock. The lift will extend 35' from the seawall cap, extending past the authorized 25'.	

THE FOLLOWING ARE TO BE NOTIFIED OF HEARING DATE, AS MY REPRESENTATIVE(S):
(Please provide this information, or they will NOT be notified)

NAME	ADDRESS	PHONE
Tyler Chappell	714 E McNab Road, Pompano Beach, FL 33060	954-782-1908
Kat Bongarzone	714 E McNab Road, Pompano Beach, FL 33060	954-782-1908

Applicant Signature(s)

[Handwritten Signature]

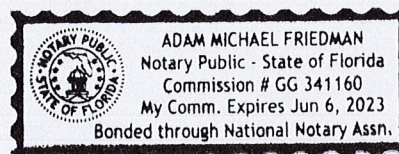
Date 12/1/20

Date 12/1/20

Date 1/1/

ALL INFORMATION SUBMITTED IN CONNECTION WITH THIS APPLICATION BECOMES A PERMANENT PART OF THE PUBLIC RECORDS OF THE TOWN OF BAY HARBOR ISLANDS.

(FOR OFFICE USE ONLY)	
APPROVED: ☐ YES ☐ NO	
DATE APPROVED: _____	
CODE SECTION: _____	



c:\all\gnl\forms\variance.app

[Handwritten Signature]
12/2/2020

**REQUEST FOR VARIANCE
OWNER AFFIDAVIT**

DATE: 12/1/2020

The subject property is legally described as:

LOT: 42 & N1/2 of 43	BLOCK: 23	SUBDIVISION: BAY HARBOR ISLANDS
ADDRESS:	10200 W Broadview Drive	

I (we), Mark Tabacinic, being first duly sworn, depose and say that I am (we are) the owner(s) of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application and all supplemental data attached to and made a part of the application are honest and true to the best of my knowledge and belief.

I (we) hereby authorize the Town of Bay Harbor Islands to enter the subject property for the sole purpose of posting a NOTICE OF PUBLIC HEARING on the property as required by the Town Council, and do take the responsibility of removing this notice after the date of the hearing.

[Signature]
Signature of Owner

Signature of Co-owner

Before me this day personally appeared

MARK TABACINIC
known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that _____ executed this document for the purposes therein expressed.

Before me this day personally appeared

known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that _____ executed this document for the purposes therein expressed.

Sworn to and subscribed to before me this day of DECEMBER 1, 2020.

Sworn to and subscribed to before me this day of _____, 20____.

[Signature]
Notary Public

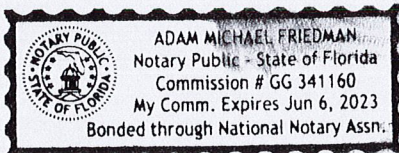
Notary Public

My commission expires: 6/6/2023 Personally known ☒ Produced I.D. _____
Type/number of I.D. _____

My commission expires: _____ Personally known _____ Produced I.D. _____
Type/number of I.D. _____

☒ DID TAKE an oath, or
☐ DID NOT take an oath

☐ DID TAKE an oath, or
☐ DID NOT take an oath





OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 1/27/2021

Property Information	
Folio:	13-2227-001-4290
Property Address:	10200 W BROADVIEW DR Bay Harbor Islands, FL 33154-1136
Owner	MARK TABACINIC VANESSA BIBLIOWICZ
Mailing Address	10200 W BROADVIEW DR BAY HARBOR ISLANDS, FL 33154 USA
PA Primary Zone	0100 SINGLE FAMILY - GENERAL
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	4 / 5 / 1
Floors	2
Living Units	1
Actual Area	9,893 Sq.Ft
Living Area	7,678 Sq.Ft
Adjusted Area	8,021 Sq.Ft
Lot Size	19,688 Sq.Ft
Year Built	2017



Assessment Information			
Year	2020	2019	2018
Land Value	\$5,414,200	\$4,725,120	\$5,611,080
Building Value	\$3,144,232	\$3,276,919	\$3,208,400
XF Value	\$100,506	\$0	\$100,700
Market Value	\$8,658,938	\$8,002,039	\$8,920,180
Assessed Value	\$8,186,085	\$8,002,039	\$8,920,180

Benefits Information				
Benefit	Type	2020	2019	2018
Save Our Homes Cap	Assessment Reduction	\$472,853		
Homestead	Exemption	\$25,000	\$25,000	\$25,000
Second Homestead	Exemption	\$25,000	\$25,000	\$25,000
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

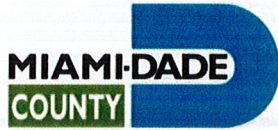
Short Legal Description	
BAY HARBOR ISLAND PB 46-5 LOT 42 & N1/2 OF 43 BLK 23 LOT SIZE 112.500 X 175 OR 19233-3783 08 2000 1	

Taxable Value Information			
	2020	2019	2018
County			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$8,136,085	\$7,952,039	\$8,870,180
School Board			
Exemption Value	\$25,000	\$25,000	\$25,000
Taxable Value	\$8,161,085	\$7,977,039	\$8,895,180
City			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$8,136,085	\$7,952,039	\$8,870,180
Regional			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$8,136,085	\$7,952,039	\$8,870,180

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
01/14/2014	\$4,050,000	28993-3948	Qual by exam of deed
08/01/2000	\$1,650,000	19233-3783	Sales which are qualified
06/01/1984	\$400,000	12181-2663	Sales which are qualified

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:



Carlos A. Gimenez, Mayor

Department of Regulatory and Economic Resources

Environmental Resources Management

701 NW 1st Court, 6th Floor

Miami, Florida 33136-3912

T 305-372-6567 F 305-372-6407

miamidade.gov

February 7, 2020

Mark Tabacinic
10200 W Broadview Drive
Bay Harbor Island, Florida 33154

Re: Class I Permit Application CLI-2020-0022: Tabacinic – Boatlift located at 10200 West Broadview Drive, Bay Harbor Islands, Florida. (Folio No. 13-2227-001-4290)

Dear Mr. Tabacinic:

Please accept this letter in response to your submittal of a Class I permit application for the above referenced property. DERM staff has conducted a biological assessment and has the following recommendations to continue processing your permit application.

Staff documented submerged debris (e.g. boulder) in tidal waters. Pursuant to the Code of Miami-Dade County, it shall be unlawful for any person to dispose of solid wastes or any other wastes into the waters of this County. The debris must be removed from tidal waters upon receipt of this letter. **Failure to remove the debris upon receipt of this letter may result in enforcement action by DERM without further notice.**

A moderate coverage of benthic resources was documented within the footprint of the proposed work. DERM has no objection to the construction of a boatlift and jetski lift provided that the impacts to resources are avoided or minimized. However, due to shallow water depths and a moderate coverage of benthic resources, DERM recommends the proposed jetski lift be located either on the waterward edge of the terminal platform between 30 and 59 linear feet from the southeast end of the property line or on the left side of the access walkway a minimum of 28 feet waterward of the seawall cap. Please review the attached biological assessment and submit revised sketches with a modified jetski lift location. In addition, please make the following corrections to any future sketches.

- Add the existing T-Piles to the seawall note.
- Add a cross-section of the jetski lift's connection to the dock.

The proposed structure is located outside of the boundaries described in Section D-5(03)(2)(a) of the Miami-Dade County Public Works Manual and a letter of consent from the adjacent property owner to the north that references DERM preliminary approved plans is being requested prior to permit issuance. Please note that the Class I permit will not be issued until the requested letter has been submitted to DERM for review and approval. If the letter cannot be obtained, a modification to the proposed scope of work and a new review by DERM will be required. Any new proposal that results in a significant modification to the scope of work may result in additional process time.

A moderate to dense coverage of benthic resources was documented on-site. Mitigation is required for all unavoidable impacts to resources, and is calculated based on the square footage of the structures and permitted boat slip areas over resources. Riprap boulders are typically placed on-site to offset impacts to resources and to create new habitat. However, due to the presence of benthic resources within the potential footprint of the riprap, DERM recommends that mitigation be satisfied off-site, or a contribution to the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) be provided in an amount to be determined.

A statement of acknowledgment directly from the contractor of record that includes the contractor's name, address, telephone number, license number, DERM Class I permit application number, and scope of work for the project may be required. The information may not be submitted through a third party. A Class I permit will not be issued unless and until a Miami-Dade County or State licensed contractor submits the requested information, if a contractor is determined to be required.

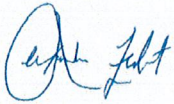
Please note that based on new information or future submittals, this Department may require additional information or items prior to the issuance of the Class I Permit.

If the information and/or items requested in the attached Completeness Summary Checklist are not provided within 30 days of this letter, this application may be denied in accordance with Section 125.022, F.S. If additional time is necessary, please submit a written request for an extension before the 30 day period ends, including a description of the circumstances requiring the extension of time.

Any person aggrieved by any action or decision of the Director of the Division of Environmental Resources Management (DERM) may appeal said action or decision to the Environmental Quality Control Board (EQCB) by filing a written notice of appeal along with submittal of the applicable fee, to the Code Coordination and Public Hearings Section of DERM within fifteen (15) days of the date of the action or decision by DERM.

Attached please find a Completeness Summary detailing items required in order to complete your Class I Permit Application Package, and a State and Federal Delegated Review Checklist containing additional information and indicating additional items to be submitted prior to Class I permit issuance. If you have any questions concerning the above referenced application, please contact me at (305) 372-6579 or alexander.liebert@miamidade.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alex Liebert", is positioned below the word "Sincerely,".

Alex Liebert, Biologist I
Coastal Resources Section
Division of Environmental Resources Management (DERM)

cc: Unlimited Permit Services, Inc. – Authorized Agent (williamr@unlimitedps.net)
Robert Kirby – U.S. Army Corps of Engineers (Robert.J.Kirby@usace.army.mil)

COMPLETENESS SUMMARY
COASTAL CONSTRUCTION PERMIT APPLICATION
PROJECT NO. CLI-2020-0022

PROJECT NAME: Tabacinic

PROJECT ADDRESS: 10200 West Broadview Drive, Bay Harbor Islands

DATE: February 7, 2020

PROJECT MANAGER: Alex Liebert

THE FOLLOWING DOCUMENTS SHALL BE SUBMITTED TO CONTINUE PROCESSING YOUR PERMIT APPLICATION:

- Complete set of sketches as described in the Completeness Summary Cover Letter.

DOCUMENTS REQUIRED PRIOR TO PERMIT ISSUANCE:

- A minimum of 4 sets of plans signed and sealed by a Florida Licensed Professional Engineer.
- Structural and zoning approvals from the Town of Bay Harbor Islands.
- Letters of consent from the adjacent property owners which specifically references the construction approved by DERM may be requested.
- Permit fee in an amount of \$1,420.00.
- Miami-Dade County surcharge fee in an amount \$213.00.
- Mitigation bond, associated bond documents and a mitigation plan **or** a contribution to the Biscayne Bay Environmental Enhancement Trust Fund in an amount to be determined.
- Contractor statement as described in the Completeness Summary Cover Letter.

