



North Bay Village

1666 Kennedy Causeway, North Bay Village, FL 33141
Tel: (305) 756-7171 | Fax: (305) 756-7722 | www.nbvillage.com

OFFICIAL AGENDA REGULAR VILLAGE COMMISSION MEETING VILLAGE HALL TUESDAY, NOVEMBER 13, 2018 6:30 P.M.

NOTICE IS HEREWITH GIVEN TO ALL INTERESTED PARTIES THAT IF ANY PERSON SHOULD DECIDE TO APPEAL ANY DECISION MADE AT THE FORTHCOMING MEETING OF THE VILLAGE COMMISSION, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, HE OR SHE WILL 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. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

1. CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

2.

A. PROCLAMATIONS AND AWARDS

1. Veterans Day Tribute
2. Treasure Island Elementary Head Custodian, Eustace Maulseed
3. Treasure Island Elementary Art Teacher, Daphne Conner

B. CITIZEN PRESENTATIONS TO THE COMMISSION

C. ADDITIONS AND DELETIONS

3. GOOD & WELFARE

4. VILLAGE COMMISSION'S REPORT

5. GRANT WRITER'S REPORT

6. ADVISORY BOARD REPORTS

A. ARTS, CULTURAL & SPECIAL EVENTS BOARD

B. ANIMAL CONTROL ADVISORY BOARD

C. BUSINESS DEVELOPMENT ADVISORY BOARD

D. CITIZENS BUDGET & OVERSIGHT BOARD

E. COMMUNITY ENHANCEMENT BOARD

F. PLANNING & ZONING BOARD

7. VILLAGE ATTORNEY'S REPORT

8. VILLAGE MANAGER'S REPORT

9. VILLAGE CLERK'S REPORT

10. CONSENT AGENDA: (Matters on the Consent Agenda are self-explanatory and are not expected to require discussion or review. Items will be adopted by one motion. If discussion is desired by any member of the Commission, that item must be removed from the Consent Agenda and will be considered separately.)

11. ORDINANCES FOR FIRST READING: Please be advised that if you wish to comment upon any of these quasi-judicial items, please inform the Mayor when she requests public comments. An opportunity for persons to speak on each item will be made available after the applicant and staffs have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Commission to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Further, details of the quasi-judicial procedures may be obtained from the Village Clerk.

12. RESOLUTION(S)

A. RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE FISCAL YEAR 2018 BUDGET; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE BUDGET AMENDMENTS; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER LEWIS VELKEN)

The proposed Resolution will approve adjustment to the FY 2018 Budget to account for the departments that are over or under budget.

- **Commission**

B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, RELATING TO THE PUBLIC WELFARE, AUTHORIZING THE INTERIM VILLAGE MANAGER, ON BEHALF OF THE NORTH BAY VILLAGE POLICE DEPARTMENT, TO ENTER INTO LAW ENFORCEMENT MUTUAL AID AGREEMENTS WITH THE CITY SUNNY ISLES BEACH, SETTING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER LEWIS VELKEN)

The proposed Resolution will allow for the sharing of law enforcement resources and expertise between City of Sunny Isles Beach and North Bay Village.

- **Commission**

- C. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE FLORIDA INLAND NAVIGATION DISTRICT AND NORTH BAY VILLAGE FOR CONSTRUCTION OF THE BAYWALK PLAZA AREA; APPROVING MATCHING FUNDS; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE APPROPRIATE OFFICIALS TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER LEWIS VELKEN)**

The proposed Resolution will allow Interim Village Manager to execute agreement with Florida Inland Navigation District for completion of Baywalk Project.

- **Commission**

QUASI-JUDICIAL ZONING HEARINGS/JENNINGS DISCLOSURES (INCLUDING ORDINANCES FOR SECOND HEARING):

Please be advised that if you wish to comment upon any of these quasi-judicial items, please inform the Mayor when she requests public comments. An opportunity for persons to speak on each item will be made available after the applicant and staffs have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Commission to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Further, details of the quasi-judicial procedures may be obtained from the Village Clerk.

13. ORDINANCES FOR FIRST READING/PUBLIC HEARING(S)

None

14. RESOLUTION (S)/PUBLIC HEARING(S)

- A. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, GRANTING A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT CODE, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 1550 SOUTH TREASURE DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM MANAGER LEWIS VELKEN)**

The proposed Resolution will approve the construction of a dock and boatlift which will extend 30 feet beyond the seawall, where a minimum of 25 feet is required.

- **Commission Action**

- B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, GRANTING A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT CODE, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 7610 MIAMI VIEW DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER LEWIS VELKEN)**

The proposed Resolution will approve the construction of a dock and boatlift which will extend 30 feet beyond the seawall, where a minimum of 25 feet is required.

- **Commission Action**

- C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, GRANTING A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT CODE, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 7929 WEST DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

The proposed Resolution will approve the construction of a dock and boatlift which will extend 30 feet beyond the seawall, where a minimum of 25 feet is required.

- **Commission Action**

15. UNFINISHED BUSINESS

16. NEW BUSINESS

17. APPROVAL OF MINUTES – COMMISSION MEETING

A. REGULAR COMMISSION MEETING – OCTOBER 9, 2018

- **Commission Action**

18. ADJOURNMENT



Agenda Item 5

(786) 232 -0771
(888) 778 -5930
info@belltowergroup.org
www.belltowergroup.org

To: North Bay Village Mayor & Village Commission
From: LaKeesha Morris, MSW
Date Submitted: November 5, 2018
Reporting Period: October 1 – October 30, 2018

Grants Submitted this Reporting Period:

No grants were submitted this reporting period. The month of October was primarily focused on closing out grants that ended September 2018.

Grants “Under Construction”

The following grants are currently open and being considered by the Village.

1. Florida Department of Law Enforcement – Edward Byrne JAG

- a. **Date Due:** November 13, 2018
- b. **Amount of Request:** \$3,341
- c. **Summary** of RFP: These grant funds may be used for law enforcement programs, prevention and education programs, drug treatment, and school resource officers (SRO).
- d. **Items Needed to Apply:** The Village intends to use this funding for an SRO. Grant writer needs more information about how this will support the SRO.

3. FEMA – Flood Mitigation Assistance

- a. **Date Due:** November 28, 2018
- b. **Amount of Request:** Varies **Match:** Generally 25% of Project Cost
- a. **Summary:** These grant funds may be used for infrastructure protective measures, flood water storage and diversion, water and sanitary sewer protective measures, utility protective measures, stormwater management, aquifer storage and recovery, flood mitigation planning.
- a. **Items Needed to Apply:** Project must be included in the Miami-Dade County Local Mitigation Strategy (must obtain letter from County Coordinator, Cathie Perkins). Must submit a Benefit Cost Analysis (BCA). For drainage projects, this includes identifying the homes/buildings in the project area that are insured through the National Flood Insurance Program and the history of insurance claims. If less than 50% of the homes/structures in the project area do not have NFIP numbers, then the project will not be competitive. Municipality must be in favorable standing with NFIP. Additional points are awarded for having match funding provided by private



Agenda Item 5

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organizations/businesses; participation in Community Rating System (CRS); adopting International Building Codes; and/or having a Building Code Effectiveness Grading Schedule rating.

4. FEMA – Pre-Disaster Mitigation Grant

- a. **Date Due:** November 28, 2018
- b. **Amount of Request:** Varies **Match:** Minimum 25% of Project Cost
- c. **Summary:** These grant funds may be used for generators for critical facilities, undergrounding of utilities, or stormwater management projects identified in a FEMA-approved mitigation plan; and Mitigation projects that reduce risk to any natural hazard (e.g., seismic, wildfire, landslide, wind, flood, drought)”.
d. **Items Needed to Apply:** Project must be included in the Miami-Dade County Local Mitigation Strategy (must obtain letter from County Coordinator, Cathie Perkins). Must submit a Benefit Cost Analysis (BCA). This is calculated by comparing the cost of not completing the project vs. the cost of completing the mitigation project. Priority is given to applicants enrolled in the National Flood Insurance Program (NFIP) and with a Community Rating System (CRS) score. Additional points are awarded for having match funding provided by private organizations/businesses; adopting International Building Codes, having a Building Code Effectiveness Grading Schedule rating.

Grant Updates

During the month of September, BellTower assisted the Village in completing the following final reports, reimbursement requests, and quarterly reports.

- FIND – Baywalk Plaza South Final Report and Reimbursement Request
- FIND – Boardwalk Planning and Design quarterly report
- SFWMD- Outfall Project Final Report and Reimbursement Request
- Florida DEP – Outfall Project quarterly report (TMDL Grant)
- Age-Friendly project updates and coordination

BellTower also worked on collecting documents in preparation of the Village’s Fiscal Audit.



Agenda Item 12A

North Bay Village

Administrative Offices
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NORTH BAY VILLAGE RECOMMENDATION MEMORANDUM

DATE: November 5, 2018

TO: Mayor Connie Leon Kreps
Vice-Mayor Andreana Jackson
Commissioner Jose Alvarez
Commissioner Laura Cattabriga
Commissioner Eddie Lim

RECOMMENDED BY: Lewis Velken, Interim Village Manager 

PRESENTED BY STAFF: Bert Wrains, Finance Director

SUBJECT: FY 2018 Budget Amendment

RECOMMENDATION:

It is recommended that the Village Commission approve the attached Resolution amending the FY 2018 Adopted General Fund Budget (October 1, 2017 through September 30, 2018).

BACKGROUND:

The Finance Department has received and posted all revenues and expenditures received as of November 2, 2018 for the Fiscal Year 2018. There are several increases and decreases in the individual line items. These proposed adjustments to the FY 2018 budget have been presented to the Commission with each of the monthly financial statement during FY 2018. This will be a one-time Final Amendment to the FY 2018 Adopted General Fund Budget. This amendment contains the Building Fund and the Streets Maintenance Fund because they are included in the Financial Statements within the General Fund and not reported as separate funds.

CURRENT:

The Auditor General of Florida requires that the Village's external auditor compare the Amended General Fund Budget to the actual revenues and expenditures and report any variances as a part of the annual audit. This action will eliminate any unforeseen audit comments.

FINANCIAL IMPACT:

The General Fund Revenue and Expenditures are list on Attachment "A"

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The Reserved and Unreserved Fund Balance as of September 30, 2018 are projected at:

	<u>FY 2017</u> <u>Actual *</u>	<u>FY 2018</u> <u>Budgeted</u>	<u>FY 2018</u> <u>Projected</u>
Required Reserves 20%	\$1,497,919	\$1,675,170	\$1,754,716
Unassigned Reserves	<u>\$1,058,737</u>	<u>\$1,089,281</u>	<u>\$1,199,736</u>
TOTAL	\$2,556,656	\$2,764,451	\$2,954,452

- FY 2017 CAFR

BUDGETARY IMPACT:

The adoption of the resolution will adjust the FY 2018 budget to account for the departments that are over/under budget.

PERSONNEL IMPACT:

None.

Mayor
Connie Leon-Kreps

Vice Mayor
Andreanna Jackson

Commissioner
Jose R. Alvarez

Commissioner
Laura Cattabriga

Commissioner
Eddie Lim

Agenda Item 12A

North Bay Village
FY 2018 BUDGET AMENDMENT
General Fund Revenues and Expenditures

ATTACHMENT A		
GENERAL FUND		
Revenues	FY 2018 Adopted Budget	FY 2018 Amended Budget
AD VALOREM TAXES	5,567,386	5,667,669
UTILITY SERVICES TAXES	875,798	876,892
LICENSES, FEES & PERMITS	383,705	403,099
INTERGOVERNMENTAL REVENUE	926,352	943,405
CHARGES FOR SERVICES	118,000	82,699
FINES AND FORFEITS	117,000	152,448
MISCELLANEOUS REVENUES	56,180	68,287
OTHER SOURCES AND TRANSFERS IN	910,415	944,858
INSURANCE CLAIMS	-	16,412
Total General Fund Revenues	8,954,836	9,155,769
Expenses	FY 2018 Adopted Budget	FY 2018 Amended Budget
VILLAGE COMMISSION	68,158	60,798
VILLAGE MANAGER	428,653	359,468
VILLAGE CLERK	285,399	460,278
FINANCE DEPARTMENT	464,665	479,039
LEGAL SERVICES DEPARTMENT	204,000	303,008
OTHER GENERAL GOVERNMENTAL SERVICES	1,288,492	1,318,125
POLICE DEPARTMENT	5,378,380	5,531,991
RECREATION AND HUMAN SERVICES DEPARTMENT	254,600	260,873
Total Operating Expenses	8,372,347	8,773,580
TRANSFER TO AFTER SCHOOL & SUMMER FUND	10,000	10,000
TRANSFER TO STREET MAINTENANCE	175,207	206,486
TRANSFER TO TRANSPORTATION FUND	55,248	55,248
Total General Fund Expenditures	8,612,802	9,045,314
REVENUES OVER EXPENDITURES - (Additions to Unreserved Fund Balance)	342,034	110,455

BUILDING FUND		
BUILDING DEPARTMENT		
ACCOUNT DESCRIPTION	FY 2018 Adopted Budget	FY 2018 Amended Budget
REVENUES	598,921	695,554
EXPENDITURES	598,921	707,341
REVENUES OVER (UNDER) EXPENDITURES	-	(11,787)
RESERVES FOR BUILDING FUND - All Years to Date	-	54,805

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North Bay Village
FY 2018 BUDGET AMENDMENT
General Fund Revenues and Expenditures

ATTACHMENT A		
STREET MAINTENANCE FUND		
STREET MAINTENANCE DEPARTMENT		
ACCOUNT DESCRIPTION	FY 2018 Adopted Budget	FY 2018 Amended Budget
LOCAL OPTION FUEL TAX	121,912	124,820
REVENUE-MOTOR FUEL TAXES	67,270	65,110
FDOT R-O-W MAINTENANCE	2,833	2,835
OTHER MISCELLANEOUS REVENUES	2,000	18,577
TRANSFER IN FROM ALL OTHER FUNDS	229,754	261,033
TOTAL REVENUES	423,769	472,375
EXPENDITURES	423,769	472,375
REVENUES OVER (UNDER) EXPENDITURES	-	-

Prepared by Bert Wrains 11/01/18 for Budget Amendment

Agenda Item 12A




North Bay Village

Administrative Offices
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MEMORANDUM

North Bay Village

DATE: November 5, 2018
TO: Graciela Mariot
Interim Village Clerk
FROM: Lewis Velken, 
Interim Village Manager
SUBJECT: Introduction of Resolution

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Resolution:

**RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE,
FLORIDA, AMENDING THE FISCAL YEAR 2018 BUDGET;
AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE BUDGET
AMENDMENTS; AND SETTING AN EFFECTIVE DATE.**

Accordingly, please place the item on the next available agenda.

LV:gm

Mayor
Connie Leon-Kreps

Vice Mayor
Andreana Jackson

Commissioner
Jose R. Alvarez

Commissioner
Laura Cattabriga

Commissioner
Eddie Lim

Agenda Item 12A

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING THE FISCAL YEAR 2018 BUDGET; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE BUDGET AMENDMENTS; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER LEWIS VELKEN)

WHEREAS, the Village Budget for Fiscal Year October 1, 2017 through September 30, 2018 was adopted on September 28, 2017 ("FY 2018"); and

WHEREAS, the Village Commission is authorized and empowered by Section 35.21 of the Village Code and Section 166.241(4), Florida Statutes to amend the annual budget; and

WHEREAS, the Village Manager has determined it is appropriate to amend the budget to reflect changes in revenues and expenditures in accordance with proper governmental accounting and financial reporting practices.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above Recitals are true and correct and incorporated herein by this reference.

Section 2. Budget Amendment. The annual budget for the Fiscal Year October 1, 2017 through September 30, 2018 is amended as summarized below and as detailed in "Attachment A" attached hereto.

GENERAL FUND	<u>FY 2018</u>	<u>FY 2018</u>
	<u>Original Budget</u>	<u>Amended Budget</u>
FY 2018 Revenues and Transfers	\$ 8,954,836	\$ 9,155,769
FY 2018 Expenditures & Transfers	<u>\$ 8,612,802</u>	<u>\$ 9,045,314</u>
FY 2018 Increase in Fund Balance	\$ 342,034	\$ 110,455

Section 3. Authorization of Village Officials. The Village Manager is authorized to amend the budget as set forth herein.

Section 4. Effective Date. This Resolution shall take effect immediately upon its adoption:

The foregoing Resolution was offered by _____, who moved for its adoption. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

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46 **FINAL VOTE AT ADOPTION:**

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48 Mayor Connie Leon-Kreps _____

49 Vice Mayor Andreana Jackson _____

50 Commissioner Jose Álvarez _____

51 Commissioner Laura Cattabriga _____

52 Commissioner Eddie Lim _____

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54 **PASSED AND ADOPTED** this 13th day of November 2018.

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Connie Leon-Kreps, Mayor

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61 **ATTEST:**

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64 _____
Graciela Mariot,

65 Interim Village Clerk

66

67 **APPROVED AS TO FORM FOR THE USE**

68 **OF NORTH BAY VILLAGE:**

69

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71 _____
Norman C. Powell, Interim Village Attorney

72

73 Resolution: North Bay Village Resolution: Amendment to Fiscal Years 2018 Budget.

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NORTH BAY VILLAGE POLICE DEPARTMENT

RECOMMENDATION MEMORANDUM

DATE: October 29, 2018

TO: Mayor Connie Leon Kreps
Vice- Mayor Andreana Jackson
Commissioner Jose R. Alvarez
Commissioner Laura Cattabriga
Commissioner Eddie Lim

RECOMMENDED BY STAFF/COMMISSIONER:
Lewis Velken, Interim Village Manager

PRESENTED BY STAFF:
Brian Collins, Acting Chief of Police

SUBJECT: Request to Execute Law Enforcement Mutual Aid Agreement.

RECOMMENDATION:

It is recommended that the Village Commission approve the attached Law Enforcement Mutual Aid Agreement with the City of Sunny Isles Beach.

BACKGROUND:

Execution of the agreement will allow for the sharing of law enforcement resources and the rendering of assistance amongst the agencies.

BUDGETARY IMPACT:

There will be no impact to the General Fund

PERSONNEL IMPACT:

North Bay Village Officers will assist the various municipalities should the need arise.

CONTACT:

Brian Collins, Acting Chief of Police

1666 JOHN F KENNEDY CAUSEWAY, SUITE #300, NORTH BAY VILLAGE, FL 33141
MIAMI-DADE COUNTY
PHONE #305-758-2626 FAX #305-754-6832

Agenda Item 12B

LAW ENFORCEMENT MUTUAL AID AGREEMENT FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE

WHEREAS, it is the responsibility of the governments of North Bay Village, Florida, and the subscribing law enforcement agencies to ensure the public safety of their citizens by providing adequate levels of police services to address any foreseeable routine or emergency situation; and

WHEREAS, there is an existing and continuing possibility of the occurrence of law enforcement problems and other natural and man-made conditions which are, or are likely to be, beyond the control of the services, personnel, equipment, or facilities of the North Bay Village Police Department or the subscribing law enforcement agencies; and

WHEREAS, in order to ensure that preparation of these law enforcement agencies will be adequate to address any and all of these conditions, to protect the public peace and safety, and to preserve the lives and property of the people of North Bay Village and the participating Miami-Dade County municipalities; and

WHEREAS, North Bay Village and the subscribing law enforcement agencies have the authority under Section 23.12, Florida Statutes, et seq., the Florida Mutual Aid Act, to enter into a Mutual Aid Agreement;

NOW, THEREFORE, BE IT KNOWN that North Bay Village, a political subdivision of the State of Florida, and the undersigned representatives, in consideration for mutual promises to render valuable aid in times of necessity, do hereby agree to fully and faithfully abide by and be bound by the following terms and conditions:

1. Short title: Mutual Aid Agreement.

Agenda Item 12B

2. Description: Since this Mutual Aid Agreement provides for the requesting and rendering of assistance for both routine and law enforcement intensive situations, this Mutual Aid Agreement combines the elements of both a voluntary cooperation agreement and a requested operational assistance agreement, as described in Chapter 23, Florida Statutes.
3. Definitions:
 - a. Chief Executive Official: Either the Mayor of North Bay Village, or the chief executive official of the participating political subdivision, who has the authority to contractually bind the agency and has executed this Agreement, upon the approval of the governing body of each governmental entity. Subsequent to the execution by the executive officials, this Agreement shall be filed with the Clerk of the Court for Miami-Dade County, and the clerks of the respective political subdivisions. The Agreement may be amended at any time by filing subsequent Amendment(s), which will be subject to the same approval process, and shall thereafter become a part of this Agreement.
 - b. Agency Head: Either the Director of the North Bay Village Police Department, or the Director's designees; and the Chief of Police of the participating law enforcement agencies, or the Chiefs designees.
 - c. Participating Law Enforcement Agency: The police department of any municipality in Miami-Dade County, Florida, that has approved and executed this Agreement.
 - d. Certified Law Enforcement Employee: Any law enforcement employee certified as provided in Chapter 943, Florida Statutes.

Agenda Item 12B

SECTION I. TERMS AND PROCEDURES

1. Operations:

a. In the event that a party to this Agreement is in need of assistance as specified herein, an authorized representative of the police department requiring assistance shall notify the agency from whom such assistance is requested. The authorized agency representative whose assistance is sought shall evaluate the situation and the available resources, and will respond in a manner deemed appropriate.

b. Each party to this Agreement agrees to furnish necessary manpower, equipment, facilities, and other resources and to render services to the other party as required to assist the requesting party in addressing the situation which caused the request: provided, however, that no party shall be required to deplete unreasonably its own manpower, equipment, facilities, and other resources and services in rendering such assistance.

c. The agency heads of the participating law enforcement agencies, or their designees, shall establish procedures for giving control of the mission definition to the requesting agency, and for giving tactical control over accomplishing any such assigned mission and supervisory control over all personnel or equipment provided pursuant to this Agreement to the providing agency.

2. Powers, Privileges, Immunities and Costs:

a. All employees of the participating municipal police department, including certified law enforcement employees as defined in Chapter 943, Florida Statutes, during such time that said employees are actually providing aid outside of the jurisdictional limits of the employing municipality pursuant to a request for aid made in accordance with this Agreement, shall, pursuant to the

Agenda Item 12B

provisions of Chapter 23, Florida Statutes, have the same powers, duties, rights, privileges, and immunities as if they were performing their duties in the political subdivision in which they are normally employed.

b. The political subdivision having financial responsibility for the law enforcement agency providing services, personnel, equipment, or facilities pursuant to the provisions of this Agreement shall bear any loss or damage to same and shall pay any and all expenses incurred in the maintenance and operation of same.

c. The political subdivision having financial responsibility for the law enforcement agency providing aid pursuant to this Agreement shall compensate all of its employees rendering aid pursuant to the Agreement during the time of the rendering of such aid and shall defray the actual travel and maintenance expenses of such employees while they are rendering such aid. Such compensation shall include any amounts paid or due for compensation due to personal injury or death while such employees are engaged in rendering such aid. Such compensation shall also include all benefits normally due such employees.

d. All exemption from ordinances and rules, and all pension, insurance, relief, disability, workers' compensation, salary, death, and other benefits which apply to the activity of such officers, agents, or employees of any such agency when performing their respective functions within the territorial limits of their respective agencies shall apply to them to the same degree, manner, and extent while engaged in the performance of their functions and duties extra territorially under the provisions of this Mutual Aid Agreement. The provisions of this Agreement shall apply with equal effect to paid and auxiliary employees.

Agenda Item 12B

3. **Indemnification:** The political subdivision having financial responsibility for the law enforcement agency providing aid pursuant to this Agreement agrees to hold harmless, defend, and indemnify the requesting law enforcement agency and its political subdivision in any suit, action, or claim for damages resulting from any and all acts or conduct of employees of said providing agency while providing aid pursuant to this Agreement, subject to Chapter 768, Florida Statutes, where applicable.
4. **Forfeitures:** It is recognized that during the course of the operation of this Agreement, property subject to forfeiture under the Florida Contraband Forfeiture Act, Florida Statutes, may be seized. The property shall be seized, forfeited, and equitably distributed among the participating agencies in proportion to the amount of investigation and participation performed by each agency, less the costs associated with the forfeiture action. Any participating agencies must request sharing, in writing, before the entry of a Final Order of Forfeiture, or they will be barred from claiming any portion of the property forfeited. The agency pursuing the forfeiture action shall have the exclusive right to control and the responsibility to maintain the property, including, but not limited to the complete discretion to bring the action, or to dismiss the action, or settlement. This shall occur pursuant to the provisions of the Florida Contraband Forfeiture Act.
5. **Conflicts:** Any conflicts between this Agreement and the Florida Mutual Aid Act will be controlled by the provisions of the latter, whenever conditions exist that are within the definitions stated in Chapter 23, Florida Statutes.

Agenda Item 12B

SECTION II. COMMAND AND SUPERVISORY RESPONSIBILITY

1. Command: The personnel and equipment that are assigned by the assisting entity shall be under the immediate command and direct supervision of a supervising officer designated by the assisting Director or Chief of Police, or his/her designee.

2. Conflicts: Whenever an officer is rendering assistance pursuant to this agreement, the officer shall abide by and be subject to the rules and regulations, personnel policies, general orders, and standard operating procedures of his or her own employer. If any such rule, regulation, personnel policy, general order or standard operating procedure is contradicted, contravened or otherwise in conflict with a direct order of a superior officer of the requesting agency, then such rule, regulation, policy, general order or procedure of the assisting agency shall control, and shall supersede the direct order.

3. Complaints: Whenever there is cause to believe that a complaint has arisen as a result of a cooperative effort as it may pertain to this agreement, the Director or Chief of Police, or his/her designee of the agency employing the officer who is the subject of the complaint shall be responsible for the investigation of the complaint. The Director or Chief of Police or designee of the requesting agency should ascertain at a minimum:

- a. The identity of the complainant;
- b. An address where the complaining party can be contacted;
- c. The specific allegation; and
- d. The identity of the employees accused without regard as to agency affiliation.

If it is determined during the investigation of a complaint that the accused is an employee of the assisting agency, the above information, with all pertinent documentation gathered during the receipt and processing of the complaint, shall be forwarded without delay to the agency for administrative review. The requesting agency may conduct a review of the complaint to determine if any factual basis for

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the complaint exists and/or whether any of the employees of the requesting agency violated any of their agency's policies or procedures.

SECTION III. PROVISIONS FOR VOLUNTARY AND OPERATIONAL ASSISTANCE

A deputy sheriff or police officer of either of the participating law enforcement agencies shall be considered to be operating under the provisions of the mutual aid agreement when: participating in law enforcement activities that are preplanned and approved by each respective agency head, or appropriately dispatched in response to a request for assistance from the other law enforcement agency.

In compliance with and under the authority of the Mutual Aid Agreement heretofore entered into by the participating municipalities and North Bay Village, Florida, it is hereby declared that the following list comprises the nature of assistance, and the circumstances and conditions under which mutual aid may be requested and rendered regarding police operations pursuant to the agreement. The list includes, but is not necessarily limited to, dealing with the following:

Voluntary:

1. Joint multi-jurisdictional criminal investigations.
2. Major events; e.g., sporting events, concerts, parades, fairs, festivals and conventions.
3. Joint training in areas of mutual need.
4. Off-duty special events.
5. Joint multi-jurisdictional marine interdiction operations.
6. Security and escort duties for dignitaries.

Operational:

7. Hostage and barricaded subject situations, and aircraft piracy.

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8. Control of major crime scenes, area searches, perimeter control, back-ups to emergency and in-progress calls, pursuits, and missing person calls.
9. Enemy attack.
10. Transportation of evidence requiring security.
11. Civil affray or disobedience, disturbances, riots, large protest demonstrations, controversial trials, political conventions, labor disputes, and strikes.
12. Any natural, technological or manmade disaster.
13. Emergency situations in which one agency cannot perform its functional objective.
14. Incidents requiring utilization of specialized units; e.g., underwater recovery, aircraft, canine, motorcycle, bicycle, mounted, Special Response Teams, bomb, crime scene, marine patrol, and police information.
15. Incidents which require rescue operations and crowd and traffic control measures including, but not limited to, large-scale evacuations, aircraft and shipping disasters, fires, explosions, gas line leaks, radiological incidents, train wrecks and derailments, chemical or hazardous waste spills, and electrical power failures.
16. Terrorist activities including, but not limited to, acts of sabotage.
17. Escapes from or disturbances within detention facilities.