STATE AND FEDERAL CHECKLIST

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP)

DERM has been delegated the authority to review the proposed project and grant proprietary authorization for the use of sovereign submerged lands pursuant to an operating agreement between DERM and the FDEP.

Not applicable - Bay Harbor Islands

UNITED STATES ARMY CORPS OF ENGINEERS (USACE)

DERM has been authorized to administer the programmatic general permit SAJ-42 in conjunction with the issuance of a Class I permit pursuant to an operating agreement with the United States Army Corps of Engineers.

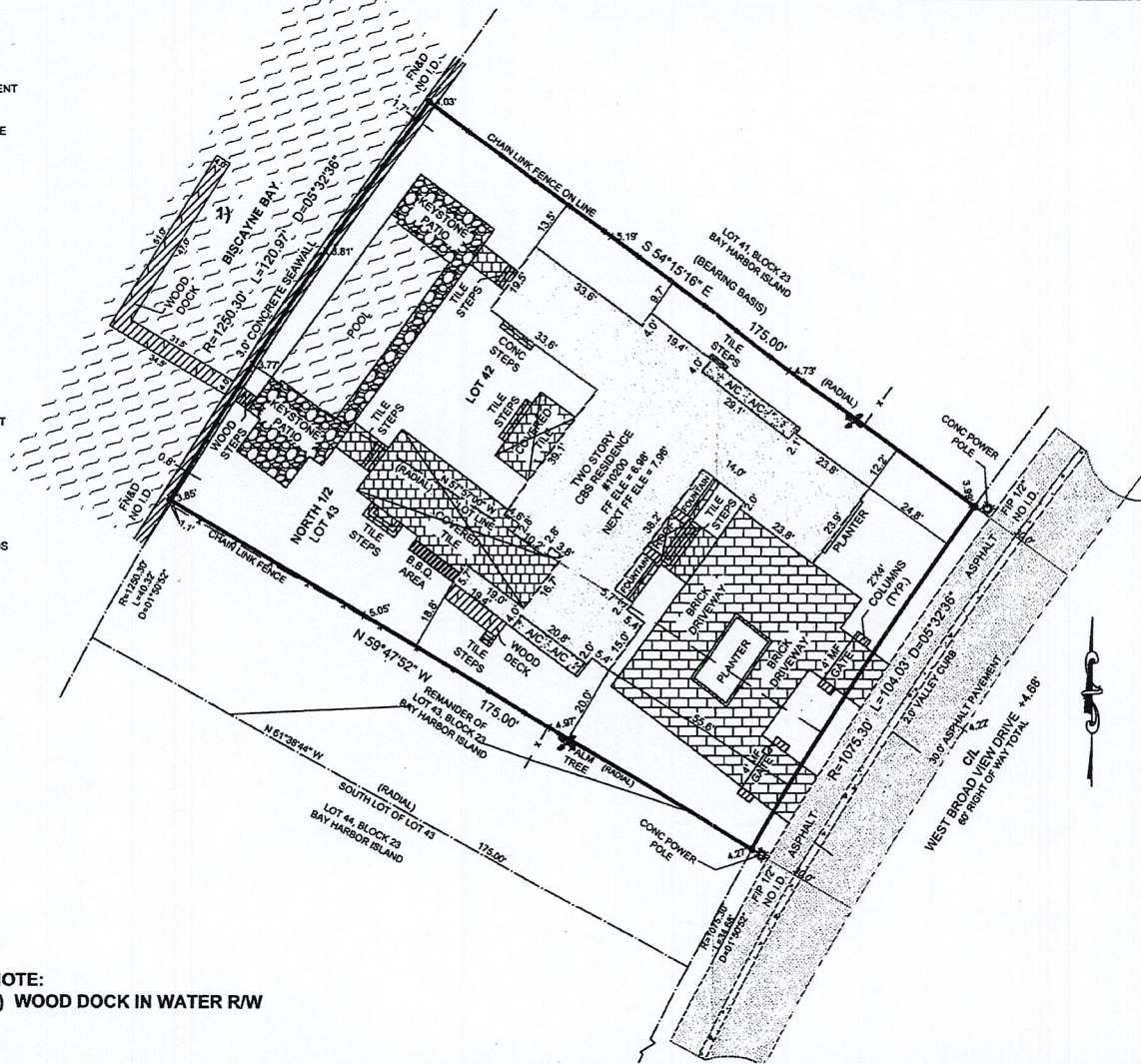
Programmatic Biological Opinion ("JAXBO") checklists were not submitted with the Class I permit application; therefore, an evaluation of the project's qualification for Federal authorization pursuant to the U.S. Army Corps of Engineers Programmatic General Permit SAJ-42 was not completed. If you are requesting DERM evaluate the project for consistency with the SAJ-42, please submit complete JAXBO checklists, including the summary checklist, for review.

Please ensure that the checklists are submitted in fillable PDF format. Scanned copies, hard copies, or non-fillable forms will not be accepted. Please do not combine the checklists into one PDF.

GENERAL LEGEND:

AF	= ALUMINUM FENCE
BCR	= BROWARD COUNTY RECORDS
BM	= BENCHMARK
CB	= CATCH BASIN
CME	= CANAL MAINTENANCE EASEMENT
CL	= CENTERLINE
CLF	= CHAIN LINK FENCE
CBS	= CONCRETE BLOCK STRUCTURE
CHATT	= CHATTAHOOCHEE
CONC	= CONCRETE
D	= DELTA (CENTRAL ANGLE)
DE	= DRAINAGE EASEMENT
E	= EAST
ELE	= ELEVATION
X 0.00'	= ELEVATION
EOP	= EDGE OF PAVEMENT
EOW	= EDGE OF WATER
FF	= FINISHED FLOOR
FH	= FIRE HYDRANT
FN	= FOUND NAIL
FIP	= FOUND IRON PIPE
FIR	= FOUND IRON ROD
FN	= FOUND NAIL
FND	= FOUND NAIL & DISC
IF	= IRON FENCE
INV	= INVERT
L	= ARC LENGTH
LP	= LIGHT POLE
LME	= LAKE MAINTENANCE EASEMENT
N	= NORTH
NAD	= NAIL & DISC
MF	= METAL FENCE
NH	= MAN HOLE
OH	= OVERHEAD CABLES
OR	= OFFICIAL RECORD BOOK
O/S	= O/S
PB	= PLAT BOOK
PBCR	= PALM BEACH COUNTY RECORDS
PC	= POINT OF CURVATURE
PG	= PAGE
PL	= PLANTER
POB	= POINT OF BEGINNING
POC	= POINT OF COMMENCEMENT
PP	= POOL PUMP
PVCF	= POLYVINYL CHLORIDE FENCE
R	= RADIUS
R/W	= RIGHT OF WAY
S	= SOUTH
SAW	= SIDEWALK
SIR	= SET 2" IRON ROD
SND	= SET NAIL & DISC
TYP	= TYPICAL
UE	= UTILITY EASEMENT
W	= WEST
WF	= WOOD FENCE
WM	= WATER METER
WV	= WATER VALVE
OVERHEAD CABLES (OH)	
POLYVINYL CHLORIDE FENCE (PVCF)	
CHAIN LINK FENCE (CLF)	
WOOD FENCE (WF)	
METAL FENCE (MF)	
* DEGREE SYMBOL	

NOTE:
1) WOOD DOCK IN WATER R/W



LEGAL DESCRIPTION:

LOT 42 & THE NORTH 1/2 OF LOT 43, BLOCK 23 OF "BAY HARBOR ISLAND" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46, PAGE 5 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

CERTIFICATIONS: **MARK TABACINIC**

SURVEYORS NOTES:

- (1). BEARINGS SHOWN HEREON ARE REFERENCED TO THE NORTH LINE OF LOT 42 (S54°15'16"E) PER THE RECORD PLAT AND ARE ASSUMED.
- (2). LEGAL DESCRIPTION PROVIDED BY CLIENT UNLESS OTHERWISE NOTED.
- (3). NO UNDERGROUND IMPROVEMENTS LOCATED EXCEPT AS SHOWN.
- (4). THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT THEREFOR THE ONLY SURVEY MATTERS SHOWN ARE PER THE RECORD PLAT. THERE MAY BE ADDITIONAL MATTERS OF RECORD, NOT SHOWN WHICH CAN BE FOUND IN THE PUBLIC RECORDS OF THE CORRESPONDING COUNTY OF RECORD.
- (7). NGVD = NATIONAL GEODETIC VERTICAL DATUM OF 1929 THE FLOOD ZONE DATUM SHOWN BELOW IS REFERENCED TO 1929 BENCHMARK REFERENCE: GPS (NGVD 1929)

Boundary Survey

PROPERTY ADDRESS:

10200 W. BROADVIEW DRIVE
BAY HARBOR ISLANDS, FL. 33

FLOOD ZONE DATA:

ZONE: AE 8

COMMUNITY #: 120537

PANEL & SUFFIX: 0144 L

DATE OF FIRM: 9/11/09

REVISIONS:

FIELD LOCATION OF IMPROVEMENTS

UPDATED SURVEY

DATE:

10/14/2014

9/16/2019

SCALE: 1" = 30'

CADD: LJ

CHECKED BY: JSP

INVOICE #: 19- 50840

SHEET # 1 OF 1

THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE.