SECTION IV. PROCEDURES FOR REQUESTING MUTUAL AID

The following procedures will apply in mutual aid operations:

1. Mutual aid requested or rendered will be approved by the Director/Chief of Police or designee.

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2. Specific reporting instructions for personnel rendering mutual aid should be included in the request for mutual aid. In the absence of such instructions, personnel will report to the ranking on-duty supervisor on the scene.
3. Communications instructions will be included in each request for mutual aid and the North Bay Village Police Department Communications Bureau will maintain radio contact with the involved agencies until the mutual aid situation has ended.
4. Incidents requiring mass processing of arrestees, transporting prisoners and operating temporary detention facilities will be handled per established procedures.

SECTION V. CONCURRENT JURISDICTION

It is to the mutual benefit of the participating municipal agencies and the North Bay Village Police Department, through voluntary cooperation, to exercise concurrent jurisdiction over the areas described in subparagraphs a. and b. below, in that officers, while in another jurisdiction, are often present at events where immediate action is necessary, or are able to expeditiously conclude an investigation by identifying and arresting an offender.

- a. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the participating municipalities and North Bay Village, Florida, for arrests, made pursuant to the laws of arrest, for felonies and misdemeanors, including arrestable traffic offenses, which spontaneously take place in the presence of the arresting officer, at such times as the arresting officer is traveling from place to place on official business outside of his or her jurisdiction, for example, to or from court, or at any time when the officer is within the

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territorial limits of his or her jurisdiction, and provided that, in the context of this Mutual Aid Agreement, "official business outside of his or her jurisdiction" shall not include routine patrol activities. This mutual aid agreement excludes those areas within the territorial limits of the municipalities not participating in the Mutual Aid Agreement, and areas in which the North Bay Village Police Department does not have law enforcement jurisdiction.

- b. Concurrent law enforcement jurisdiction in and throughout the territorial limits of participating municipalities and North Bay Village, Florida, for arrests, made pursuant to the laws of arrest, of persons identified as a result of investigations of any offense constituting a felony or any act of Domestic Violence as defined in Section 741.28, Florida Statutes, when such offense occurred in the municipality employing the arresting officer, should the arresting officer be a municipal law enforcement officer. However, absent a search warrant, concurrent jurisdiction under this subparagraph does not include authority to make nonconsensual or forcible entries into private dwellings, residences, living spaces or business spaces which are not open to the public, i.e., authority derived pursuant to this subparagraph may be exercised only when in places open to the public or private places into which the arresting officer has entered with the consent of an occupant entitled to give consent. When operating under mutual aid, municipal law enforcement officers may execute search warrants for offenses which occurred in the municipality. Municipal officers may execute the search warrant, impound all property, make arrests, and file the Return and Inventory. This concurrent jurisdiction excludes those areas within territorial municipalities not participating in

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the Mutual Aid Agreement, and areas in which the North Bay Village Police Department does not have law enforcement jurisdiction.

Prior to any officer taking enforcement action pursuant to either paragraph (a) or (b) above, the officer shall notify the designated officer of the jurisdiction in which the action shall will be taken, unless exigent circumstances prevent such prior notification, in which case notification shall be made as soon after the action as practicable. Furthermore, all arrests made pursuant to subparagraph (a) above shall be processed and coded pursuant to directions of the Clerk of the Court, in such manner as to ensure that any revenues or surcharges generated as a result of said arrests shall be directed to the jurisdiction in which the arrest was made.

1. General Requirements:

- a. Officers shall not utilize unmarked vehicles to make traffic stops or to engage in vehicle pursuits.
- b. Concurrent law enforcement jurisdiction pursuant to this Mutual Aid Agreement does include preplanned operations, undercover investigations, stings, or sweeps.
- c. Officers shall not conduct routine patrol activities outside of their jurisdiction.
- d. Reports of any action taken pursuant to this Mutual Aid Agreement shall be faxed to the agency head of the agency, within whose jurisdiction the action was taken, as soon as possible after the action has taken place.
- e. Any conflicts regarding jurisdiction will be resolved by allowing the agency within whose jurisdiction the action took place to take custody of any arrestees and/or crime scenes.

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- f. All concurrent jurisdiction stationary surveillance activities shall require notification of the agency within whose jurisdiction the surveillance takes place. The notification shall include the general location of the surveillance and a description of the vehicles involved. Mobile surveillance shall not require notification unless concurrent jurisdiction enforcement activities take place.

SECTION VI. EFFECTIVE DATE

This Agreement shall be in effect from date of signing, through and including, September 1, 2021. Under no circumstances may this Agreement be renewed, amended, or extended except in writing.

SECTION VII. CANCELLATION

This Agreement may be cancelled by either party upon sixty (60) days written notice to the other party. Cancellation will be at the discretion of the chief executive officers of the parties hereto.

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AGREED TO AND ACKNOWLEDGED this ____ day of _____, 2018.

Lewis Velken
Interim Village Manager
North Bay Village, Florida

Brian Collins
Acting Chief of Police
North Bay Village Police Department

ATTEST:

Graciela Mariot
Interim Village Clerk
North Bay Village, Florida

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

Norman C. Powell
Village Attorney
North Bay Village, Florida

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LAW ENFORCEMENT MUTUAL AID AGREEMENT FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE INDIVIDUAL GOVERNMENTAL ENTITY SIGNATURE SHEET

CITY OF: Sunny Isles Beach, Florida.

BY:

Christopher J. Russo, City Manager

Dwight Snyder, Chief of Police

ATTEST:

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

Mauricio Betancur, City Clerk

Hans Ottinot, City Attorney

STATE OF FLORIDA)
) SS.:
COUNTY OF MIAMI-DADE)

BEFORE ME, an officer duly authorized by law to administer oaths and take
acknowledgements, did personally appear: _____

(Insert Name and Title of Chief Executive)

of the City of _____, Florida, a municipal corporation of Florida,
and acknowledged that he or she executed the foregoing Agreement as chief executive
officer of the City of _____, Florida, and the same is the act and
deed of the City of _____, Florida.

IN WITNESS OF THE FOREGOING, I have set my hand and official seal at the City of
_____, in the State of Florida and the County of Miami Dade on
the _____ day of _____, 2018.

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North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300, North Bay Village, FL 33141

Tel: (305) 756-7171 | Fax: (305) 756-7722 | Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: November 6, 2018

TO: Graciela Mariot
Interim Village Clerk

FROM: Lewis Velken, *Lewis Velken*
Interim Village Manager

SUBJECT: Introduction of Resolution

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Resolution:

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, RELATING TO THE PUBLIC WELFARE, AUTHORIZING THE INTERIM VILLAGE MANAGER, ON BEHALF OF THE NORTH BAY VILLAGE POLICE DEPARTMENT, TO ENTER INTO LAW ENFORCEMENT MUTUAL AID AGREEMENTS WITH THE CITY SUNNY ISLES BEACH, SETTING AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

LV:gm

Mayor
Connie Leon-Kreps

Vice Mayor
Andreana Jackson

Commissioner
Jose R. Alvarez

Commissioner
Laura Cattabriga

Commissioner
Eddie Lim

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RESOLUTION NO: _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, RELATING TO THE PUBLIC WELFARE, AUTHORIZING THE INTERIM VILLAGE MANAGER, ON BEHALF OF THE NORTH BAY VILLAGE POLICE DEPARTMENT, TO ENTER INTO LAW ENFORCEMENT MUTUAL AID AGREEMENTS WITH THE CITY SUNNY ISLES BEACH, SETTING AN EFFECTIVE DATE. *(INTRODUCED BY INTERIM VILLAGE MANAGER LEWIS VELKEN)*

WHEREAS, it is the responsibility of the governments of North Bay Village and the City of Sunny Isles Beach ensure the safety of their citizens by providing adequate levels of police services to address any foreseeable routine or emergency situations; and

WHEREAS, Chapter 23, Florida Statutes, Florida Mutual Aid Act, allows law enforcement agencies to enter into mutual aid agreements with each other to enter render law enforcement assistance.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above Recitals are true and correct and incorporated herein by this reference.

Section 2. **Approval Agreement.** The Mutual Aid Agreements between North Bay Village and City of Sunny Isles Beach as “Exhibits 1” are hereby approved.

Section 3. **Authorization of Village Officials.** The Interim Village Manager and Chief of Police are authorized to take all actions necessary to implement the terms and conditions of these agreements.

Section 4. **Execution of Agreement.** The Interim Village Manager and the Chief of Police are authorized to execute these agreements on behalf of the Village subject to the approval as to form and legality by the Village Attorney.

Section 5. **Effective Date.** This Resolution shall take effect immediately upon adoption.

The motion to adopt the foregoing Resolution was offered by _____, seconded by _____. The votes were as follows:

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45 **FINAL VOTE AT ADOPTION:**

46 Mayor Connie Leon-Kreps _____
47 Vice Mayor Andreana Jackson _____
48 Commissioner Jose R. Alvarez _____
49 Commissioner Laura Cattabriga _____
50 Commissioner Eddie Lim _____

51

52 **PASSED AND ADOPTED** this 13th day of November 2018.

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Connie Leon-Kreps
Mayor

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60 **ATTEST:**

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62 _____
63 Graciela Mariot
64 Interim Village Clerk

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65 **APPROVED AS TO FORM FOR USE ONLY BY**
66 **NORTH BAY VILLAGE:**

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68 _____
69 Norman C. Powell, Esq.
70 Village Attorney

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North Bay Village Resolution: Mutual Aid Agreements with City of Sunny Isles Beach

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North Bay Village

Administrative Offices
1666 Kennedy Causeway, Suite 300, North Bay Village, FL 33141
Tel: (305) 756-7171 | Fax: (305) 756-7722 | www.nbvillage.com

NORTH BAY VILLAGE RECOMMENDATION MEMORANDUM

DATE: November 6, 2018

TO: Mayor Connie Leon Kreps
Vice-Mayor Andreana Jackson
Commissioner Jose Alvarez
Commissioner Laura Cattabriga
Commissioner Eddie Lim

RECOMMENDED BY: Lewis Velken, Interim Village Manager *LV*

PRESENTED BY STAFF: LaKeesha Morris, Grant Writer

SUBJECT: Agreement with Florida Inland Navigation District for Baywalk Plaza Phase IIIA

RECOMMENDATION:

It is recommended that the Village Commission approve the attached Resolution authorizing the Interim Village Manager to execute the agreement with Florida Inland Navigation District for the construction of Baywalk Plaza Phase IIIA.

BACKGROUND:

Funding Source: Florida Inland Navigation District
Program Title: Baywalk Plaza South Phase IIIA
Grant Request: \$180,000
Match Required: 100% of grant request

The Village was awarded \$200,000 through the Florida Inland Navigation District (FIND) Waterway Assistance Program during the Fiscal Year 2015 for the construction of the "Baywalk Plaza Area Phase IIA-South Side", which consist of a walk out area that overlooks Biscayne Bay. The Village general contractor began construction on the Baywalk on May 15, 2017. During the site preparation period, pipes and underlying structures associated with the John F. Kennedy Causeway Bridge were discovered. The Village requested additional funds to complete the construction. The Florida Inland Navigation District has approved the request and requires the Village's executed agreement.

BUDGETARY IMPACT:

\$180,000 matching funds available in the 2010 Capital Improvement Bond Program proceeds.

PERSONNEL IMPACT:

None.

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FLORIDA INLAND NAVIGATION DISTRICT

October 1, 2018



Ms. LaKeesha Morris, Grant Writer
North Bay Village, Public Works Department
1666 Kennedy Causeway, Suite 300
North Bay Village, FL 33141

COMMISSIONERS

DON DONALDSON
CHAIR
ST. LUCIE COUNTY

J. CARL BLOW
VICE-CHAIR
ST. JOHNS COUNTY

MICHAEL O'STEEN
TREASURER
DUVAL COUNTY

FRANK GERNERT
SECRETARY
BROWARD COUNTY

T. SPENCER CROWLEY, III
MIAMI-DADE COUNTY

DONALD J. CUOZZO
MARTIN COUNTY

CHARLES C. ISIMINGER
PALM BEACH COUNTY

SUSANNE McCABE
VOLUSIA COUNTY

JON NETTS
FLAGLER COUNTY

JERRY H. SANSOM
BREVARD COUNTY

LYNN A. WILLIAMS
NASSAU COUNTY

VACANT
INDIAN RIVER COUNTY

MARK T. CROSLEY
EXECUTIVE DIRECTOR

JANET ZIMMERMAN
ASSISTANT EXECUTIVE
DIRECTOR

RE: 2018 FIND Waterway Assistance Program Grant Award for Baywalk Plaza
South Phase IIIA, Project #DA-NBV-18-235

Dear Ms. Morris:

Enclosed for signature is an original project agreement for your approved 2018-2019 Waterways Assistance Program project. Please sign both the agreement (pg. 8) AND Exhibit C, Matching Funds Form and return the agreement as soon as possible. Once the agreement is executed by our Director, one will be returned to your office for your file and the project may commence.

If you do not need original hard copy signatures, you may scan and return the full signed agreement with attachments via email attachment.

Please be sure to refer to the listed project number in all future correspondence and communication regarding this project. Should you have any questions please contact me at JZimmerman@aicw.org or 561.627.3386.

Sincerely,

Janet Zimmerman
Assistant Executive Director

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FLORIDA INLAND NAVIGATION DISTRICT PROJECT AGREEMENT

PROJECT NO. DA-NBV-18-235

This PROJECT AGREEMENT ("AGREEMENT") made and entered into this _____ day of _____, 20____ by and between the Florida Inland Navigation District (hereinafter the "DISTRICT"), and the North Bay Village, (hereinafter the "PROJECT SPONSOR").

In consideration of the mutual promises and covenants contained herein, the parties agree as follows:

1. **PROJECT** - Subject to the provisions of this AGREEMENT and Rule 66B-2 of the Florida Administrative Code (a current copy of which is attached as Exhibit "B"), the DISTRICT has approved assistance funding to the PROJECT SPONSOR in furtherance of an approved project ("PROJECT") consisting of the Baywalk Plaza South Phase IIIA. Said PROJECT is more specifically described in the PROJECT SPONSOR'S Waterways Assistance Application, which is on file at the DISTRICT's headquarters.

Any modifications to the PROJECT'S scope of work shall require written advance notice and justification from the PROJECT SPONSOR and the prior written approval of the DISTRICT.

2. **TERM** - The PROJECT SPONSOR shall not commence work on the PROJECT prior to the execution of this AGREEMENT unless specifically authorized by the DISTRICT Board and **shall complete the PROJECT and submit all required payment reimbursement information on or before September 30, 2020 ("PROJECT PERIOD")**, unless the PROJECT PERIOD has been extended with the prior written approval of the DISTRICT. Any request for an extension of the PROJECT PERIOD shall require submittal by the PROJECT SPONSOR of a request for extension to the DISTRICT no later than 60 days prior to the original expiration date of the PROJECT PERIOD. This request will then be considered by the DISTRICT Board, whose decision shall be final. In no event other than a declared state of emergency that affects the project completion shall the PROJECT be extended beyond September 30, 2021. The PROJECT SPONSOR acknowledges this is the only provision to carry over the DISTRICT assistance funding under this AGREEMENT beyond September 30, 2020, and that any extension of funding beyond this date shall be at the sole discretion of the DISTRICT.

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3. **ASSISTANCE AMOUNT** - The DISTRICT shall contribute ("ASSISTANCE AMOUNT") no more than fifty percent (50%) ("MATCHING PERCENTAGE") of the PROJECT SPONSOR'S eligible out-of-pocket costs for completion of this PROJECT ("PROJECT AMOUNT"). Payment of funds by the DISTRICT to the PROJECT SPONSOR (the "ASSISTANCE AMOUNT") will be on a reimbursement basis only, and only for those authorized out of pocket costs as shown in Exhibit A, Project Cost Estimate ("PROJECT COSTS") and meeting the requirements of Section 5 below and shall not, in any event, exceed \$180,000.00.

Any modifications to the PROJECT'S Cost Estimate (Exhibit A) shall require written advance notice and justification from the PROJECT SPONSOR and the prior written approval of the DISTRICT.

4. **MATCHING FUNDS** - The PROJECT SPONSOR warrants and represents that it has the PROJECT SPONSOR Match Amount (the PROJECT AMOUNT less the ASSISTANCE AMOUNT) available for the completion of the PROJECT and shall, prior to the execution of this AGREEMENT, have provided the DISTRICT with suitable evidence of the availability of such funds using the DISTRICT's Form #95-01 (Exhibit C, Matching Funds Certification) and, upon request, providing the DISTRICT with access to applicable books and records, financial statements, and bank statements.

5. **PROJECT COSTS** - To be eligible for reimbursement under this AGREEMENT, PROJECT COSTS must be necessary and reasonable for the effective and efficient accomplishment of the PROJECT and must be directly allocable thereto. PROJECT COSTS are generally described in Exhibit B, Chapter 66B-2, F.A.C.. PROJECT COSTS must be incurred, and work performed within the PROJECT PERIOD, with the exception of pre-AGREEMENT costs, if any, consistent with Section 6 below, which are also eligible for reimbursement by the DISTRICT.

If the PROJECT SPONSOR receives additional funding for the PROJECT COSTS from another source that was not identified in the original application and that changes the AGREEMENT MATCHING PERCENTAGE, the PROJECT SPONSOR shall proportionately reimburse the DISTRICT's program funds equal to the MATCHING PERCENTAGE in this AGREEMENT. The PROJECT SPONSOR shall promptly notify the DISTRICT of any project payments it receives from a source other than the DISTRICT.

6. **PRE-AGREEMENT COSTS** - The DISTRICT and the PROJECT SPONSOR fully understand and agree that there shall be no reimbursement of funds by the DISTRICT for any

Agenda Item 12C

obligation or expenditure made prior to the execution of this AGREEMENT unless previously delineated in Exhibit A, consistent with Exhibit B, and previously approved by the DISTRICT Board during the grant review process.

7. **REIMBURSEMENT PROCEDURES** - PROJECT COSTS shall be reported to the DISTRICT and summarized on the Payment Reimbursement Request Form (Form #90-14) attached as Exhibit D. Supporting documentation including bills and canceled payment vouchers for expenditures shall be provided to the DISTRICT by the PROJECT SPONSOR or LIAISON AGENT with any payment request. All records in support of the PROJECT COSTS included in payment requests shall be subject to review and approval by the DISTRICT or by an auditor selected by the DISTRICT. Audit expenses shall be borne by the PROJECT SPONSOR.

Project funds may be released in installments, at the discretion of the DISTRICT, upon submittal of a payment request by the PROJECT SPONSOR or LIAISON AGENT. The DISTRICT shall retain ten percent (10%) of each installment payment until the completion of the PROJECT.

The following costs, if authorized in the attached Exhibit B, shall be reimbursed only upon completion of the PROJECT to the reasonable satisfaction of the DISTRICT and in accordance with Exhibit B: personnel, equipment, project management, administration, inspection, and design, permitting, planning, engineering, and/or surveying costs. Assuming the PROJECT SPONSOR has otherwise fully complied with the requirements of this AGREEMENT, reimbursement for a PROJECT approved as Phase I project will be made only upon commencement of construction of the PROJECT for which the Phase I planning, designing, engineering and/or permitting were directed, which may or may not involve further DISTRICT funding. Procedures set forth below with respect to reimbursement by the DISTRICT are subject to this requirement of commencement of construction.

The DISTRICT shall have the right to withhold any payment hereunder, either in whole or part, for non-compliance with the terms of this AGREEMENT.

8. **FINAL REIMBURSEMENT** - The PROJECT SPONSOR, upon completion of the PROJECT, shall submit to the DISTRICT a request for final reimbursement of the ASSISTANCE AMOUNT less any prior installment payments. The payment amounts previously retained by the DISTRICT shall be paid upon (1) receipt of the Final Audit report of expenses incurred on the PROJECT by the DISTRICT, (2) full completion of the PROJECT to the reasonable satisfaction of the DISTRICT, (3) submission of Project Completion Certification Form No. 90-13 (Exhibit E), (4) submission of a photograph of the PROJECT showing the sign required by Section 18, and (5) a

Agenda Item 12C

Final Project Report as described in Exhibit G, Assistance Project Schedule. As part of the documentation accompanying the request for final reimbursement, PROJECT SPONSOR shall provide proof of payment of all contractors, material suppliers, engineers, architects and surveyors with whom PROJECT SPONSOR has directly contracted (each a "DIRECT PROVIDER") to provide services or materials for the PROJECT. The final reimbursement amount shall be adjusted as necessary such that neither the total ASSISTANCE AMOUNT nor the MATCHING PERCENTAGE is exceeded. Unless otherwise determined by the DISTRICT, the final reimbursement check shall be presented by a DISTRICT representative to the PROJECT SPONSOR during a public commission meeting or public dedication ceremony for the PROJECT.

9. **RECORDS RETENTION** - The PROJECT SPONSOR shall retain all records supporting the PROJECT COSTS for three (3) years after the end of the fiscal year in which the Final Payment is released by the DISTRICT, except that such records shall be retained by the PROJECT SPONSOR until final resolution of matters resulting from any litigation, claim, or special audit that starts prior to the expiration of the three-year retention period.

10. **DEFAULT AND REMEDIES** – In the event of a breach of any of the terms of this AGREEMENT by the PROJECT SPONSOR, the DISTRICT shall provide written notice to the PROJECT SPONSOR, which shall have sixty (60) days in which to cure the breach. If the PROJECT SPONSOR fails to cure the breach within the cure period, the DISTRICT shall have the right, but not the obligation, to demand that the PROJECT SPONSOR immediately refund the ASSISTANCE AMOUNT to the extent paid. PROJECT SPONSOR shall refund to the DISTRICT the full amount of the ASSISTANCE AMOUNT paid to PROJECT SPONSOR, whereupon this AGREEMENT, and all further rights thereunder, shall be terminated. If the DISTRICT does not demand reimbursement as aforesaid, the DISTRICT may exercise any and all other remedies available at law or in equity. With respect to the PROJECT SPONSOR's obligations under Sections 15, 17, and 20, PROJECT SPONSOR acknowledges that breach by the PROJECT SPONSOR of one or more of its obligations under said sections might cause the DISTRICT to suffer irreparable harm, namely harm for which damages would be an inadequate remedy. PROJECT SPONSOR further acknowledges that the DISTRICT might suffer irreparable harm due to delay if, as a condition to obtaining an injunction, restraining order, or other equitable remedy with respect to such a breach, the DISTRICT were required to demonstrate that it would suffer irreparable harm. The parties therefore intend that if the PROJECT SPONSOR breaches one or more of its obligations under Sections 15, 17, or 20, the DISTRICT, in addition to such other

Agenda Item 12C

remedies which may be available, shall have the right to seek specific performance and injunctive relief, and for purposes of determining whether to grant an equitable remedy any court will assume that the breach would cause the DISTRICT irreparable harm. The provisions of this section shall survive completion of the PROJECT.

11. **DISTRICT PROJECT MANAGER** - The Executive Director, or his designee, is hereby designated as the DISTRICT's Project Manager for the purpose of this AGREEMENT and shall be responsible for monitoring performance of its terms and conditions and for approving all reimbursement requests prior to payment.

12. **PROJECT SPONSOR'S LIAISON AGENT** - The PROJECT SPONSOR shall appoint a LIAISON AGENT, whose name and title shall be submitted to the DISTRICT upon execution of this AGREEMENT, to act on behalf of the PROJECT SPONSOR relative to the provisions of this AGREEMENT.

13. **STATUS REPORTS** - The PROJECT SPONSOR or LIAISON AGENT shall submit to the DISTRICT project status reports during the PROJECT term. These Quarterly Reports are to be on Form #95-02 (Exhibit F, Assistance Program Project Quarterly Status Report). Project design drawings, engineering drawings, and a copy of the Project bid award construction item cost list will be submitted as available. Photographs shall be submitted when appropriate to reflect the work accomplished. NON-COMPLIANCE by the PROJECT SPONSOR with the reporting schedule in Exhibit G, Assistance Project Schedule, may result in revocation of this AGREEMENT.

14. **LAWS** - The PROJECT SPONSOR agrees to obtain and to abide by all federal, state, and local permits and proprietary authorizations, and all applicable laws and regulations in the development of the PROJECT. The PROJECT SPONSOR agrees that all PROJECT facilities shall be designed and constructed in compliance with applicable state and federal statutory requirements for accessibility by handicapped persons, as well as all other federal, state and local laws, rules, and requirements.

15. **NON-DISCRIMINATION** - The PROJECT SPONSOR agrees that when completed, the PROJECT shall be readily accessible, on a non-exclusive basis, to the general public without regard to age, sex, race, physical handicap, or other condition, and without regard to residency of the user in another political subdivision.

16. **PARKING FACILITIES** - Adequate parking shall be made available by the PROJECT SPONSOR to accommodate vehicles for the number of persons for which the PROJECT is being developed.

Agenda Item 12C

17. **SITE DEDICATION** - The PROJECT SPONSOR also agrees that the PROJECT site shall be dedicated for the public use for a minimum period of twenty-five (25) years from the completion of the PROJECT, such dedication to be in the form of a deed, lease, management AGREEMENT or other legally binding document. Any change in such dedication shall require the prior approval of the DISTRICT. The PROJECT SPONSOR shall record evidence of such dedication within the Public Records of the County in which the PROJECT is located.

18. **ACKNOWLEDGMENT** – For construction projects, the PROJECT SPONSOR shall erect a permanent sign, approved by the DISTRICT, in a prominent location such as the PROJECT entrance of the completed PROJECT, which shall indicate that the DISTRICT contributed funds for the PROJECT. The wording of the sign required by this section shall be approved by the DISTRICT's staff before construction and installation of said sign. This sign shall contain the DISTRICT logo (Exhibit H) unless otherwise stipulated by the DISTRICT. In the event that the PROJECT SPONSOR erects a temporary construction sign, it shall also indicate the DISTRICT's participation. For all other types of projects, the PROJECT SPONSOR shall acknowledge the DISTRICT where feasible, in concurrence with the DISTRICT staff's recommendations.

19. **PROJECT MAINTENANCE** - When and as applicable, the PROJECT SPONSOR agrees to operate, maintain, and manage the PROJECT for the life of the PROJECT improvements and will pay all expenses required for such purposes. The PROJECT improvements shall be maintained in accordance with the standards of maintenance for other local facilities owned and operated by the PROJECT SPONSOR, and in accordance with applicable health standards. PROJECT facilities and improvements shall be kept reasonably safe and in reasonable repair to prevent undue deterioration and to encourage public use. The PROJECT SPONSOR warrants and represents that it has full legal authority and financial ability to operate and maintain said PROJECT facilities and improvements.

20. **FEES** – Any fees charged for this PROJECT shall be reasonable and the same for the general public of all member counties. The PROJECT SPONSOR must demonstrate that a minimum of fifty percent (50%) of the PROJECT fees will be utilized for project maintenance and improvements throughout the anticipated 25-year life of a development project or the design life of other project types, as applicable.

21. **SOVEREIGN IMMUNITY** - Each party hereto agrees that it shall be solely responsible for the wrongful acts of its employees, contractors, and agents. However, nothing

Agenda Item 12C

contained herein shall constitute a waiver by either party of its sovereign immunity under Section 768.28, Florida Statutes. The PROJECT SPONSOR acknowledges that the DISTRICT, its employees, commissioners, and agents are solely providing funding assistance for the PROJECT and are not involved in the design, construction, operation or maintenance of the PROJECT.

22. **INSPECTIONS** - The DISTRICT reserves the right, upon reasonable request, to inspect said PROJECT and any and all records related thereto at any time.

23. **RIGHTS AND DUTIES** - The rights and duties arising under this AGREEMENT shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns, and shall, unless the context clearly requires otherwise, survive completion of the PROJECT. The PROJECT SPONSOR may not assign this AGREEMENT nor any interest hereunder without the express prior written consent of the DISTRICT.

24. **WAIVERS** - Waiver of a breach of any provisions of this AGREEMENT shall not be deemed a waiver of any other breach of the same or different provision.

25. **NOTICE** - Any notice required to be given pursuant to the terms and provisions of this AGREEMENT shall be in writing, postage paid, and shall be sent by certified mail, return receipt requested, to the DISTRICT or PROJECT SPONSOR at the addresses below. The notice shall be effective on the date indicated on the return receipt.

To the DISTRICT at:

Florida Inland Navigation District
1314 Marcinski Road
Jupiter, Florida 33477-9498

To the PROJECT SPONSOR at:

North Bay Village
Attention: Grant Writer, Public Works Department
1666 Kennedy Causeway, Suite 300
North Bay Village, Florida 33141

26. **NO JOINT VENTURE** - The DISTRICT's role with respect to the PROJECT is that of a funding assistance authority only and the DISTRICT is not, and shall not be considered to be, an agent, partner, or joint venturer with the PROJECT SPONSOR.

27. **GOVERNING LAW** - The validity, interpretation, and performance of this AGREEMENT shall be controlled and construed according to the laws of the State of Florida.