JULIO S. PITA, PSM., STATE OF FLORIDA
PROFESSIONAL SURVEYOR AND MAPPER LS 5789
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

ALL COUNTY SURVEYORS



OFFICE: (954) 777-4747
FAX: (954) 777-2707
5400 SOUTH UNIVERSITY DRIVE
DAVIE, FLORIDA 33328 SUITE 216

Biscayne Bay

*See attached survey supplied by owner
for exact property information.*

RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL

NAME Nicole Alvarado

DATE 08/28/2020

Site Plan

(Existing Conditions)

Scale: 1" = 30'

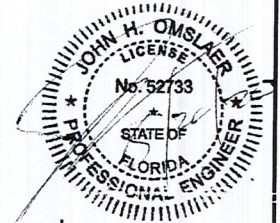
Short Legal Description

**BAY HARBOR ISLAND PB 46-5
LOT 42 & N1/2 OF 43 BLK 23
LOT SIZE 112.500 X 175
OR 19233-3783 08 2000 1**

PREPARED FOR:
SOUTHEAST MARINE CONST. INC
1121 NW 51 Court
Ft. Lauderdale, FL 33309
(954) 630-2300

Project:
Proposed Boat Lifts
Mark Tabacinic
10200 W Broadview Drive
Bay Harbor Islands, Florida 33154

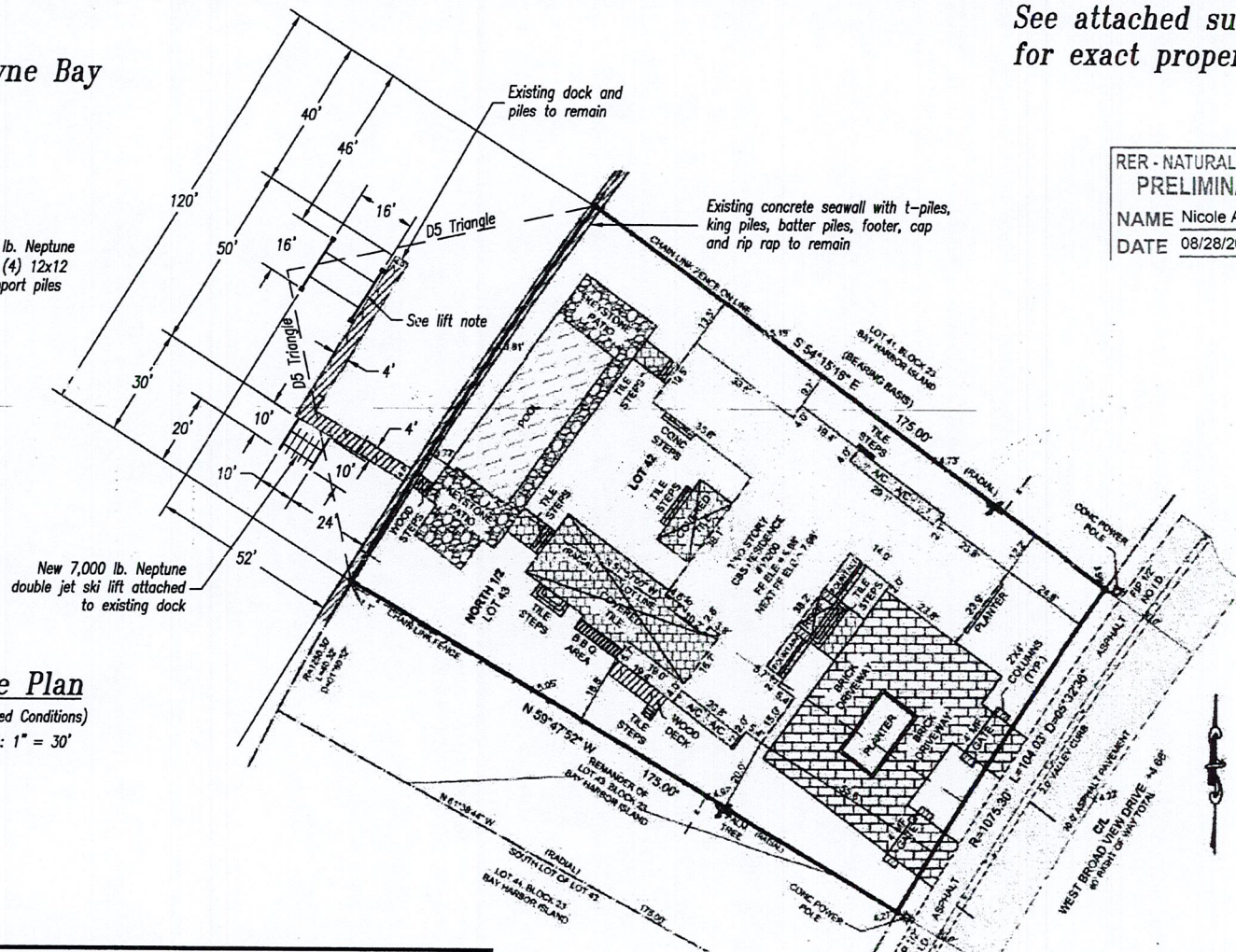
Sheet 1 of 5



JOHN OMSLAER, P.E.
E.B. #26829 | LICENSE #52733

DYNAMIC ENGINEERING SOLUTIONS INC
351 S. CYPRESS RD, SUITE #303
Pompano Beach, Florida 33060
OFFICE (954) 545-1740

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351 S. CYPRESS RD, SUITE #303
Pompano Beach, Florida 33060
OFFICE (954) 545-1740



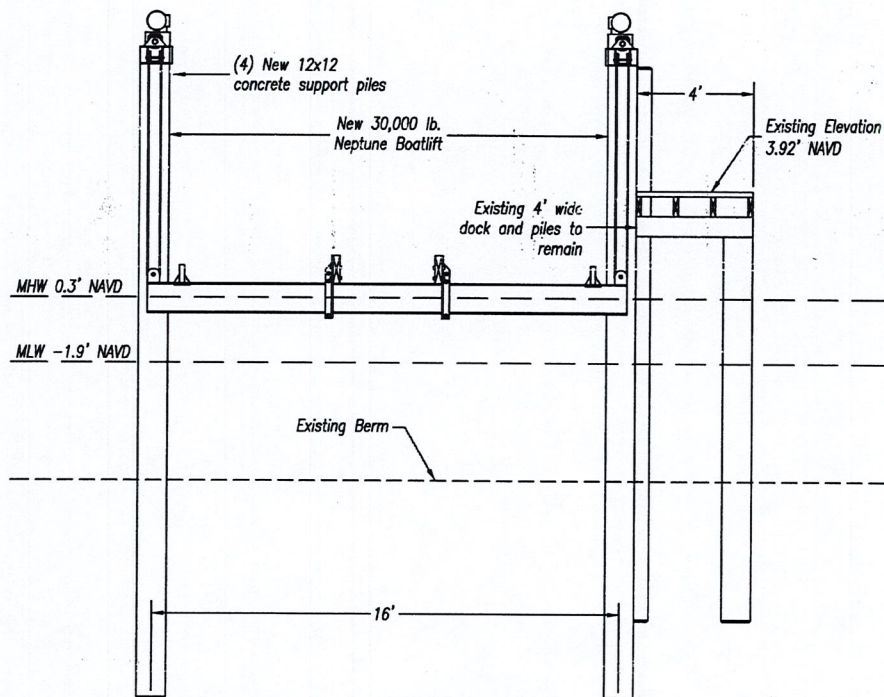
Sheet 2 of 5

Project:
Proposed Boat Lifts
Mark Tabacinic
10200 W Broadview Drive
Bay Harbor Islands, Florida 33154

RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL

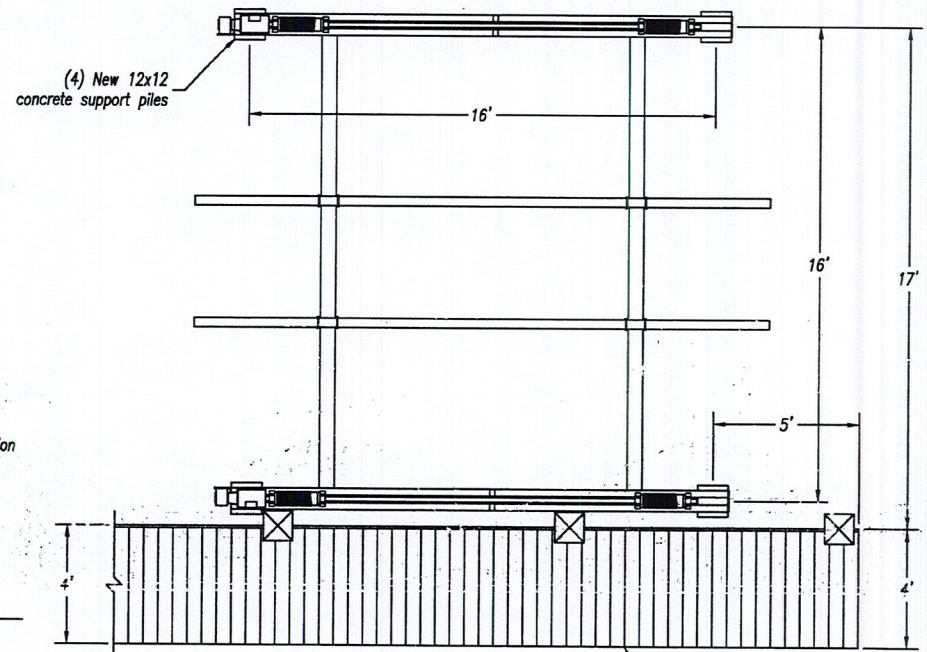
NAME Nicole Alvarado

DATE 08/28/2020



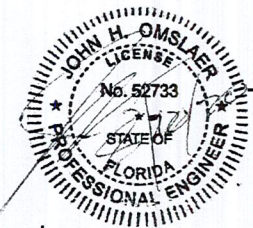
4 Pile Lift Section

Scale 1/4" = 1'-0"



Plan View

Scale 1/4" = 1'-0"



Sheet 3 of 5

PREPARED FOR:
SOUTHEAST MARINE CONST. INC
1121 NW 51 Court
Ft. Lauderdale, FL 33309
(954) 630-2300

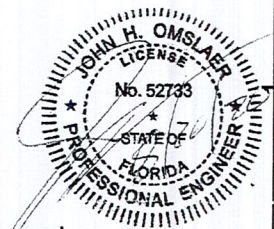
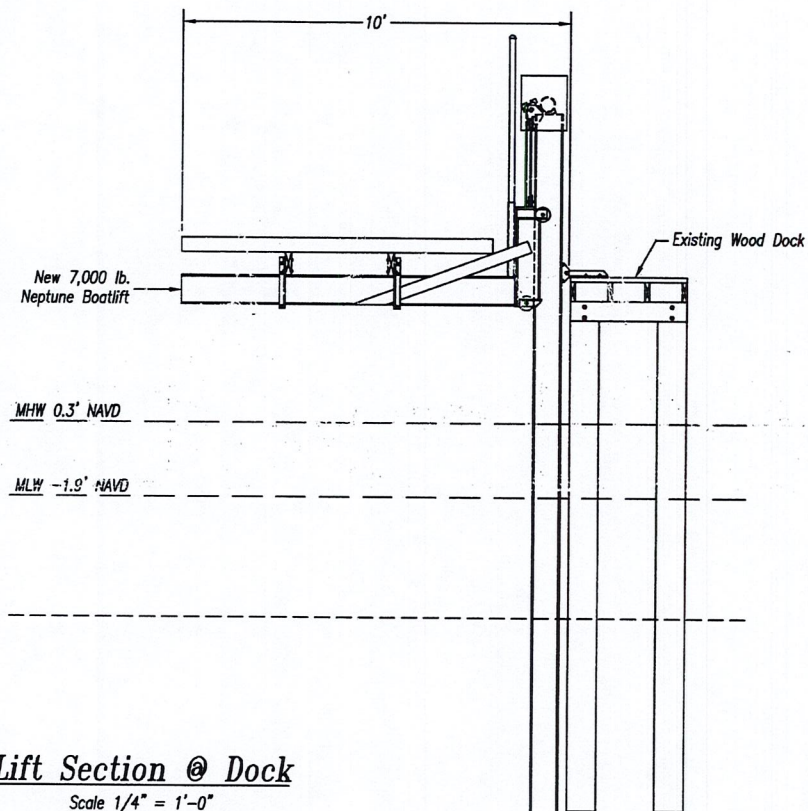
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RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL

NAME Nicole Alvarado

DATE 08/28/2020



Sheet 4 of 5

PREPARED FOR:
SOUTHEAST MARINE CONST. INC
1121 NW 51 Court
Ft. Lauderdale, FL 33309
(954) 630-2300

Project:
Proposed Boat Lifts
Mark Tabacinic
10200 W Broadview Drive
Bay Harbor Islands, Florida 33154

JOHN OMSLAER, P.E.
E.B. #26829 | LICENSE #52733
DYNAMIC ENGINEERING SOLUTIONS INC
351 S. CYPRESS RD, SUITE #303
Pompano Beach, Florida 33066
OFFICE (954) 545-1740

GENERAL NOTES:

1. Construction to follow the Florida Building Code 6th Edition (2017) and amendments as applicable and all Local, State and Federal Laws.
2. Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
3. Do not scale drawings for dimensions.
4. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
5. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
6. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
9. Licensed Contractor to verify location of existing utilities prior to commencing work.
10. The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

PILE DRIVING:

1. Pile driving operations shall be observed by a special inspector, including test piles sufficient to determine the approximate length required to meet design capacity.
2. Piles shall be driven using an approved cushion block consisting of material so arranged so as to provide the transmission of hammer energy.
3. Piles shall be driven to required capacity (min. 10 tons) a minimum of 8' into berm or refusal.
4. Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weight no less than 3,000 pounds, and the fall of the hammer shall not exceed 6'.
5. Piles shall be driven with a variation of not more than $\frac{1}{4}$ inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
6. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

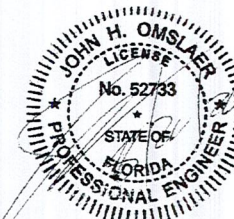
CONCRETE NOTES:

1. Concrete shall conform to ACI 318 (latest edition) and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
4. Concrete cover shall be 3" unless otherwise noted on the approved drawings.
5. Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
6. Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
7. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of epoxy-concrete mix or gunnite concrete with sulfate-resistant cement.

PILE NOTES:

1. Wood piles to be 2.5 lb. CCA treated in accordance with AWPA standard C18.
2. Wood piles shall be a minimum diameter of 10", Miami Dade County requires minimum diameter of 12".
3. Concrete piles shall attain 6000 psi compressive strength in 28 days.
4. Concrete piles shall be reinforced with four - $\frac{1}{8}$ " 10-lax strands, 270 kips, and 5 ga. spiral ties.
5. Concrete piles shall be 12"x12" square, minimum length of 20'.
6. Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel or drill and epoxy (2) #5 8"x12" hook bars 6" into pile.

RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL
NAME Nicole Alvarado
DATE 08/28/2020



Sheet 5 of 5

PREPARED FOR:
SOUTHEAST MARINE CONST. INC
1121 NW 51 Court
Ft. Lauderdale, FL 33309
(954) 630-2300

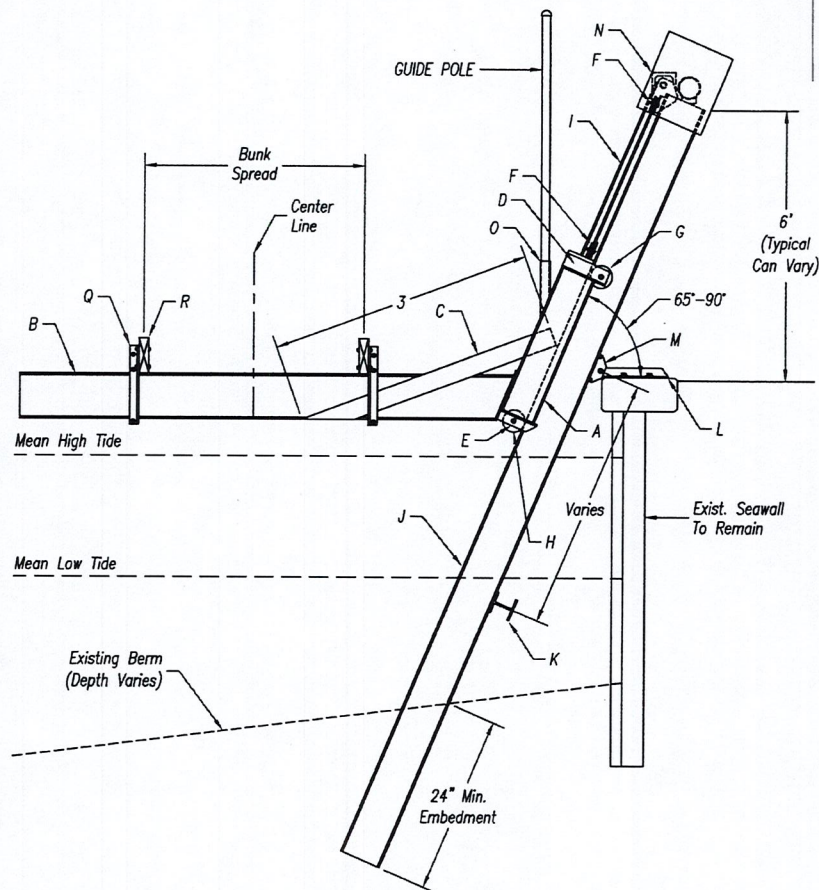
Project:
Proposed Boat Lifts
Mark Tabacnic
10200 W Broadview Drive
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JOHN OMSLAER, P.E.
E.B. #26829 | LICENSE #52733
DYNAMIC ENGINEERING SOLUTIONS INC
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Pompano Beach, Florida 33060
OFFICE (954) 545-1740

RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL

NAME Nicole Alvarado

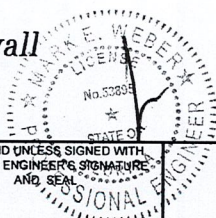
DATE 08/28/2020



Typical Section @ Seawall

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

AUG 24 2020



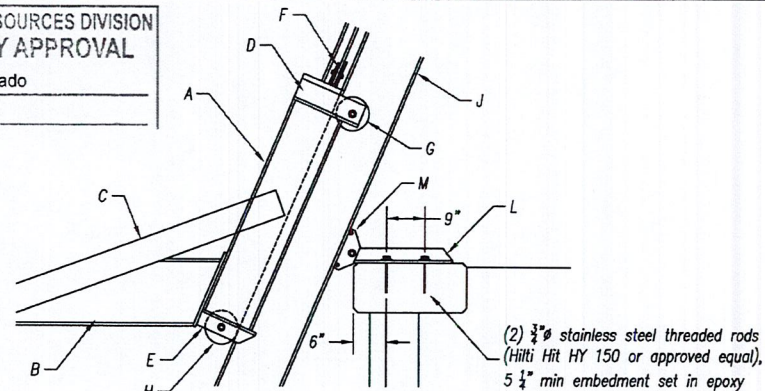
NOT VALID UNLESS SIGNED WITH
ORIGINAL ENGINEER'S SIGNATURE
AND SEAL

MARK E. WEBER, P.E.
LICENSE #53895 | CA 30702

MW, ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 754-333-0877
WWW.MwEngineering.net

Proposed Elevators
5,000 lb
to
24,000 lb

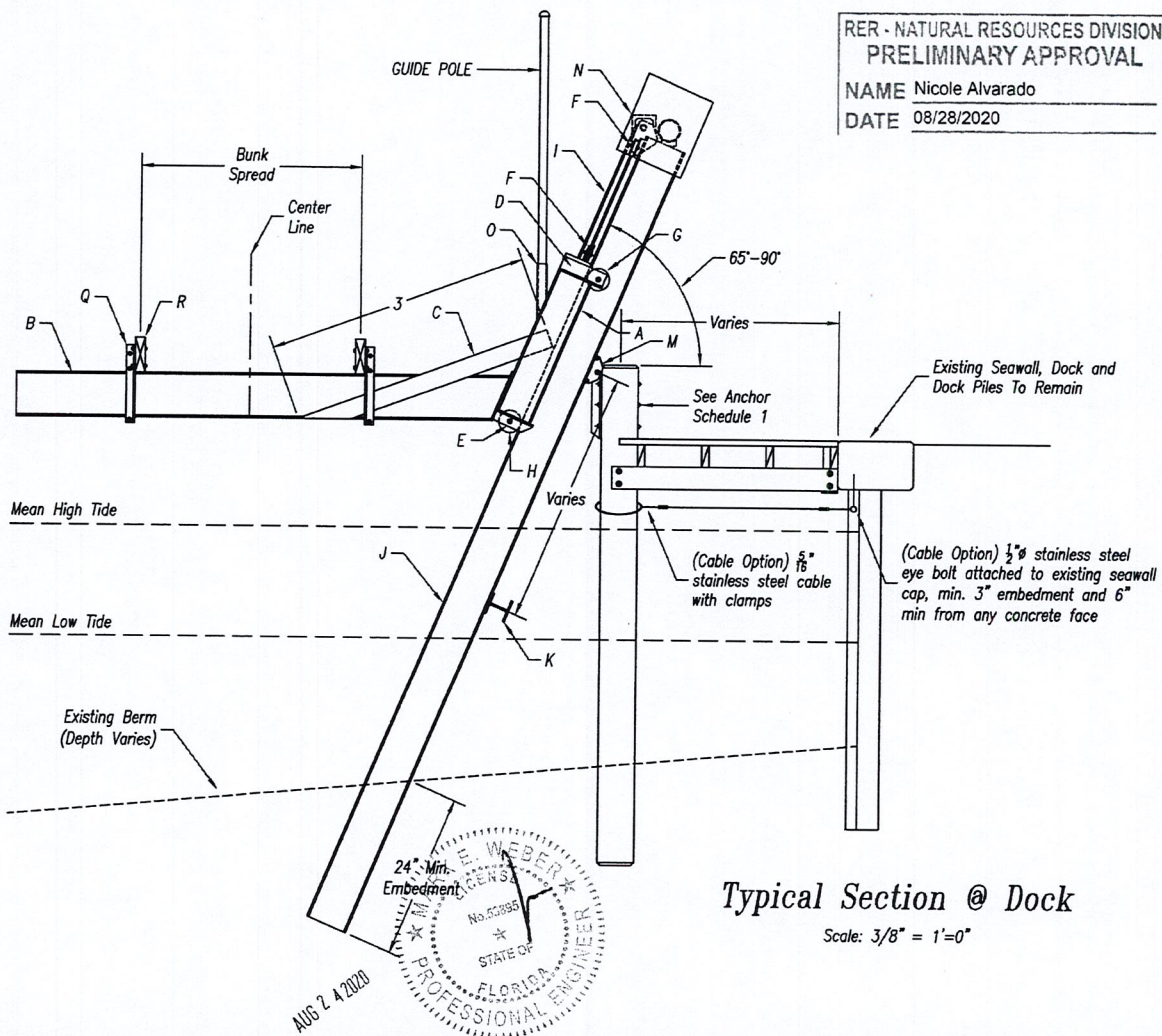
NEPTUNE BOAT LIFTS
228 SW 21 Terrace
Fort Lauderdale, Florida 33312
Phone: 954-524-3616
Fax: 954-524-3604