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28. **TRANSFERENCE** - It is the intent of the DISTRICT to issue this funding assistance to the PROJECT SPONSOR who has made application for this assistance. In the event the PROJECT SPONSOR transfers ownership or management of the PROJECT to a party or parties not now a part of this AGREEMENT, other than another governmental entity that agrees to assume, in writing, PROJECT SPONSOR'S obligation hereunder, the DISTRICT retains the right to full reimbursement from the PROJECT SPONSOR to the full extent of the funding assistance provided by the DISTRICT including, but not limited to, any costs and reasonable attorney's fees (regardless of whether litigation ensues) incurred by the DISTRICT in collecting said reimbursement.

29. **ENTIRE UNDERSTANDING** - This AGREEMENT, including any exhibits made a part hereof, embodies the entire AGREEMENT and understanding of the parties and supersedes all prior oral and written communications between them. The terms hereof may be modified only by a written amendment signed by both parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed the day, month and year aforesaid.

WITNESSES:

FLORIDA INLAND NAVIGATION DISTRICT

By: _____
Executive Director

Date: _____

WITNESSES:

PROJECT SPONSOR

By: _____

Title: _____

Date: _____

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EXHIBIT A

ATTACHMENT E-5

FLORIDA INLAND NAVIGATION DISTRICT
ASSISTANCE PROGRAM 2018

PROJECT COST ESTIMATE

(See Rule Section 66B-2.005 & 2.008 for eligibility and funding ratios)

Project Title:	Baywalk Plaza Area South – Phase IIIA
Applicant:	North Bay Village

Project Elements <i>(Please list the MAJOR project elements and provide general costs for each one. For Phase I Projects, please list the major elements and products expected)</i>	Quantity or Total Estimated Cost <i>(Number and/or Footage etc.)</i>	Applicant's Cost	FIND Cost
Construction See attached 2 pgs for details	\$327,280	\$162,480	\$164,800
Construction Engineering Inspection	\$32,720	\$17,520	\$15,200

**TOTALS =	\$360,000	\$ 180,000	\$180,000
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North Bay Village Baywalk Plaza Area (South Side)

FY2015	Find Request	Village Match	Total Cost
Site Work/Site Preparation			
Mobilization, Bonds & Insurance (50% of total item cost)		\$82,500	\$ 82,500.00
Maintenance of Traffic (50% of total item cost)	\$ 7,500.00	\$0	\$ 7,500.00
Excavate, Load & Haul	\$ 2,000.00	\$26,000	\$ 28,000.00
Site Grading	\$ 4,000.00	\$36,000	\$ 40,000.00
Retaining Wall	\$ 186,500.00	\$57,580	\$ 244,080.00
Permitting (FDOT)		\$3,500	\$ 3,500.00
Total Construction Costs	\$ 200,000.00	\$205,580	\$ 405,580.00
Construction Engineering Inspection (CEI)- Independent Contractor (10%)	\$0	\$ 40,558.00	\$ 40,558.00
Grand Total (FY2015)	\$ 200,000.00	\$ 246,138.00	\$ 446,138.00
FY2018-19 Request	Find Request	Village Match	Total Cost
Mobilization, Bonds & Insurance (50% of total item cost)	\$ 41,250.00	\$ 41,250.00	\$ 82,500.00
Maintenance of Traffic (50% of total item cost)	\$ -	\$ 7,500.00	\$ 7,500.00
Remove Guardrail	\$ -	\$ 1,150.00	\$ 1,150.00
Remove Concrete	\$ -	\$ 9,000.00	\$ 9,000.00
Clearing and Grubbing	\$ 3,000.00		\$ 3,000.00
Concrete Sidewalk	\$ 10,000.00		\$ 10,000.00
Adjust Existing Rim Elevations	\$ 5,000.00		\$ 5,000.00
Pavement/Trench Restoration:	\$ 2,000.00		\$ 2,000.00
Zum 882 Perma Trench Drain	\$ 29,500.00		\$ 29,500.00
15" Nyloplast Inline Drain	\$ 13,500.00		\$ 13,500.00

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FY2018-19 Request	Find Request	Village Match	Total Cost
2" Corporation Stop	\$ 2,500.00		\$ 2,500.00
Connection to Existing Water Service	\$ 7,500.00		\$ 7,500.00
2" Single Water Service	\$ 5,000.00		\$ 5,000.00
2" Pressure Vacuum Breaker	\$ 3,500.00		\$ 3,500.00
2" HDPE Pipe	\$ 5,550.00		\$ 5,550.00
Paving – H-101 Colored concrete	\$ 16,000.00		\$ 16,000.00
Paving – H-102 Colored concrete	\$ 7,000.00		\$ 7,000.00
Paving – H-103 Colored concrete	\$ 6,500.00		\$ 6,500.00
Custom Metal Access Gate and Fence	\$ 3,500.00		\$ 3,500.00
Trash Receptacle	\$ 2,000.00		\$ 2,000.00
Pedestrian Light Pole	\$ 1,500.00	\$ 17,000.00	\$ 18,500.00
Recessed LED Wall Light	\$ -	\$ 37,500.00	\$ 37,500.00
Electrical Conduit, Conductors	\$ -	\$ 30,000.00	\$ 30,000.00
Monument Sign	\$ -	\$ 8,080.00	\$ 8,080.00
Directional Bore	\$ -	\$ 11,000.00	\$ 11,000.00
Total Construction Cost	\$ 164,800.00	\$ 162,480.00	\$ 327,280.00
Construction Engineering Inspection (CEI)- Independent Contractor (10%)	\$ 15,200.00	\$ 17,520.00	\$ 32,720.00
Grand Total	\$ 180,000.00	\$ 180,000.00	\$ 360,000.00

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EXHIBIT B

2018

CHAPTER 66B-2

WATERWAYS ASSISTANCE PROGRAM

66B-2.001	Purpose
66B-2.002	Forms
66B-2.003	Definitions
66B-2.004	Policy
66B-2.005	Funds Allocation
66B-2.006	Application Process
66B-2.0061	Emergency Applications
66B-2.008	Project Eligibility
66B-2.009	Project Administration
66B-2.011	Reimbursement
66B-2.012	Accountability
66B-2.013	Acknowledgement
66B-2.014	Small-Scale Spoil Island Restoration and Enhancement Projects
66B-2.015	Small-Scale Derelict Vessel Removal Projects
66B-2.016	Waterways Cleanup Events

66B-2.001 Purpose.

Recognizing the importance and benefits of inland navigation channels and waterways, as well as noting problems associated with the construction, continued maintenance and use of these waterways, the Florida Legislature created Section 374.976, F.S. This law authorizes and empowers each inland navigation district to undertake programs intended to alleviate the problems associated with its waterways. The purpose of this rule is to set forth the District's policy and procedures for the implementation of an assistance program under Section 374.976, F.S., for local governments, member counties and navigation related districts within the District. This program will be known hereafter as the Florida Inland Navigation District's Waterways Assistance Program.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Formerly 16T-2.001.

66B-2.002 Forms.

All forms for the administration of this program are available from the District office located at 1314 Marcinski Road, Jupiter, Florida 33477.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Formerly 16T-2.002.

66B-2.003 Definitions.

The basic terms utilized in this rule are defined as follows:

- (1) "APPLICANT" means an eligible governmental agency submitting an application through this program.
- (2) "APPLICATION" means a project proposal with the required documentation.
- (3) "AUTHORIZED SUBMISSION PERIOD" means the established period for submitting applications to the District.
- (4) "BEACH RENOURISHMENT" means the placement of sand on a beach for the nourishment, renourishment or restoration of a beach.
- (5) "BOARD" means the Board of Commissioners of the Florida Inland Navigation District.
- (6) "DISTRICT" means the Florida Inland Navigation District (FIND).
- (7) "ELIGIBLE GOVERNMENTAL AGENCY" means member counties, local governments and navigation related districts within the taxing boundaries of the District.
- (8) "ENVIRONMENTAL PERMITS" means those permits, proprietary authorizations, exemptions, or general permits for construction below mean high water line of a navigable waterway required and issued by or on behalf of the U.S. Army Corps of

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Engineers, the Florida Department of Environmental Protection, and the South Florida or the St. Johns River Water Management Districts or their successors.

(9) "EXECUTIVE DIRECTOR" means the Executive Director of the Florida Inland Navigation District.

(10) "LIAISON AGENT" means the contact person officially designated to act on behalf of the applicant or the project sponsor.

(11) "LOCAL GOVERNMENTS" means municipalities, cities, or consolidated county governments, which are located within the member counties.

(12) "MARITIME MANAGEMENT PLAN" means a written plan containing a systematic arrangement of elements specifically formulated to identify, evaluate and promote the benefits of eligible waterway accessibility and enjoyment, with consideration and respect to the physical, environmental and economic parameters of the planning area.

(13) "MATCHING FUNDS" means those funds provided by the local sponsor to the project.

(14) "MEMBER COUNTY" means a county located within the taxing boundaries of the District which includes Nassau, Duval, St. Johns, Flagler, Volusia, Brevard, Indian River, St. Lucie, Martin, Palm Beach, Broward and Miami-Dade Counties.

(15) "NAVIGATION RELATED DISTRICTS" means port authorities, inlet districts or any other agency having legally authorized navigation related duties in waterways of the District.

(16) "PRE-AGREEMENT COSTS" means project costs approved by the District Board which have occurred prior to the execution of the project agreement.

(17) "PROGRAM" means the Florida Inland Navigation District Waterways Assistance Program.

(18) "PROGRAM FUNDS" means financial assistance awarded by the Board to a project for release to the project sponsor pursuant to the terms of the project agreement.

(19) "PROJECT" means a planned undertaking consisting of eligible program facilities, improvements or expenses for the use and benefit of the general public.

(20) "PROJECT AGREEMENT" means an executed contract between the District and a project sponsor setting forth mutual obligations regarding an approved project.

(21) "PROJECT MAINTENANCE" means any usual action, activity, expense, replacement, adjustment or repair taken to retain a project or grant item in a serviceable, operational or normal condition, or the routine efforts and expenses necessary to restore it to serviceable or normal condition, including the routine recurring work required to keep the project or grant item in such condition that it may be continuously used at its original or designed capacity and efficiency for its intended purpose.

(22) "PROJECT MANAGER" means the District employee who is responsible for monitoring the performance of the Project and compliance with the project agreement.

(23) "PROJECT PERIOD" means the approved time during which costs may be incurred and charged to the funded project.

(24) "PROJECT SPONSOR" means an eligible governmental agency receiving program funds pursuant to an approved application.

(25) "PUBLIC BUILDING" means a building or facility on government owned property that is owned or operated by a governmental entity, or operated by a third party operator. The building or facility must provide waterway related information, public meeting space, or educational services and be open to members of the public on a continual basis without discrimination.

(26) "PUBLIC MARINA" means a harbor complex used primarily for recreational boat mooring or storage, the services of which are open to the general public on a first come, first served basis without any qualifying requirements such as club membership, stock ownership, or differential in price.

(27) "PUBLICLY OWNED COMMERCIAL OR INDUSTRIAL WATERWAY ACCESS" means any publicly owned area specifically designed to be used for staging, launching, or off-loading by commercial or industrial waterway users on a first come, first served, short-term basis, to gain entry to or from the District's waterways to serve the infrastructure needs of the District's waterway users.

(28) "TRIM HEARING" means a public hearing required by Chapter 200, F.S., concerning the tax and budget of the District.

(29) "WATERWAYS" means the Atlantic Intracoastal Waterway, the Okeechobee Waterway, the Barge Canal in Brevard County west of the Port Canaveral Locks, those portions of the Dania Cut-Off Canal and the Hillsboro Canal east of the water control structures, all navigable natural rivers, bays, creeks or lagoons intersected by said waterways and all navigable natural creeks, rivers, bays or lagoons entering or extending from said waterways.

(30) "WATERWAY RELATED ENVIRONMENTAL EDUCATION" means an interdisciplinary holistic process by which the learner: develops an awareness of the natural and manmade environments of waterways; develops knowledge about how the

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environment of the waterways works; acquires knowledge about the technological, social, cultural, political, and economic relationships occurring in waterway related environmental issues; and, becomes motivated to apply action strategies to maintain balance between quality of life and quality of the environment of waterways.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Amended 9-2-92, 2-6-97, Formerly 16T-2.003, Amended 5-17-98, 3-21-01, 3-20-03, 3-3-04, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 3-7-11.

66B-2.004 Policy.

The following constitutes the policy of the District regarding the administration of the program:

(1) Financial Assistance Eligibility: Financial assistance, support and cooperation may be provided to eligible governmental agencies for approved projects as follows:

(a) Member counties may be provided financial assistance, support or cooperation in planning, acquisition, development, construction, reconstruction, extension, improvement, operation or the maintenance of public navigation, local and regional anchorage management, beach renourishment, public recreation, inlet management, environmental education, maritime management plans, and boating safety projects directly related to the waterways.

(b) Eligible local governments may also be provided financial assistance, support and cooperation in planning and carrying out public navigation, local and regional anchorage management, beach renourishment, public recreation, inlet management, environmental education, and boating safety projects directly related to the waterways.

(c) Navigation related districts may be provided with financial assistance to pay part of the costs of the planning and acquisition of dredge material management sites if the Board finds that the site is required for the long-range maintenance of the Atlantic Intracoastal Waterway channel. All such sites must meet the development and operational criteria established by the District through a long-range dredge material management plan for that county. Navigation related districts may also be provided with assistance for waterway related access projects, environmental mitigation projects associated with waterway improvement related activities, and inlet management projects if the Board finds that the project benefits public navigation in the Atlantic Intracoastal Waterway. All navigation related districts shall contribute at least equal matching funds to any District financial assistance provided. Seaports may also be furnished assistance and support in planning and carrying out environmental mitigation projects. All seaport projects shall benefit publicly maintained channels and harbors. Each seaport shall contribute matching funds for funded projects.

(d) Eligible projects shall include the acquisition and development of public boat ramps and launching facilities, including those in man-made, navigable waterways contiguous to "waterways" as defined in Rule 66B-2.003, F.A.C.

(2) Notification: The District will notify by direct mail, email and/or advertised public notice all eligible governmental agencies of the program and the upcoming authorized submission period.

(3) Project Approval: Approval of projects by the District shall be in accordance with these rules.

(4) Project Accessibility: Facilities or programs funded in whole or in part by program funds shall be made available to the general public of all of the member counties on a non-exclusive basis without regard to race, color, religion, age, sex or similar condition. Additionally, facilities funded in whole or in part by program funds, shall not require a paid membership for the general public of all of the member counties as a condition to use the facilities. User or entrance fees may be charged for the use of facilities funded in whole or in part by program funds, however such fees shall be reasonable and shall be the same for the general public of all of the member counties.