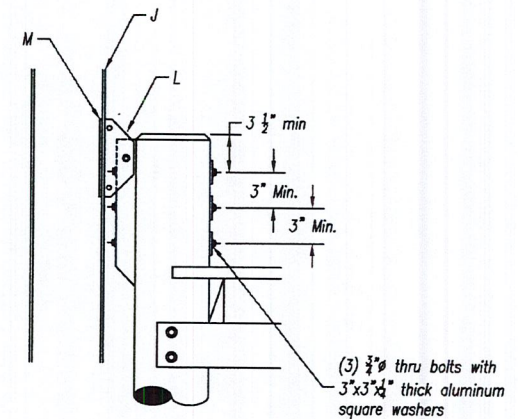
General Notes:

- Design in accordance with Florida Building Code, 6th Edition (2017).
- This lifting structure has been designed to withstand wind loads associated with speeds of $V_{ult} = 180$ MPH, (3 Second Gust) Exposure 'D' without a boat on the lift per ASCE 7-10 using above ground sign/wall method. The lifting structure including boat has been designed to withstand wind speeds of $V_{ult} = 73$ MPH in Exposure 'D'.
- Boats shall not be stored on lift during high wind events.
- Do not scale drawings for dimensions.
- Licensed Contractor to verify location of existing utilities prior to commencing work.
- The Licensed contractor to install and remove all shoring and bracing as required for the proper installation of the work.
- Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
- Aluminum: Material 6061 T6 Aluminum, all welds are min. $\frac{1}{4}$ " full fillet weld using 5556 filler alloy, all welding must conform to AISC steel construction manual 14th ED as inspected and verified by others. The contractor is responsible to insulate aluminum members from dissimilar metals to prevent electrolysis.
- Aluminum members in contact with concrete and wood shall be protected by "Koppers Bituminous Paint" or Polyethylene Tape UHMW (ultra high molecular weight). 11.7 mils (0.30 mm) min. total thickness in accordance with current Florida Building Code.
- All anchors to be Hilti Brand or Approved Equal. All bolts shall be hot dipped galvanized or stainless steel & meet the requirements of ASTM A304 with hardened washers and hex nuts. Washers shall be used between wood & bolt head & between wood & nut. Where generic fasteners are labeled in details, capacities shall be equal to or greater than Hilti Kwik Bolt II or Red Head thru bolts SAE Grade 5 or better. Embedment depths specified herein are depths into solid substrate and do not include thickness of other finishes.
- MW Engineering has no control of the manufacturing, performance or installation of this product. These generic plans were engineered in accordance with accepted engineering practices and data provided by the manufacturer.
- Piles shall be driven min. 8' or refusal and sufficiently penetrated into sand or rock strata to support lift capacity, weight and loads.
- Each pile to carry commensurate load I.E. 1/4th lift capacity for 4-post lift (Factor of Safety of 1.5)
- Allowable minimum compression pile capacity of 5 tons.
- The contractor of record shall verify pile type, installation and driving in compliance with FBC 6th ED (2017)
- Sub-surface conditions can vary greatly.

DATE	NOTES/REVISIONS	NOT VALID UNLESS SIGNED WITH ORIGINAL ENGINEER'S SIGNATURE AND SEAL	MW, ENGINEERING, INC	Proposed Elevators	NEPTUNE BOAT LIFTS	SCALE: 3/8"
01/07/2018	Changed FBC Note		902 NE 1 Street Suite #2 Pompano Beach, Florida 33060 Ofc: 754-333-0877 WWW.MwEngineering.net	5,000 lb to 24,000 lb	228 SW 21 Terrace Fort Lauderdale, Florida 33312 Phone: 954-524-3616 Fax: 954-524-3604	DATE: 05.12.2015
						DRAWN BY: WRT
						CHECKED BY: WM
						JOB No: Elevator 32.dwg
						Sheet 1 of 3



RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL
NAME Nicole Alvarado
DATE 08/28/2020



ANCHOR SCHEDULE 1

SLOPED TRACK BEAM

(3) $\frac{3}{4}$ " thru bolts (except for 5K elevator which required (2) $\frac{3}{4}$ " thru bolts only), 3 $\frac{1}{2}$ " min. from top of pile, 3" apart min., centered with 3"x3"x $\frac{1}{4}$ " thick aluminum square washers

VERTICAL TRACK BEAM (See Connection Detail)

(4) $\frac{3}{4}$ " thru bolts, 3 $\frac{1}{2}$ " min. from top of pile, 3" apart min., centered with 3"x3"x $\frac{1}{4}$ " thick aluminum square washers

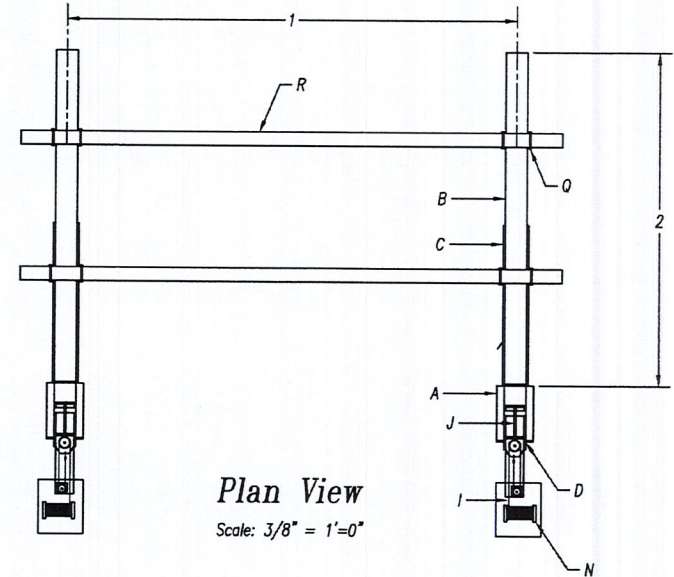
Typical Section @ Dock

Scale: $\frac{3}{8}$ " = 1'-0"

DATE	NOTES/REVISIONS	NOT VALID UNLESS SIGNED WITH ORIGINAL ENGINEER'S SIGNATURE AND SEAL	MW, ENGINEERING, INC	Proposed Elevators	NEPTUNE BOAT LIFTS	SCALE: 32
01/07/2018	Changed FBC Note		902 NE 1 Street Suite #2	5,000 lb	228 SW 21 Terrace	DATE: 05.12.2015
			Pompano Beach, Florida 33060	to	Fort Lauderdale, Florida 33312	DRAWN BY: WRT
			Ofc: 754-333-0877	24,000 lb	Phone: 954-524-3616	CHECKED BY: WM
			WWW.MwEngineering.net		Fax: 954-524-3604	JOB No: Elevator 32.dwg
						Sheet 2 of 3

Components

Components											
	Lift Capacity (In Pounds)	5,000	7,000	10,000	12,000	14,000	15,000	17,000	20,000	24,000	
A	Carriage Boom (2 Required per Lift Arm)	AS C 6"x3.6		AS C 8"x4.3	AS C 10"x5.3			AS C 12"x7.4			
B	Cradle Arm	AA I - 6"x4.7		AA I 8"x7.1	AA I 10"x8.7	AA I 10"x10.286		AA I 12"x11.7	AA I 12"x14.3		
C	Gusset Plate (2 Required per Lift Arm)	3/4"x3" Flat Bar		3/4"x4" Flat Bar	3/4"x5" Flat Bar			3/4"x6" Flat Bar		3/4"x6" Flat Bar	
D	Upper Carriage Angle (2 Required per Lift Arm)	3/4"x2"x3" Angle		3"x3 3/8" Custom Extrusion Tube							
E	Lower Carriage Angle (2 Required per Lift Arm)	3/4"x2"x3" Angle		3/4"x3"x4" Angle				3/4"x4"x6" Angle			
F	Pulley Plate (2 Required per Lift Arm)	3/4"x6" Flat Bar		3/4"x6" Flat Bar	3/4"x7" Flat Bar			3/4"x8" Flat Bar			
G	Upper Guide Wheel (4 Required per Lift Arm)	4" Diameter		4" Diameter	6" Diameter						
H	Lower Guide Wheel (1 Required per Lift Arm)	4" Diameter		4" Diameter	6" Diameter						
I	Cable Size (Stainless Steel)	1/8" Diameter 7x19 SS 304								1/8" Diameter 7x19 SS 304	
J	Guide Track	AA I - 6"x4.7	AA I - 8"x6.3	AA I - 8"x7.1	AA I - 10"x8.7	AA I - 10"x10.286		AA I 12"x11.7	AA I 12"x14.3		
K	Guide Track To Guide Track Brace	4" x 2.357 I Beam									
L	Attachment Bracket	(2) 3/4"x2"x3" angle with welded 3/4" thick inner plate	5"x3 3/4"x.75/.375 Channel		6"x3 3/4"x.75/.375 Channel			7"x4"x.75/.50 Channel			
M	Track Mount Connector (2 Required per Lift Arm)	3/4"x2"x4" Angle & 3/4" Bolts			3/4"x3"x4" Angle & 3/4" Bolts			3/4"x3"x6" Angle & 3/4" Bolts			
N	Motor Size (Horse Power/Voltage)										
O	Guide Post Socket	2" Diameter Schedule 80 Pipe						3" Diameter Schedule 80 Pipe			
P											
Q	Bunk Bracket Support (2 Each Side of Lift Arm)	3/4"x2"x2"									
R	Bunk Boards	3"x8" Pressure Treated Southern Yellow Pine #1			3"x10" Pressure Treated Southern Yellow Pine #1						



Dimensions

	Lift Capacity (In Pounds)	5,000	7,000	10,000	12,000	14,000	15,000	17,000	20,000	24,000
Dimension Mark	1	10'	10'	10'	10'	10'	10'	10'	10'	10'
	2	7'	7'	8'	8'	8'	8'	10'	10'	10'
	3	4'	4'	4'-6"	5'	5'	5'	6'	6'	6'

RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL
NAME Nicole Alvarado
DATE 08/28/2020

AUG 24 2020
MARK E. WEBER, P.E.
LICENSE #53895
STATE OF FLORIDA

DATE	NOTES/REVISIONS	NOT VALID UNLESS SIGNED WITH ORIGINAL ENGINEER'S SIGNATURE AND SEAL	MW, ENGINEERING, INC 902 NE 1 Street Suite #2 Pompano Beach, Florida 33060 Ofc: 754-333-0877 WWW.MwEngineering.net	Proposed Elevators 5,000 lb to 24,000 lb	NEPTUNE BOAT LIFTS 228 SW 21 Terrace Fort Lauderdale, Florida 33312 Phone: 954-524-3616 Fax: 954-524-3604	SCALE: 3/2 DATE: 05.12.2015 DRAWN BY: WRT CHECKED BY: WM JOB No: Elevator 32.dwg Sheet 3 of 3
01/07/2018	Changed FBC Note	MARK E. WEBER, P.E. LICENSE #53895 CA 30702				

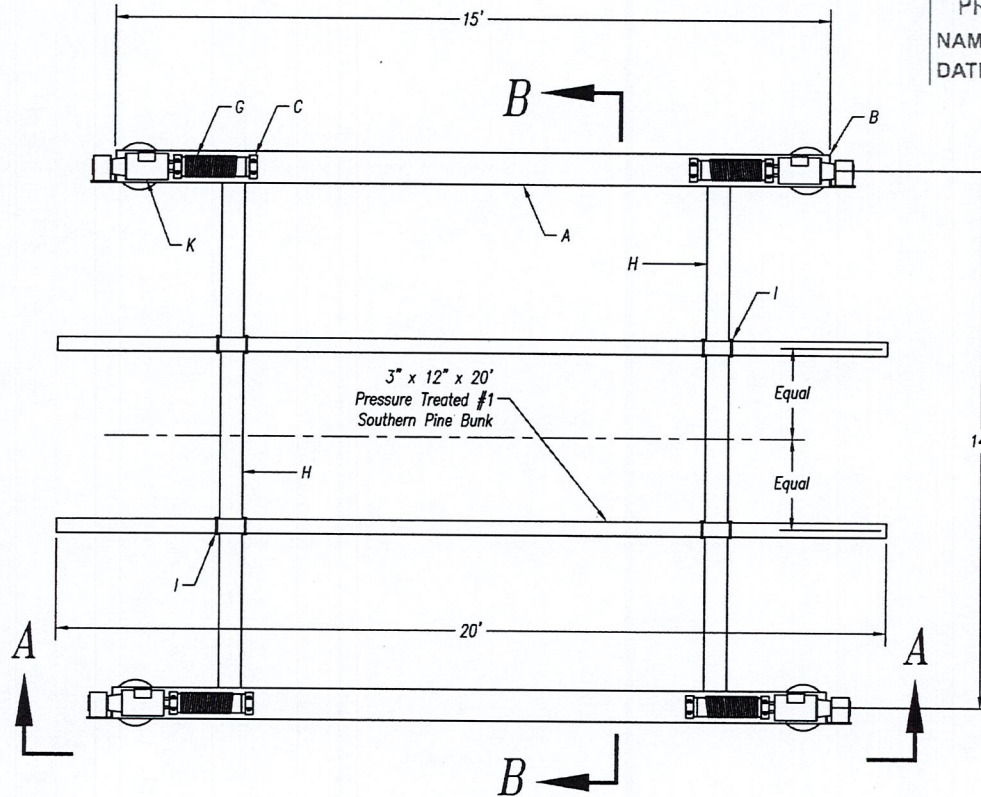
RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL

NAME Nicole Alvarado

DATE 08/28/2020

General Notes:

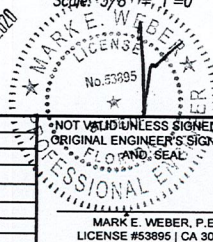
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- Allowable minimum compression pile capacity of 5 tons.
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- Sub-surface conditions can vary greatly.



Plan View

Scale: $\frac{5}{8}$ " = 1' - 0"

AUG 24 2020



DATE	NOTES/REVISIONS

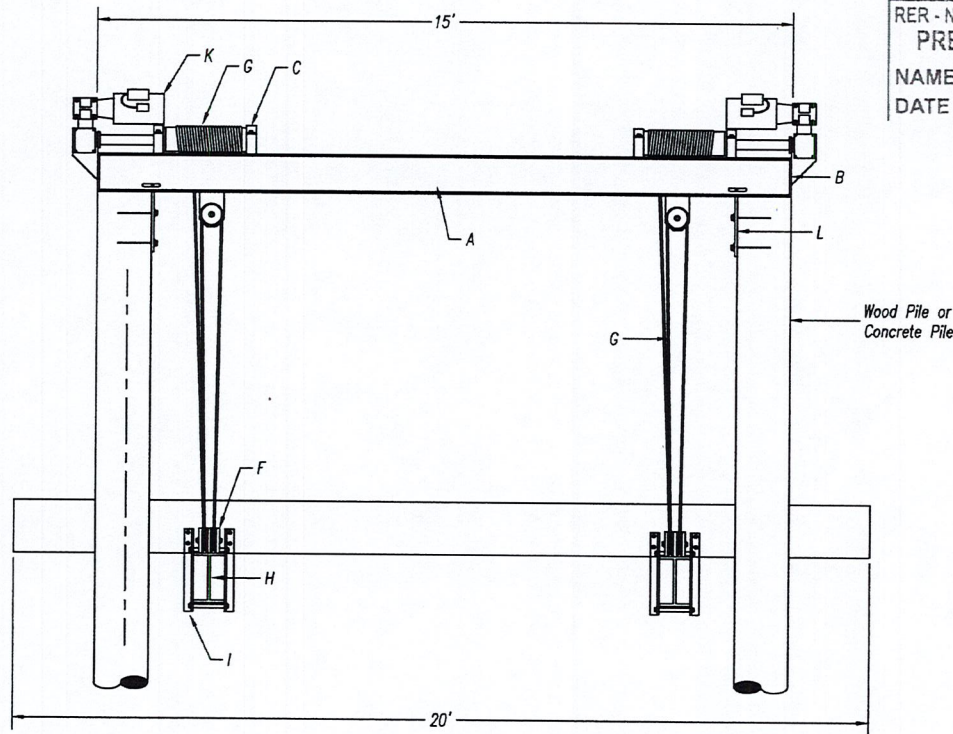
NOT VALID UNLESS SIGNED WITH ORIGINAL ENGINEER'S SIGNATURE
FLO. AND SEAL
MARK E. WEBER, P.E.
LICENSE #53895 | CA 30702

MW, ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 754-333-0877
WWW.MwEngineering.net

Proposed
30,000 lb
4 - Post Boat Lift

NEPTUNE BOAT LIFTS
228 SW 21 Terrace
Fort Lauderdale, Florida 33312
Phone: 954-524-3616
Fax: 954-524-3604

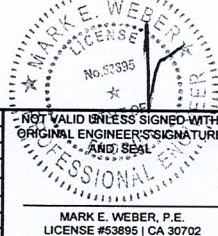
SCALE: 3/2
DATE: 02.14.2017
DRAWN BY: WRT
CHECKED BY: WM
JOB No: 30 - 35 + pile lift
Sheet 1 of 3



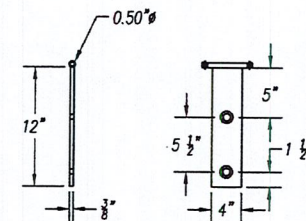
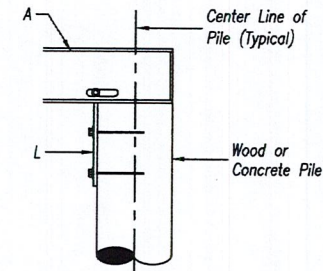
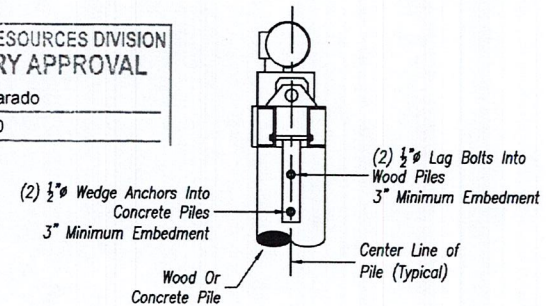
Typical Cross Section A-A

Scale: $\frac{3}{8}'' = 1'-0''$

AUG 24 2020



RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL
NAME Nicole Alvarado
DATE 08/28/2020

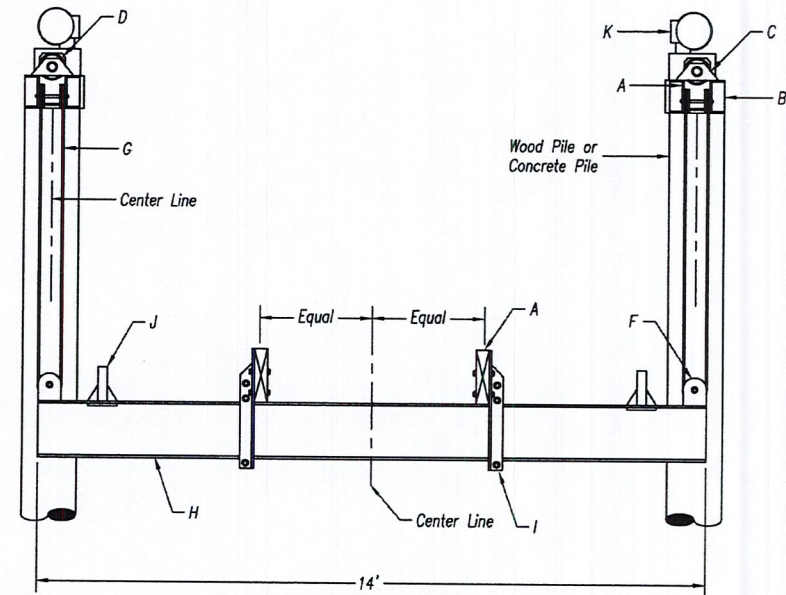


Mounting Bracket Detail

DATE	NOTES/REVISIONS	NOT VALID UNLESS SIGNED WITH ORIGINAL ENGINEER'S SIGNATURE AND SEAL	MW, ENGINEERING, INC 902 NE 1 Street Suite #2 Pompano Beach, Florida 33060 Ofc: 754-333-0877 WWW.MwEngineering.net	Proposed 30,000 lb 4 - Post Boat Lift	NEPTUNE BOAT LIFTS 228 SW 21 Terrace Fort Lauderdale, Florida 33312 Phone: 954-524-3616 Fax: 954-524-3604	SCALE: 3/2 DATE: 02.14.2017 DRAWN BY: WRT CHECKED BY: WM JOB No: 30 - 35 4 pile lift Sheet 2 of 3
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Components