(5) Waterway Impacts: All development projects must be designed so as not to impact navigation along the District's waterways through the placement of structures, attendant uses, or the necessity of a boating speed zone for safety purposes. Before applying for boating speed zone designation in District waterways because of a project funded by this program, the sponsor shall first receive approval from the Board. The Board will use the criteria found in Section 327.46(1), F.S., in determining whether to approve the proposed boating speed zone.

(6) Project Maintenance: The project sponsor shall be responsible for the operation, maintenance, and management of the project for the anticipated life of the project and shall be responsible for all expenses required for such purposes. The project shall be maintained in accordance with the standards of maintenance for other similar local facilities and in accordance with applicable health standards. Project facilities and improvements shall be kept reasonably safe and in reasonable repair to prevent undue deterioration and to encourage public use. The project sponsor shall have full legal authority and financial ability to operate and maintain the project facilities.

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(7) Education Facilities and Programs: Waterways related environmental education facilities and programs sponsored by the District shall occur at specially designated environmental education facilities located adjacent and contiguous to the waterways. It is the District's intent to consolidate its environmental education efforts in the least number of facilities within an area that will adequately serve the education needs of that area of the District.

(8) Public Information Availability: Public information produced with assistance from this program shall not be copyrighted and shall be provided free of cost, except for the cost of reproduction, to the public.

(9) Third-Party Project Operators: Projects that are being operated by a third party shall have sufficient oversight by the eligible project sponsor as determined by the Board. Such oversight, at a minimum, will include a project liaison that is a staff member of the eligible project sponsor, and oversight of the operating hours and admission fees of the facility by the eligible project sponsor through a legal agreement. All third party projects shall be open to the public in accordance with this rule.

(10) Non-compliance: The District shall terminate a project agreement and demand return of program funds disbursed to the project sponsor for non-compliance with any of the terms of the project agreement or this rule, if such non-compliance calls into question the ability of the applicant to complete the project. Failure of a project sponsor to comply with the provisions of this rule or the project agreement shall result in the District declaring the project sponsor ineligible for further participation in the program until such time as compliance has been met to the satisfaction of the District.

(11) Fees: Any public project eligible for District program funds that charges a fee or will charge a fee must create and maintain an enterprise fund for the public project that shall plan for and retain at all times sufficient funds for the on-going maintenance of the facility during its project life. Accounting records of the previous five years of the public project's enterprise fund will be submitted as part of any subsequent assistance program application to the District.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1), (2) FS. History--New 12-17-90, Amended 2-3-94, 2-6-97, Formerly 16T-2.004, Amended 5-18-98, 3-31-99, 5-25-00, 3-21-01, 7-30-02, 3-3-04, 4-21-05, 4-1-09, 2-22-10, 3-7-11, 3-7-12, 1-27-14, 2-17-15.

66B-2.005 Funds Allocation.

The Board will allocate funding for this program based upon the District's overall goals, management policies, fiscal responsibilities and operational needs for the upcoming year. Funding allocations to navigation related districts, member counties and local governments shall be based upon the proportional share of the District's ad valorem tax collections from each county. If funds are determined to be available for the program, the District will notify potential eligible governmental agencies of the availability of program funding. Applications will be reviewed by the Board utilizing District Forms No. 91-25 and 91-25 (A) through (F) Waterways Assistance Program Application and Evaluation Worksheet (effective date 1/2014), hereby incorporated by reference and available at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-03568> and available from the District office or by download from the District's webpage at: www.aicw.org.

(1) Funding Assistance Availability: In as much as the District has other fiscal responsibilities and operational needs, financial assistance to eligible government agencies shall not exceed an amount equal to eighty (80) percent of the proportional share of the District's ad valorem tax collections from each county in which such agencies are located. The District may make an exception to this funding limitation, if funds are determined to be available based upon the District's overall goals, management policies, fiscal responsibilities and operational needs, or in counties that are recovering from a state of emergency declared under Chapter 252, F.S.

(2) Project Funding Ratio: All financial assistance and support to eligible governmental agencies shall require, at a minimum, equal matching funds from the project sponsor, with the exception of public navigation projects that meet the provisions of subsection 66B-2.005(6), F.A.C., land acquisition projects in accordance with subsection 66B-2.005(7) and Rule 66B-2.008, F.A.C., small-scale spoil island restoration and enhancement projects that meet the provisions of Rule 66B-2.014, derelict vessel projects consistent with Rule 66B-2.0015, F.A.C., and Waterway Cleanup Projects approved under Rule 66B-2.0016, F.A.C. Applicant's in-house costs are limited pursuant to paragraph 66B-2.008(1)(c), F.A.C. All financial assistance to seaports shall require equal matching funds. The District shall contribute no more than fifty percent (50%) of the local share of the cost of an inlet management or beach renourishment project. The District shall not contribute funding to both the state and local shares of an inlet management or beach renourishment project.

(3) Pre-agreement Expenses: The project sponsor shall not commence work on an approved project element prior to the execution of the project agreement unless authorized by the Board during the review and funding approval process. Board authorization of pre-agreement expenses will be given for the commencement of work prior to the execution of a project agreement if the Board determines that there is a benefit to the District, its waterways or its constituents. All project costs must be incurred and work performed within

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the project period as stipulated in the project agreement unless pre-agreement costs are approved by the Board. Pre-agreement expenses will be approved if they are consistent with the provisions of Rule 66B-2.008, F.A.C., and occur within the fiscal year of the grant application submission (October 1st to September 30th). Pre-agreement expenses, except for projects approved by the Board as multi-year projects, will be limited to fifty (50) percent of the project's total cost and if the expenses are eligible project expenses in accordance with this rule. Only one-half (1/2) or less of the approved pre-agreement expenses will be eligible for reimbursement funding from the District, except for projects approved by the Board as multi-year projects. The Board shall consider a waiver of the limitation on pre-agreement expenses for Small-Scale Derelict Vessel grants and land acquisition projects when the applicant demonstrates a direct need and benefit and the project is in accordance with the applicable provisions of Chapter 66B-2, F.A.C.

(4) Multi-Year Funding: The construction phase of projects that are large scale, involve multiple phases, have a construction time line of one year or longer, or are requesting a significant amount of assistance funding in relation to the total assistance available for the county where the project is located, will be reviewed and approved by the District Board for a multiple year period subject to budgeting and allocation pursuant to the provisions of Chapter 200, F.S. The determination by the Board to provide assistance funding on a multi-year basis can be made at any time during the application review process. All approved multi-year projects are limited to a maximum of two (2) additional funding requests.

(5) Inlet Management and Beach Renourishment: Projects and project elements in the categories of inlet management and beach renourishment shall be subject to the following provisions. The District shall contribute no more than fifty percent of the local share of the cost of the project. The District shall not contribute funding to both the state and local shares of an inlet management or beach renourishment project. Funding for the construction phase of an inlet management or beach renourishment project may be approved by the District Board for a multiple year period subject to budgeting and allocation pursuant to the provisions of Chapter 200, F.S. Additionally the following provisions shall be met for inlet management or beach renourishment projects:

(a) Inlet Management: Inlet management projects shall benefit public navigation within the District and shall be consistent with Department of Environmental Protection approved inlet management plans and the statewide beach management plan pursuant to Section 161.161, F.S. Inlet management projects that are determined to be consistent with Department of Environmental Protection approved inlet management plans are declared to be a benefit to public navigation.

(b) Beach Renourishment: All projects in this category shall be consistent with the statewide beach management plan. Beach renourishment projects shall only include those beaches that have been adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project. The determination of beach areas that are adversely impacted by navigation for the purposes of this program shall be made by Department of Environmental Protection approved inlet management plans. If state funding is not provided for a beach project, public access with adequate parking must be available in accordance with Chapter 161, F.S.

(6) Public Navigation: Projects or project elements in the category of public navigation that will qualify for up to seventy-five percent (75%) program funds must be within the Intracoastal Right-of-Way (ROW), or provide public navigation channel access to two or more publicly accessible launching, mooring or docking facilities. In addition, the following shall apply:

(a) Navigation channel dredging: The project sponsor must demonstrate that the source of channel sedimentation has been identified and is in the process of, or has been controlled, or that the frequency and amount of shoaling is such that dredging will provide an improvement to the channel that will last for twenty (20) years or more and therefore is more cost effective than identifying and correcting the cause of shoaling, or that the cost of identifying the source of channel sedimentation exceeds the cost of the dredging project.

(b) Navigation channel lighting and markers must be located on primary or secondary public navigation channels. Navigation projects or project elements that have one facility open to the public will qualify for up to fifty percent (50%) program funding. Dredging that is associated or ancillary to another use (such as a boat ramp, marina or pier) will be prioritized according to the associated use.

(7) Land Acquisition: Land acquisition projects that provide for commercial/industrial waterway access shall qualify for a maximum of fifty (50) percent funding. All other land acquisition projects shall qualify for a maximum of twenty-five (25) percent program funding. All pre-agreement expenses for land acquisition must be completed within one-year of the date of application for funding. All funded land acquisition projects must construct the required boating access facility within 7 years of completion of the land acquisition, or the District may require the applicant to refund the program funding. Immediately upon acquiring title to the land, the applicant shall record a declaration of covenants in favor of the District stating that if the required boating access facility is not constructed within 7 years and dedicated for the public use as a boating access facility for a minimum period of 25 years after completion of construction, the District shall require the applicant to refund the program funding.

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(8) Seaport Funding Eligibility: Financial assistance to seaports may exceed the proportional share of the District's ad valorem tax collections as set forth in subsection 66B-2.005(1), F.A.C., from the county in which such seaport is located if the seaport can demonstrate that a regional benefit occurs from the port's activities. Financial assistance to a seaport project that demonstrates a regional benefit shall not exceed an amount equal to (i) the proportional share of the District's ad valorem tax collections as set forth in subsection 66B-2.005(1), F.A.C., from the counties where the benefit is demonstrated less (ii) funding allocated in the same fiscal year to all other local government projects funded in those counties.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1), (3) FS. History—New 12-17-90, Amended 6-24-93, 9-5-96, 2-6-97, Formerly 16T-2.005, Amended 5-17-98, 8-26-99, 3-21-01, 7-30-02, 3-3-04, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 4-1-09, 3-7-11, 3-7-12, 4-10-13, 1-27-14, 5-15-16.

66B-2.006 Application Process.

(1) Application Period: With the exception of eligible Disaster Relief Projects, eligible Small-Scale Spoil Island Restoration and Enhancement Projects eligible Small-Scale Derelict Vessel Applications and Waterway Cleanup Events, all applications for assistance through this program will be submitted during the authorized submission period that shall be established by vote of the Board at a scheduled meeting.

(2) Application Forms: Florida Inland Navigation District Waterways Assistance Program Project Application FIND Form Number 90-22 (effective date 4-24-06) and the Waterway Assistance Program Application and Evaluation Worksheet No. 91-25 and 91-25 (A) through (F) (effective date 1/2014) are hereby incorporated by reference and available from the District office. With the exception of projects eligible under the Small-Scale Spoil Island Restoration and Enhancement program, the Small-Scale Derelict Vessel program, and eligible Waterway Cleanup Events, all applications for financial assistance and support through this program from member counties and local governments shall be made on Form Number FIND 90-22 and the Waterway Assistance Program Project Application and Evaluation Worksheet No. 91-25 and 91-25 (A) through (F) and shall include a detailed cost estimate submitted on FIND Form No. 90-25, Florida Inland Navigation District Assistance Program Project Cost Estimate, (effective date 4-24-06), hereby incorporated by reference and available from the District office. In addition, all applicants shall submit a complete and detailed Project Timeline (FIND FORM No. 96-10) (effective date 4-15-07).

(3) Sponsor Resolution: The project sponsor shall approve the submission of an application by official resolution from its governing board or commission. Said resolution shall be made on FIND Form No. 90-21, Resolution for Assistance Under the Florida Inland Navigation District Waterways Assistance Program (effective date 10-14-92), hereby incorporated by reference and available from the District office.

(4) Attorney's Certification: If the application is for a project that is a land based development project the applicant shall submit an Attorney's Certification of Title, FIND Form Number 94-26 (effective date 5-25-00), hereby incorporated by reference and available from the District office.

(5) Maps and Geographic Information: All applicants shall be required to submit, at minimum, the following geographic information: A County location map, a project location map, a project boundary map, and a clear and detailed site development map for land development projects.

(6) Application Review: Applicants shall obtain the local FIND Commissioner's initials on Form No. 90-26 prior to submitting the application to the District office. It is the applicant's responsibility to make timely arrangements for the local FIND Commissioner's review. In the absence of extenuating circumstances outside of the applicant's control as determined by the Board of Commissioners, an application shall not be considered complete if it does not include the local FIND commissioner's initials on Form No. 90-26. Upon receipt in the District office, staff will review the applications for completeness of the informational requirements identified in the Application Checklist, FIND Form Number 90-26 (effective date 7-30-02), and for compliance with the eligibility requirements of this rule. When an application is determined by staff to be incomplete or ineligible, staff will immediately inform the applicant by mail. The applicant will then have until the date established by the Board in the application package to bring the application into compliance. If the applicant fails to provide a complete application in compliance with these rules, the application will not be considered for funding. In order to have a complete application, the applicant shall not only submit the forms required under Rule 66B-2.006, F.A.C., and any other information requirements identified in the Application Checklist (FIND Form Number 90-26), but such forms and other submitted information must be completely filled out, executed as applicable, and also establish compliance with Chapter 66B-2, F.A.C.

(7) Interlocal Agreements: Applications that the Board determines will directly benefit the maintenance of the Atlantic Intracoastal

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Waterway channel as documented by the District's long range dredged material management plans, will directly benefit the maintenance of the Okeechobee Waterway channel as documented by the District's long range dredged material management plan, will directly benefit the maintenance or improvement of District property, right-of-way or navigation interests, or have multiple funding partners including the Corps of Engineers as the project manager can qualify for project assistance through an interlocal agreement pursuant to Chapter 163, F.S., or Section 374.984(6)(a), F.S. District staff will identify these applications and present them to the Board for their determination as to funding. Interlocal agreement projects shall comply with all other provisions of this rule, except for pre-agreement expenses, permitting and property control requirements.

(8) Application Presentations: Applications determined to be complete and in compliance with this rule will be forwarded to the Board for review and then scheduled for presentation to the Board at a scheduled meeting of the Board. Applicants can decline to make a presentation to the Board by submitting a written request.