Mark	Component Description	Material
A	Top Carrier Assembly (2) Channels Required Per Carrier Assembly	8" x 5.787 Channel, Length = 15'
B	Carrier Beam End Plate	$\frac{1}{2}$ " x 8" Flat Bar, Length = 11 $\frac{1}{2}$ "
C	Drive Shaft Bearing Block	Aluminum Block - 2" x 3" Flat, Length = 8"
D	Drive Shaft	1 $\frac{1}{2}$ " Galvanized Pipe
E	Top Carrier Flange Connector Plate	$\frac{1}{2}$ " x 2" Flat Bar, Length = 12"
F	Sheave Pulley Plate	$\frac{3}{8}$ " x 6" High Flat Bar x 5" Long with 5" Diameter Pulley
G	Stainless Steel Wire Rope	$\frac{3}{8}$ " Diameter 7 x 19 Stainless Steel IWRC Type 304 Wire Rope
H	Lifter Beam	AA 12x14.3, D = 12", Bf = 7", Tf = 0.62", Tw = 0.31", L = 16"
I	Bunk Bracket Support	Angle $\frac{3}{8}$ " x 2" x 2" x 22" Long Each Side of Lifter Beam
J	Guide Post Socket	2" Diameter (Nominal) Schedule 80 Aluminum Pipe
K	Motor and Gear Box	1 Horse Power, Double Worm Gear Box
L	Top Carrier Connector	Bracket Plate $\frac{3}{8}$ " x 4" x 12" Long

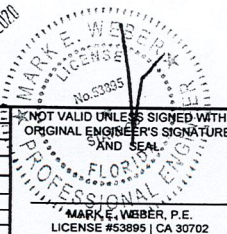


Cross Section B-B

Scale: $\frac{3}{8}" = 1' = 0"$

RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL
NAME Nicole Alvarado
DATE 08/28/2020

AUG 24 2020



DATE	NOTES/REVISIONS

NOT VALID UNLESS SIGNED WITH
ORIGINAL ENGINEER'S SIGNATURE
AND SEAL
MARK E. WEBER, P.E.
LICENSE #53395 | CA 30702

MW, ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 754-333-0877
WWW.MwEngineering.net

Proposed
30,000 lb
4 - Post Boat Lift

NEPTUNE BOAT LIFTS
228 SW 21 Terrace
Fort Lauderdale, Florida 33312
Phone: 954-524-3616
Fax: 954-524-3604

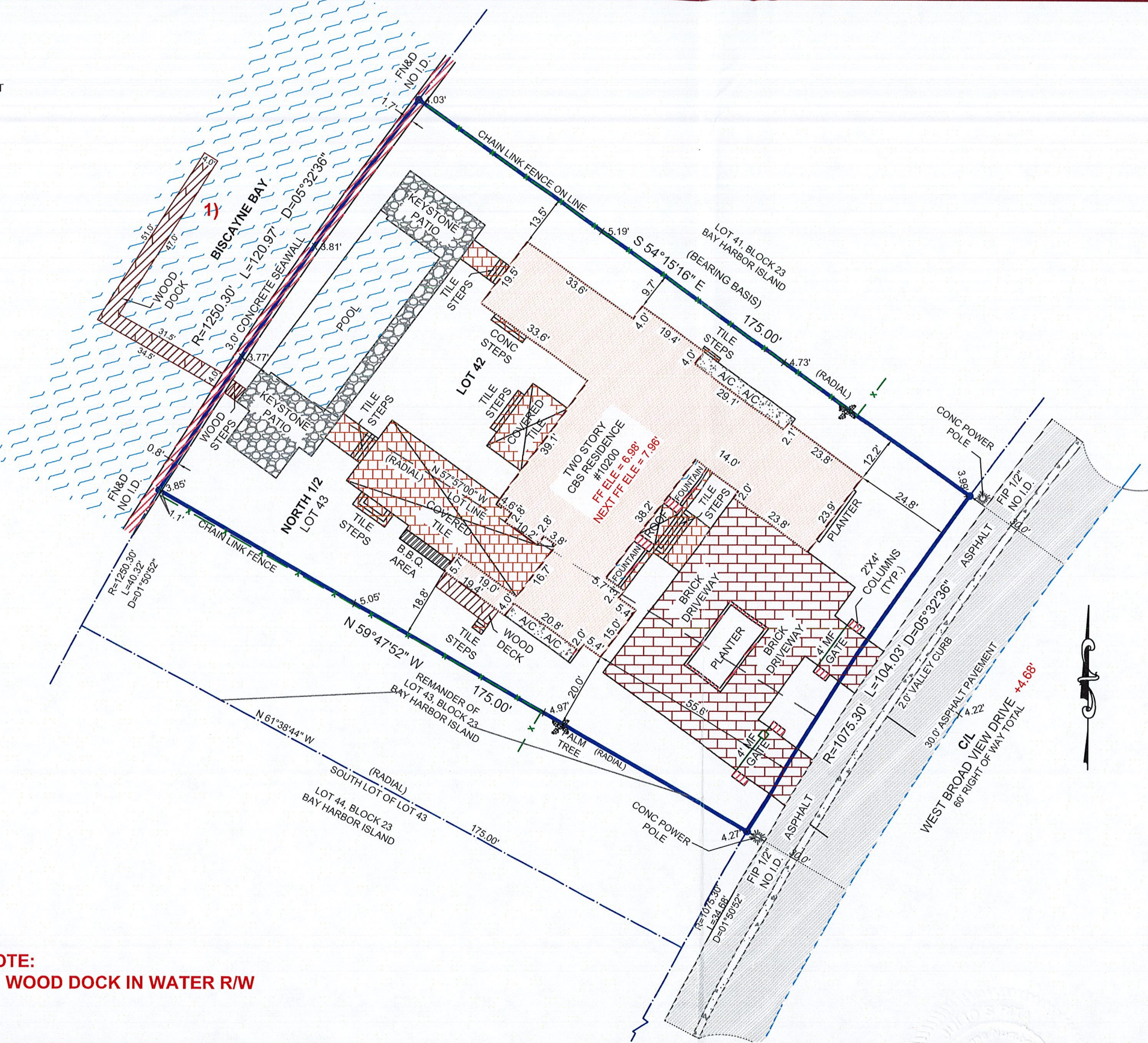
SCALE: 3/2
DATE: 02.14.2017
DRAWN BY: WRT
CHECKED BY: WM
JOB No: 30 - 35 4 pile lift
Sheet 3 of 3

GENERAL LEGEND:

- AF = ALUMINUM FENCE
BCR = BROWARD COUNTY RECORDS
BM = BENCHMARK
CB = CATCH BASIN
CME = CANAL MAINTENANCE EASEMENT
C/L = CENTERLINE
CLF = CHAIN LINK FENCE
CBS = CONCRETE BLOCK STRUCTURE
CHATT = CHATTAHOOCHEE
CONC = CONCRETE
D = DELTA (CENTRAL ANGLE)
DE = DRAINAGE EASEMENT
E = EAST
ELE = ELEVATION
X 0.00' = ELEVATION
EOP = EDGE OF PAVEMENT
EOW = EDGE OF WATER
FF = FINISHED FLOOR
FH = FIRE HYDRANT
FN = FOUND NAIL
FIP = FOUND IRON PIPE
FIR = FOUND IRON ROD
FND = FOUND NAIL & DISC
IF = IRON FENCE
INV = INVERT
L = ARC LENGTH
LP = LIGHT POLE
LME = LAKE MAINTENANCE EASEMENT
N = NORTH
N&D = NAIL & DISC
MF = METAL FENCE
MH = MAN HOLE
OH = OVERHEAD CABLES
OR = OFFICIAL RECORD BOOK
O/S = O/S
PB = PLAT BOOK
PBCR = PALM BEACH COUNTY RECORDS
PC = POINT OF CURVATURE
PG = PAGE
PL = PLANTER
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PP = POOL PUMP
PVCF = POLYVINYL CHLORIDE FENCE
R = RADIUS
R/W = RIGHT OF WAY
S = SOUTH
S/W = SIDEWALK
SIR = SET 1/2" IRON ROAD
SND = SET NAIL & DISC
TYP = TYPICAL
UE = UTILITY EASEMENT
W = WEST
WF = WOOD FENCE
WM = WATER METER
WV = WATER VALVE

- OVERHEAD CABLES (OH)
POLYVINYL CHLORIDE FENCE (PVCF)
CHAIN LINK FENCE (CLF)
WOOD FENCE (WF)
METAL FENCE (MF)
° DEGREE SYMBOL

NOTE:
1) WOOD DOCK IN WATER R/W



LEGAL DESCRIPTION:

LOT 42 & THE NORTH 1/2 OF LOT 43, BLOCK 23 OF "BAY HARBOR ISLAND" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46, PAGE 5 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

CERTIFICATIONS:

MARK TABACINIC

SURVEYORS NOTES:

- (1). BEARINGS SHOWN HEREON ARE REFERENCED TO THE NORTH LINE OF LOT 42 (S54°15'16"E) PER THE RECORD PLAT AND ARE ASSUMED.
(2). LEGAL DESCRIPTION PROVIDED BY CLIENT UNLESS OTHERWISE NOTED.
(3). NO UNDERGROUND IMPROVEMENTS LOCATED EXCEPT AS SHOWN.
(4). THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT THEREFOR THE ONLY SURVEY MATTERS SHOWN ARE PER THE RECORD PLAT. THERE MAY BE ADDITIONAL MATTERS OF RECORD, NOT SHOWN WHICH CAN BE FOUND IN THE PUBLIC RECORDS OF THE CORRESPONDING COUNTY OF RECORD.
(7). NGVD = NATIONAL GEODETIC VERTICAL DATUM OF 1929 THE FLOOD ZONE DATUM SHOWN BELOW IS REFERENCED TO 1929
BENCHMARK REFERENCE: GPS (NGVD 1929)

Boundary Survey

PROPERTY ADDRESS:

10200 W. BROADVIEW DRIVE
BAY HARBOR ISLANDS, FL. 33154

FLOOD ZONE DATA:

ZONE: AE 8

COMMUNITY #: 120537

PANEL & SUFFIX: 0144 L

DATE OF FIRM: 9/11/09

REVISIONS:

FIELD LOCATION OF IMPROVEMENTS

UPDATED SURVEY

DATE:

10/14/2014

9/16/2019

SCALE: 1" = 30'

CADD: LJ

CHECKED BY: JSP

INVOICE #: 19- 50840

SHEET # 1 OF 1

THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

JULIO S. PITA, PSM., STATE OF FLORIDA
PROFESSIONAL SURVEYOR AND MAPPER LS 5789
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

ALL COUNTY SURVEYORS

PROFESSIONAL
SURVEYORS AND MAPPERS
LICENSE NO. 6677
OFFICE: (954) 777-4747
FAX: (954) 777-2707
5400 SOUTH UNIVERSITY DRIVE
DAVIE, FLORIDA 33328 SUITE 216

**TOWN OF BAY HARBOR ISLANDS
COMMUNITY DEVELOPMENT
MEMORANDUM**

To: Mayor and Town Councilmembers
Town of Bay Harbor Islands

CC: Maria Lasday, Town Manager
Marlene Siegel, Town Clerk

From: Michael J. Miller, AICP 
Consultant Town Planner

Date: January 7th, 2021

Subject: Zoning Variance Application – Boat Lift Attached to Extended Dock
Mark Tabacinic & Vanessa Bibliowicz
10200 W. Broadview Drive
Legal Description: Lot 42 & N ½ of Lot 43 / Block 23
MMPA Project No.: 01-0702-1004B

ISSUE

On June 13th, 2016, the Town Council approved a variance from the Town Code in order to allow the above landowner to construct an "L"-shaped boat dock that projects further out into Biscayne Bay than the Zoning Code normally allows (Res. No. 2093). The Town's Code provisions limit boat docks from extending more than 25 feet beyond the seawall cap into Biscayne Bay. The applicant was seeking permission to construct a boat dock that extended seaward of the seawall 35'-0" due to Miami-Dade County requirements related to the shallow water depth / existing seagrasses. Sec. 23-12(6)(a)(x) of the Town's Code allows for variances to be requested based on Miami-Dade County's environmental review. The extended boat dock received permits from the Town and Miami-Dade County and was built. The owners are now seeking permission to install a jet ski boat lift attached to the dock. The location of the proposed boat lift is further than 25 feet from the seawall cap as well.