(9) Application Evaluation and Rating Score: Following the presentations, the Board will review the applications and evaluate them using the Waterways Assistance Program Application and Evaluation Worksheets No. 91-25 (A) through (F) for Waterways Assistance Program applications. The total points awarded to each application by the Commissioners will be averaged to determine an application's final rating score. The final rating score for each application must equal or exceed 35 points for the application to be considered for funding assistance. Reconsideration of any application with a final rating score of less than 35 points will only occur if the majority of the Commissioners evaluating the project rated the project equal to or exceeding 35 points and two-thirds of the Commissioners vote for reconsideration of the application. Only Applicants that are eligible under Rule 66B-2.0061, F.A.C., "Disaster Relief Applications", shall complete FIND Form No. 91-25F Emergency Re-Construction (effective date 4-24-06, 1/2014).

(10) Funding Determination: The Board will hold a funding allocation meeting at which time the Board will determine the allocation of funds, if any, to each project and the projects will be ranked by overall average score to facilitate final funding decisions by the Board. Allocations will be based in part upon the cumulative score of the applications as calculated from the Project Evaluation and Rating Form. Allocations will also be based upon the specific needs of the individual counties.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Amended 9-2-92, 6-24-93, 4-12-95, Formerly 16T-2.006, Amended 5-25-00, 3-21-01, 7-30-02, 3-20-03, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 3-7-11, 1-27-14.

66B-2.0061 Disaster Relief Applications.

Disaster Relief applications may be submitted to the District and considered by the Board at any time during the year to provide assistance to an eligible applicant for the removal of navigation obstructions and repair or replacement of waterway facilities damaged by a declared natural disaster. The District shall consider these applications in accordance with these rules.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 6-24-93, Amended 2-6-97, Formerly 16T-2.0061, Amended 4-24-06.

66B-2.008 Project Eligibility.

(1) Eligible Projects: Financial assistance and support through this program shall be used to plan or carry out public navigation and anchorage management, public recreation, environmental education, boating safety, acquisition and development of spoil sites and publicly owned commercial/industrial waterway access directly related to the waterways, acquisition and development of public boat ramps, launching facilities and boat docking and mooring facilities, inlet management, maritime management planning, environmental mitigation and beach renourishment.

(a) Program funds may be used for projects such as acquisition, planning, development, construction, reconstruction, extension, or improvement, of the following types of projects for public use on land and water. These project types will be arranged into a priority list each year by vote of the Board. The priority list will be distributed to applicants with the project application.

1. Public navigation channel dredging;
2. Public navigation aids and markers;
3. Inlet management projects that are a benefit to public navigation in the District;
4. Public shoreline stabilization directly benefiting the District's waterway channels;
5. Acquisition and development of publicly owned spoil disposal site and public commercial/industrial waterway access;
6. Waterway signs and buoys for safety, regulation or information;
7. Acquisition, dredging, shoreline stabilization and development of public boat ramps and launching facilities;
8. Acquisition, dredging, shoreline stabilization and development of public boat docking and mooring facilities;

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9. Derelict Vessel Removal;
 10. Waterways related environmental education programs and facilities;
 11. Public fishing and viewing piers;
 12. Public waterfront parks and boardwalks and associated improvements;
 13. Maritime Management Planning;
 14. Waterways boating safety programs and equipment;
 15. Beach renourishment on beaches adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project; and,
 16. Environmental restoration, enhancement or mitigation projects; and,
 17. Other waterway related projects. Waterway projects that do not meet specific criteria in subsection 66B-2.005(5) or (6) or subparagraphs 66B-2.008(1)(a)1.-16., F.A.C., but are located on eligible waterways shall be considered for funding under the priority listing of "other waterway related project" and eligible for 25% funding.
 - (b) Ineligible Projects or Project Elements. Project costs ineligible for program funding or matching funds will include: contingencies, miscellaneous, reoccurring personnel related costs, irrigation equipment, ball-courts, park and playground equipment, and any extraneous recreational amenities not directly related to the waterway such as the following:
 1. Landscaping that does not provide shoreline stabilization or aquatic habitat;
 2. Restrooms for non-waterway users;
 3. Roadways providing access to non-waterway users;
 4. Parking areas for non-waterway users;
 5. Utilities for non-waterway related facilities;
 6. Lighting for non-waterway related facilities;
 7. Project maintenance and maintenance equipment;
 8. Picnic shelters and furniture for non-waterway related facilities;
 9. Vehicles to transport vessels; and,
 10. Operational items such as fuel, oil, etc.
 11. Office space that is not incidental and necessary to the operation of the main eligible public building; and,
 12. Conceptual project planning, including: public surveys, opinion polls, public meetings, organizational conferences; and,
 13. Inlet maintenance.
 - (c) Project Elements with Eligibility Limits: Subject to approval by the Board of an itemized expense list:
 1. The following project costs will be eligible for program funding or as matching funding if they are performed by an independent contractor:
 - a. Project management, administration and inspection;
 - b. Design, permitting, planning, engineering or surveying costs for completed construction project;
 - c. Restoration of sites disturbed during the construction of an approved project;
 - d. Equipment costs.
- Before reimbursement is made by the District on any of the costs listed in subparagraph 1. above, a construction contract for the project, approved and executed by the project sponsor and project contractor must be submitted to the District.
2. Marine fire-fighting, Marine law enforcement and other vessels are eligible for a maximum of \$60,000 in initial District funding. All future replacement and maintenance costs of the vessel and related equipment will be the responsibility of the applicant.
 3. Waterway related environmental education facility funding will be limited to those project elements directly related to the District's waterways.
 - (d) Phasing of Projects: Applications for eligible waterway projects may be submitted as a phased project where Phase I will include the design, engineering and permitting elements and Phase II will include the construction of the project. A description and cost estimate of the Phase II work shall be submitted along with the Phase I application for Board review.
- (2) Property Control: The site of a new proposed land-based development project, with the exception of those projects requesting Small-Scale Spoil Island Restoration and Enhancement funding, shall be dedicated for the public use for which the project was intended for a minimum period of 25 years after project completion. Such dedication shall be in the form of a deed, lease, management agreement or other legally binding document and shall be recorded in the public property records of the county in which the property is located. This property control requirement also applies to a project site owned by another governmental entity. The governmental

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entity that owns the project site may be joined as a co-applicant to meet this property control requirement. Existing land based development projects that are being repaired, replaced or modified must demonstrate that the project site has been dedicated for public use for at least 25 years with at least 10 years remaining on the dedication document. Property shall also be deemed dedicated for public use if:

(a) The property has been designated for the use for which the project is intended (even though there may have been no formal dedication) in a plat or map recorded prior to 1940, or

(b) The project sponsor demonstrates that it has had exclusive control over the property for the public use for which the project is intended for a period of at least 30 years prior to submission of the application, or

(c) There is no ongoing litigation challenging the designated use of the property as shown on the plat or map, nor has there been any judicial determination contrary to the use by the public for the use shown on the plat or map.

(3) Permits: The project sponsor is responsible for obtaining and abiding by any and all federal, state and local permits, laws, proprietary authorizations and regulations in the development and operation of the project. Applicants for construction projects that include elements that require state or federal environmental permits or proprietary authorizations will demonstrate that all required environmental permitting and authorizations will be completed by the District's final TRIM hearing. This demonstration will be by submission of the required environmental permit(s) and authorizations, or by submission of a letter from the agency(s) stating that a permit or authorization is not required. Should the environmental permitting element of an application that has construction elements requiring state or federal environmental permits or authorizations not be completed by the District's final TRIM hearing, the construction portion of the project will not be considered for funding. Whereby funding decisions are completed at the final TRIM hearing, the District will not deviate from the funding schedule to accommodate any application deficiency.

(4) Public Marina Qualifications: All public marina projects funded through this program shall include sewage pumpout facilities for vessels, unless the applicant can demonstrate that inclusion of such a facility is physically, operationally or economically impracticable. All public marina projects funded through this program shall have at least ten percent (10%) of their slips or mooring areas available for transient vessels. Public marina dockage rates shall be within market comparison of the dockage rates of other area marinas. The public marina will be required to establish and maintain an accounting of the funds for the facility and shall plan for and retain at all times sufficient funds for the on-going maintenance of the facility during its project life.

(5) The District may assist eligible local governments with efforts to prepare and implement a comprehensive maritime management plan. The plan shall be utilized by the eligible government to promote and maximize the public benefit and enjoyment of eligible waterways, while identifying and prioritizing the waterway access needs of the community. The plan should not duplicate any existing or ongoing efforts for the same waterway or water shed, nor shall the District participate in any effort that does not address the basic maritime needs of the community.

(a) Existing plans may be updated at reasonable intervals or amended to include waterway areas previously not included in the original effort. Public, government, environmental, industry and other pertinent interest groups shall be solicited and included for input in the planning process.

(b) The plan shall be utilized as a tool to provide a minimum 5-year planning analysis and forecast for the maritime needs of the community, and shall include, at minimum, the following:

1. Public boat ramp and ramp parking inventory and analysis.
2. Public mooring and docking facility analysis, including day docks and transient slips.
3. Commercial and working waterfront identification and needs analysis.
4. The identification, location, condition and analysis of existing and potential navigation channels.
5. An inventory and assessment of accessible public shorelines.
6. Public Waterway transportation needs.
7. Environmental conditions that affect boat facility siting, a current resource inventory survey, and restoration opportunities.
8. Economic conditions affecting the boating community and boating facilities.
9. Acknowledgment and coordination with existing data and information, including an emphasis on the Intracoastal Waterway.

(c) Projects requested for assistance program funding shall be consistent with the applicant's maritime management plan. The applicant should utilize the plan to assist in prioritizing waterway improvement projects.

(6) All eligible environmental restoration, enhancement or mitigation projects as well as the environmental restoration, enhancement or mitigation components of other types of projects shall be required to pursue and assign any available mitigation

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credits to the District for that share of the project funded through the District's Assistance Program. All eligible environmental restoration, enhancement or mitigation projects shall provide public access where possible.

(7) Final Decisions: The Board will make all final decisions on the eligibility of a Project or specific project costs.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History--New 12-17-90, Amended 9-2-92, 6-24-93, 2-3-94, 4-12-95, 9-5-96, 2-6-97, Formerly 16T-2.008, Amended 5-17-98, 3-31-99, 5-25-00, 3-21-01, 7-30-02, 3-20-03, 3-3-04, 4-15-07, 3-25-08, 4-1-09, 2-22-10, 3-7-11, 3-7-12, 1-27-14, 2-17-15, 2-21-16.

66B-2.009 Project Administration.

The District will appoint a project manager who shall be responsible for monitoring the project and the project agreement. The project manager shall also be responsible for approving all reimbursement requests. The project sponsor shall appoint a liaison agent, who will be a member of the eligible applicant's staff, to act on its behalf in carrying out the terms of the project agreement. Administration of the project will be as follows:

(1) Project Agreement: For each funded project, the District and the project sponsor will enter into a project agreement. The project agreement shall be executed and returned by the project sponsor within six (6) months of the approval of the project funding and prior to the release of program funds, setting forth the mutual obligations of the parties concerning the project. The project agreement shall incorporate the applicable policies and procedures of the program as outlined in this rule. Project agreements will be for a two-year period with the possibility for one, one-year extension. Any request for a one-year extension of funding shall require submittal by the PROJECT SPONSOR of a request for extension to the DISTRICT no later than July of fiscal year two of the approved project. This request will then be considered by the DISTRICT Board, whose decision shall be final. In review of these requests, the Board will take into consideration the current status and progress of the project and the ability of the applicant to complete the project within one additional year.

(2) Matching Funds: The project sponsor shall clearly identify and enumerate the amount and source of the matching funds it will be using to match the program funds supplied by the District for an approved project. The project sponsor shall provide suitable evidence that it has the matching funds available at the time the project agreement is executed.

(3) Agreement Modification: All proposed changes to the project agreement must be submitted to the District in writing by the project sponsor accompanied by a statement of justification for the proposed changes. All project agreement amendments shall be approved by the District Board, except that the Executive Director may approve a minor project agreement amendment for a project within a county with the local District commissioner's concurrence. A minor project amendment shall not change the approved project's category, result in a reallocation of more than 35% of the approved funding of the project among project elements, nor allow for a greater than 35% change in the project scale or scope of work. Project agreement amendments will not include a change to the approved project's location or a change in the approved project's purpose or project type. Agreed changes shall be evidenced by a formal amendment to the project agreement and shall be in compliance with these rules.

(4) Project Reporting: The liaison agent will submit quarterly reports to the project manager summarizing the work accomplished since the last report, problems encountered, percentage of project completion and other appropriate information. These reports shall continue throughout the length of the project period until completion of the project. The report shall be submitted on Form 95-02, "Assistance Program Project Quarterly Status Report", dated 7-30-02, hereby incorporated by reference and available at the District office. A Final Project Report shall be submitted at the completion of the project and shall at minimum include: project summary, photo of completed project, final cost, project benefits to the waterway and location address.

(5) Reimbursement Requests: The liaison agent may submit periodic reimbursement requests during the project period in accordance with Rule 66B-2.011, F.A.C. The project manager will approve or disapprove all reimbursement requests. The final payment of program funds will be made upon certified completion of the project by the District.

(6) Project Inspection: Upon reasonable request, the project manager shall have the right to inspect the project and any and all records relating to the project.

(7) Project Completion: The project shall be completed within three (3) years of the date of the beginning of the District's first fiscal year for which the project was approved. If the completion of a project is impacted by a declared state of emergency and the Board waives this rule section, the extension of time granted shall not exceed one additional three (3) year period.

(8) Project Completion Requirements: Upon completion of the project, the liaison agent shall provide the following to the project manager:

(a) A Project Completion Certificate, FIND Form No. 90-13 (effective date 7-30-02), hereby incorporated by reference and

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available from the District office, which certifies that the project was completed in accordance with the project agreement and the final project plans.

(b) A final reimbursement request accompanied by all required billing statements and vouchers.

(c) Photograph(s) showing the installation of the sign required by Rule 66B-2.013, F.A.C.

(d) Photograph(s) of the completed project clearly showing the program improvements.

(9) Project Completion Review: The project manager will review the project completion package and will authorize or reject the final reimbursement payment which will include all retained funds from previous requests.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Formerly 16T-2.009, Amended 3-21-01, 7-30-02, 3-7-11, 1-27-14.

66B-2.011 Reimbursement.