SPECIFIC VARIANCE REQUEST

The applicant is seeking permission to construct a jet ski boat lift to the side of the existing "L"-shaped boat dock, which boat lift also extends more than 25 feet seaward from the seawall cap. The Town's 2016 variance approval and permits from the County & Town was only for the boat dock itself. As stated above, the Code allows for boat docks and other marine facilities to project out further than the base limitations, if Miami-Dade County / other permitting agencies require alterations to the above limitation, based on underwater conditions, such as depth of the water, existing seagrass, etc. In this instance, an action by the applicant is not causing the hardship.

Following is a summary of the applicable Code provisions:

- Variance from Section 23-12(6)(b)(iii) limiting boat lifts and/or davits from extending more than 25 feet beyond the outside face of the seawall cap;
- Complying with Section 23-12(6)(a)(x) allowing for further projections, through the use of a variance granted by the Town Council, if Miami-Dade County requires alterations to the above limitations. Approval shall be limited to the minimal variation of the criteria necessary to meet the unique environmental characteristics of the site.

HISTORY OF TOWN WATERWAYS AND REVIEW AGENCY JURISDICTION

Via the State of Florida's Charter creating the Town when incorporated in 1953, the Town was granted ownership of all waterways adjacent to the three (3) islands that make up the Town's land area today. The Town owns all riparian rights and has the exclusive right to regulate the use of its waterways and has done so over the years. Property owners that abut the public waterways surrounding the Town have no automatic right to use the waterways or install docks or other facilities. The Town has chosen to allow certain uses of the waterways, subject to the regulations adopted and subject to other governmental reviews. Following is an excerpt from the Town's Charter:

Section 1.04. - Powers of the Town.

(d) Riparian Rights. ⁵ The Town hereby retains the State of Florida grant of all the necessary lands, bay bottoms, bay-bottom materials, easements, rights-of-way, approaches, and riparian rights to lands that may be vested in the State of Florida or in any of its departments or instrumentalities to be used exclusively for the purpose of constructing and properly operating a road, causeway, viaduct, tunnel or bridge as set out in this act, which shall not exceed three hundred feet in width and which will extend from approximately ninety-sixth street in the Town of Bay Harbor Islands westwardly across Biscayne Bay to approximately one hundred twenty-third street in the Town of North Miami. The exact location of said three hundred foot strip across Biscayne Bay shall be determined and located by the Town of Bay Harbor Islands.

In certain instances, the United States (Corp of Engineers), State of Florida (FDEP) and Miami-Dade County (RER) review navigational and environmental aspects of all water related improvements. Biscayne Bay is an Aquatic Preserve and M-D County has prepared & adopted studies / special regulations controlling land development along the waterways. Mostly the higher-level governmental agencies oversight relates to only environmental issues, but the M-D Shoreline Protection Code regulates private development abutting the bay. Currently single-family homes are exempt from the County's special regulations. Local governments fully control and can regulate the physical design of docks and other facilities via zoning regulations. All of the agencies work collectively to analyze each application and issue permits. The County's involvement is ONLY environmental – they do not supersede local control. When improvements are sought to be constructed in waterways, preliminary plans are submitted for initial review to RER staff who inspects the site and environmental characteristics of the water areas near the site. There are commonly negotiations between RER, local governments, property owners and the marine contractors / engineers. RER staff commonly coordinates with local Building Department & Planning & Zoning staff on designs and any discovered environmental issues. Local governments typically require that for a permit for water related improvements (docks / etc.), the plans include a stamp of preliminary review / approval by RER.

Because of the age of the community, its location near Haulover Inlet with major daily tidal changes in Biscayne Bay and connected waterways, many of the underwater areas of the waterways surrounding the Town's islands have filled / silted in close to the seawalls, and sea grasses / coral formations have grown into some of those areas. When the Town was created in the early 1950s there were few, if any, environmental laws. In 2020 there are numerous Federal, State, and local environmental laws to protect water quality, air quality, plants, animals, fish and other aquatic life, etc. Dredging is often not allowed or limited due to the seagrass beds / coral protection. As this change in regulation has occurred, the occasional need to modify the normal "rules" for docks, boating use, etc. arises and the permit agencies work with owners to seek a "best solution".

The Town has had some types of Zoning Code regulations since 1957 which have been updated several times over the years. As stated above, the Town's Zoning Code was specifically updated and re-written in 2007 to allow for docks, boat lifts, mooring piles, seawalls, and other water related improvements to vary in design, if the Miami-Dade Department of Regulatory and Economic Resources (RER - formerly DERM) required alterations to the above limitation, based on underwater conditions, such as shallow depth of the water, existing seagrass, etc. In those instances, an action by the applicant is typically not causing the hardship. Former Mayor Peter Lynch, a professional boat captain, was immensely helpful in those studies and Code updates in 2007.

BACKGROUND

As stated above the Town has had land development regulations governing seawalls, docks, mooring piles and related structures for many years. A major Code analysis / rewrite of those regulations was performed in late 2007. Former Mayor Peter Lynch, a professional boat captain, led efforts to update the Code provisions to include modern standards. Another study effort / Code update was undertaken in 2009-10 due primarily to address seawall heights but was never adopted. However, in November 2013 the Town Council finally amended this section of the Code to address the heights of future seawalls and again revised some of the regulations for docks, particularly to address the Miami-Dade County restrictions caused by shallow water / environmental issues. The Town periodically studies its seawall / dock requirements and other LDRs for potential amendments.

The subject single-family home was approved by the Planning and Zoning Board on April 7th, 2015 and subsequently constructed. The survey submitted (2019) indicates the home and the extended "L"-shaped boat dock exists. MMPA notes that most existing docks in this area run immediately adjacent to the seawall due to the heavy wave action in Biscayne Bay and the damage that occurs.

The application package submitted included a Town variance application form, a property survey and a site plan / dock plan showing the location of the proposed dock designed by the project engineer (Southeast Marine Construction, Inc.). The applicant also included a letter from Miami-Dade County, stating a recommended design is required in order to meet the minimum required water depth. The proposed plans appear follow the County's recommended design.

ANALYSIS

As per the Town's request, MMPA has completed our review of the variance application and provide the following analysis and comments.

The subject property is located on the northwestern side of the West Island facing Biscayne Bay. Per the Town Zoning Code boat docks are limited to 4 feet in width for portions extending more than 8 feet beyond the outside face of the seawall cap. Also, the Code limits docks, boat lifts, davits, etc. from extending out more than 25 feet from the seawall unless Miami-Dade County requires alterations to the above limitation based on environmental issues. In which case, the Town Council can grant a variance that is limited to the minimal variation of the stated criteria necessary to meet the unique environmental characteristics of the site.

The permit letter from Miami-Dade County staff dated February 7th, 2020 states that shallow water depths exist adjacent to this property and the required water depth to moor a vessel cannot be met. Therefore, as to the original boat dock, Miami-Dade County approved an outer dimension from the seawall of 35 feet for boats to moored seaward of the dock, which the existing boat dock reflects. As to the proposed jet ski boat lift, the Miami-Dade County letter states a minimum of 28 feet from the seawall is desired due to the shallow water depth; however, the plans submitted and preliminarily approved by MD-RER show a minimum 24' dimension extending seaward. The boat lift will be attached to the side of the perpendicular dock and two (2) new concrete pilings will support the other side of the boat lift. The proposed boat lift is 16' x 16'. Miami-Dade County has preliminarily approved the proposed boat lift design, subject to the Town's approval.

In the applicant's agent's (Chappell Group) justification letter in their response to Question 3 they state the applicant is "entitled" to access to the water from the site. Also, in Question 6 they state the boat lift is within "applicant's" riparian lines. Neither statement is accurate – no one is "entitled" to access the Town's waterways and via the Charter, the Town owns all riparian rights to the waterways. Again, Section 23-12(6)(a)(iii) of the Town Code limits boat docks / boat lifts / etc. from extending out more than 25 feet beyond the outside face of the seawall cap, unless Miami-Dade County requests a variation due to water depth or environmental reasons. MMPA believes that a variance for the boat lift location is justifiable, as an action by the applicant is not causing the hardship. Since the existing boat dock was approved to extend out 35 feet from the seawall and the boat lift will not extend any further, there should be no problems with the boat lift. The proposed boat lift meets all other Town Code requirements.

CONCLUSION AND RECOMMENDATION

Based on the above analysis, including the M-D RER locational requirements due to shallow water and aquatic growth, MMPA recommends that the Town Council **APPROVE** the requested variance to allow a 16' x 16' jet ski boat lift to be constructed attached to the existing "L"-shaped boat dock as proposed.

AGENDA ITEM REPORT

February 10, 2021

ITEM NUMBER: 2.

ITEM: Approval or Denial of the variance request for residence located at 10200 West Broadview Drive. As required by Section 2-22 of the Town Code, the Town Council shall determine whether to grant or deny the application for variance. An affirmative vote of five Council Member is necessary in order to grant the variance request. The decision of the Town Council is final. If the request is granted, the decision of the Town Council shall be recorded in a resolution to be prepared by the Town Attorney. It should be noted that any approval of the Town Council is subject to other requirements of the Town Code, County Code, Florida Building Code, FEMA, etc.

DESCRIPTION:

RECOMMENDED ACTION:

Approval

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Alba Chang, Deputy Town Clerk

ATTACHMENTS

None