The District shall release program funds in accordance with the terms and conditions set forth in the project agreement. This release of program funds shall be on a reimbursement only basis. The District shall reimburse the project sponsor for project costs expended on the project in accordance with the project agreement. Project funds to be reimbursed will require the submission of a Reimbursement Request Form and required supporting documents, FIND Form No. 90-14 (effective date 7-30-02) hereby incorporated by reference and available from the District office.

(1) Authorized Expenditures: Project funds shall not be spent except as consistent with the project agreement cost estimate that was approved by the Board, which shall be an attachment to the project agreement. This cost estimate will establish the maximum funding assistance provided by the District and the percentage of funding provided by each party to the project. The District will pay the lesser of:

(a) The percentage total of project funding that the Board has agreed to fund, or

(b) The maximum application funding assistance amount.

(2) Phase I Reimbursement: In accordance with these rules, reimbursement cannot be made on a Phase I application until a construction contract is executed by the applicant for the construction phase of the project. If the Phase I project is completed but a construction contract is not executed by the three (3) year project deadline, then the District shall only allow one (1) year from the Phase I project deadline to enter into the required construction contract before the Phase I funding is cancelled.

(3) Reimbursement Requests: All project costs shall be reported to the District and summarized on the Reimbursement Request Form. All requests for reimbursement shall include supporting documentation such as billing statements for work performed and cancelled payment vouchers for expenditures made.

(4) Retainage: The District shall retain ten percent (10%) of all reimbursement payments until final certification of completion of the project. The District shall withhold any reimbursement payment, either in whole or part, for non-compliance with the terms of this agreement.

(5) Check Presentations: A District representative shall present the final reimbursement check to the project sponsor during a public commission meeting or public dedication ceremony for the project facility.

(6) Recovery of Additional Project Funding: If the project sponsor receives additional funding for the project costs from another source that was not identified in the original application and that changes the agreement cost-share percentage, the project sponsor shall proportionately reimburse the District's program funds equal to the cost-share percentage in the approved project agreement. The project sponsor shall promptly notify the District of any project payments it receives from a source other than the District.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Amended 6-24-93, Formerly 16T-2.011, Amended 3-31-99, 7-30-02, 3-7-11.

66B-2.012 Accountability.

The following procedures shall govern the accountability of program funds:

(1) Accounting: Each project sponsor is responsible for maintaining an accounting system which meets generally accepted accounting principles and for maintaining such financial records as necessary to properly account for all program funds.

(2) Quarterly Reports: The project sponsor shall submit quarterly project status reports to FIND in accordance with subsection 66B-2.009(4), F.A.C.

(3) Completion Certification: All required final completion certification documents and materials as outlined in subsection 66B-2.009(8), F.A.C., of this rule shall be submitted to the District prior to final reimbursement of program funds.

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(4) Auditing: All project records including project costs shall be available for review by the District or by an auditor selected by the District for 3 years after completion of the project. Any such audit expenses incurred shall be borne entirely by the project sponsor.

(5) Project Records: The project sponsor shall retain all records supporting project costs for three years after either the completion of the project or the final reimbursement payment, whichever is later, except that should any litigation, claim, or special audit arise before the expiration of the three year period, the project sponsor shall retain all records until the final resolution of such matters.

(6) Repayment: If it is found by any State, County, FIND, or independent audit that program funds have not been used in accordance with this rule and applicable laws, the project sponsor shall repay the misused program funds to the District.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Formerly 16T-2.012, Amended 7-30-02.

66B-2.013 Acknowledgement.

The project sponsor shall erect a permanent sign, approved by the District, at the entrance to the project site which indicates the District's participation in the project. This sign shall contain the FIND logo. In the event that the project sponsor erects a temporary construction sign, this sign shall also recognize the District's participation. If the final product of the project is a report, study or other publication, the District's sponsorship of that publication shall be prominently indicated at the beginning of the publication. If the project results in an educational display, the District's logo and a statement of the District's participation in the project shall be contained in the display.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Formerly 16T-2.013, Amended 2-22-10.

66B-2.014 Small-Scale Spoil Island Restoration and Enhancement Projects.

Proposals shall be accepted for the restoration or enhancement of spoil islands and natural islands within the District's waterways for recreational, navigational, educational, and environmental purposes. The applicable provisions of this rule apply to these applications with the following additions or exceptions:

(1) Application Procedure – A Request for Proposals procedure will be used to request proposals for consideration. Proposals shall follow the format described in FIND Document #03-02, Call for Proposals – Small-Scale Spoil Island Restoration and Enhancement Program (effective date 7-30-02), hereby incorporated by reference and available from the District office. Proposals may be submitted to the District and considered by the Board at any time during the year.

(2) Matching Funds: Small-scale spoil island restoration and enhancement may qualify for up to ninety percent (90%) program funds. The applicant's ten percent (10%) matching funds may include in-kind contribution pursuant to paragraph 66B-2.014(4)(b), F.A.C.

(3) Eligibility: All proposals must meet the following eligibility criteria to be considered for funding:

(a) Management Plan Compliance: Projects shall be in compliance with the provisions of any Spoil Island Management Plans or other management plans that govern the Project site.

(b) Property Control: The Project Sponsor must have written property rights on the Project site to construct and maintain the Project for a minimum of five years. Such property rights can be in the form of a lease, interlocal agreement, use agreement or other legal form approved by the District. The applicant shall include a map clearly delineating the location of all proposed work included in the application.

(4) Funds Allocation: Funds shall be allocated pursuant to Rule 66B-2.005, F.A.C., subject to the exceptions identified in this rule, and with the following additions:

(a) The District shall fund a maximum of up to \$7,500 per project, not to exceed \$22,500 per County, per fiscal year.

(b) The Project Sponsor may contribute in-kind construction labor; such in-kind construction labor costs will not be counted by the District as exceeding \$10.00 per hour. No administrative costs can be incorporated into the Project as Project costs.

(c) The funding provided by the District shall only be allocated for specific Project expenses such as construction materials, plant materials, herbicides, etc. The funding provided by the District shall not be allocated for parties, food or beverages.

(5) Hold Harmless Waiver: All volunteers, who are not government employees, shall sign a hold harmless waiver Form No. 02-01 (New 7-30-02) as approved by the District and hereby incorporated by reference and available from the District office.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 7-30-02, Amended 4-24-06, 3-7-11.

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66B-2.015 Small-Scale Derelict Vessel Removal Projects.

Proposals shall be accepted for financial assistance for the removal of derelict vessels within the District's waterways. The applicable provisions of this rule apply to these applications with the following additions or exceptions:

(1) Application Procedure – Applications shall be submitted on a completed FIND Form No. 05-01 (Small-Scale Derelict Vessel Removal Program) (effective date 4-24-06), and FIND Form No. 01-06 (Small-Scale Derelict Vessel Removal Program – Project Cost Estimate), (effective date 4-24-06), hereby incorporated by reference and available from the District office. Applications may be submitted to the District and considered by the Board at any time during the year.

(2) The District shall only fund applicants that have identified derelict vessels to be removed and have a current bid for removal for such vessels, or have completed the removal of such vessels within the 6 months preceding the application, subject to eligibility under these program rules.

(3) The program must be sponsored by an eligible government agency or not-for-profit organization.

(4) District funding shall be limited to \$30,000.00 per county, per year, provided on a reimbursement basis only. The limitation on pre-agreement expenses may be waived by the Board in accordance with subsection 66B-2.005(3), F.A.C.

(5) The eligible applicant must provide the remaining matching funds for project completion. In no case shall the District's cost-share contribution exceed 75% of the total project costs. In-house project management or administration costs are not eligible costs or matching costs.

(6) The derelict vessel must be located in the District's Waterways, as defined in Rule 66B-2.003, F.A.C. The applicant shall include a map clearly delineating the location of all vessels included in the application

(7) The District shall be recognized when possible in all written, audio or video advertising and promotions as a participating sponsor of the program.

(8) The funding provided by the District shall only be allocated for removal of derelict vessels. The District is providing program reimbursement funds only and shall be held harmless with regards to the activities initiated by the applicant.

(9) The applicant shall be responsible for all maintenance, management, disposal and operating expenses associated with the program.

(10) Funds derived from the sale of any derelict vessels or vessel parts removed through this grant program must be reinvested into the applicant's derelict vessel removal program.

(11) The District Board shall make all final decisions concerning the provision of funding for this program.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 4-24-06, Amended 4-15-07, 3-25-08, 3-7-11, 1-27-14.

66B-2.016 Waterways Cleanup Events.

Proposals shall be accepted for financial assistance for the organized removal of refuse within the District's waterways. The applicable provisions of this rule apply to these applications with the following additions or exceptions:

(1) Application Procedure: Prior to the event, a request for funding shall be submitted to the District by means of a cover letter detailing the occurrence of the cleanup, contact information, a map of the cleanup locations and the general parameters of the event. In addition, the Applicant will submit a detailed budget clearly delineating the expenditure of all District funds, as well as the overall general budget of the event. Proposals may be submitted to the District and considered by the Board at any time during the year.

(2) Availability: The District shall fund a maximum of one clean-up program per waterway, per year within a county, with exception to the provisions of subsections (8) through (10), below.

(3) Applicant Eligibility: The clean-up program must be sponsored by a government agency or a registered not-for-profit corporation.

(4) Funding: District funding shall be limited to \$5,000 per waterway, per county, except for the provisions of subsections (8) through (10), below.

(5) The District shall be recognized in all written, on-line, audio or video advertising and promotions as a participating sponsor of the clean-up program.

(6) Funding Eligibility: The funding provided by the District shall only be allocated to reimburse the applicant for out of pocket expenditures related to specific cleanup program expenses such as trash bags, trash collection, haul and landfill fees, gloves, advertising, T-shirts, and related expenses. The funding provided by the District shall not be allocated for parties, meetings, food or beverages.

(7) The District Board shall make all final decisions concerning the provision of funding for a clean-up program.

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In addition to the requirements stated above, a cleanup program implementing all of the following additional incentives will qualify for up to additional \$5,000 in clean up funds.

(8) The clean-up program budget must provide equal or greater matching funds for all Navigation District funding.

(9) The applicant shall tally and report the composition and location of the waterway-related debris, with the goal to show definitive progress in the amount of refuse collected, a reduction in the overall debris in the waterway, or an increase in the number of additional waterway areas included in the clean up.

(10) For each additional \$1,000 in Navigation District funding, the applicant shall coordinate a minimum of one waterway collection point or clean up area, or an applicant can conduct an additional waterway cleanup program for the waterway areas.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 3-7-11.

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EXHIBIT C

FLORIDA INLAND NAVIGATION DISTRICT

ASSISTANCE PROGRAM

Matching Funds Certification

Sponsor: _____

Project Title: _____ Project #: _____

Source of Matching Funds: _____

Amount of Matching Funds: _____

I hereby certify that the above referenced project Sponsor, as of October 01, 2017, has the required matching funds for the accomplishment of the referenced project in accordance with the Waterways Assistance Program Project Agreement between the Florida Inland Navigation District and the Sponsor, dated _____.*

Project Liaison Name: _____

Project Liaison Signature: _____

Date: _____

*S. 837.06 Florida Statutes, False official statements. - Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083 F.S.

FIND Form No. 95-01
New 9/9/95 (revised 7-30-02)

Agenda Item 12C

EXHIBIT D

FLORIDA INLAND NAVIGATION DISTRICT ASSISTANCE PROGRAM PAYMENT REIMBURSEMENT REQUEST FORM

PROJECT NAME: _____ PROJECT #: _____

PROJECT SPONSOR: _____ BILLING #: _____

Amount of Assistance _____
Less Previous Total Disbursements A. _____
Less Previous Total Retainage Held B. _____
Balance Available = _____

Funds Requested This Disbursement

Funds Requested C. _____
Less Retainage (-10% unless final) D. _____
Check Amount = _____

Amount of Assistance _____
Less Total Prior and Current Payments
Including all retainage held (A+B+C+D) _____
Balance Remaining = _____

SCHEDULE OF EXPENDITURES

Expense Description (Should correspond to Cost Estimate Sheet Categories in Exhibit "A")	Check No. Vendor Name and Date	Total Cost	Applicant Cost	FIND Cost
---	-----------------------------------	---------------	-------------------	--------------

Agenda Item 12C

FIND - Form No. 90-14
Page Two

EXHIBIT D (CONTINUED)

SCHEDULE OF EXPENDITURES

Expense Description (Should correspond to Cost Estimate Sheet Categories in Exhibit "A")	Vendor Name	Check No. and Date	Total Cost	Applicant Cost	FIND Cost
---	-------------	-----------------------	---------------	-------------------	--------------

Certification for Reimbursement: I certify that the above expenses were necessary and reasonable for the accomplishment of the approved project and that these expenses are in accordance with Exhibit "A" of the Project Agreement. *

Project Liaison

Date

*S. 837.06 Florida Statutes, False official statements. - Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083 F.S.

FIND - Form No. 90-14
Effective Date 7-30-02)

Agenda Item 12C

EXHIBIT E

FLORIDA INLAND NAVIGATION DISTRICT ASSISTANCE PROGRAM

Project Completion Certification

Sponsor: _____

Project Title: _____ Project #: _____

I hereby certify that the above referenced project was completed in accordance with the Assistance Program Project Agreement between the Florida Inland Navigation District and _____, dated _____, 20____, and that all funds were expended in accordance with Exhibit "A" and Paragraph 1 of the Project Agreement. *

Project Liaison Name: _____

Project Liaison Signature: _____

Date: _____

*S. 837.06 Florida Statutes, False official statements. - Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083 F.S.

FIND Form No. 90-13
(Effective Date: 12-17-90, Revised 7-30-02)

Agenda Item 12C

EXHIBIT F

ASSISTANCE PROGRAM PROJECT QUARTERLY STATUS REPORT

http://www.aicw.org/assistance_programs/waterway_assistance_programs/index.php

PROJECT NO. _____

PROJECT TITLE: _____

PROJECT SPONSOR: _____

REPORT PERIOD

Oct 1-Dec _____ ; Jan-March _____ ; April-June _____ ; July-Sept _____
Report Due: (Dec 30) (March 30) (June 30) (Sep 30)

WORK ACCOMPLISHED:

PROBLEMS ENCOUNTERED:

PERCENTAGE COMPLETION:

OTHER NOTABLE ITEMS:

Form No. 95-02
(Effective Date: 7-30-02)

Agenda Item 12C

EXHIBIT G ASSISTANCE PROJECT SCHEDULE

OCTOBER 2018 -	Project Agreement Executed, Project Initiates.	
DECEMBER 30, 2018 -	First Quarterly Report Due.	Use Quarterly Status Report Form Exhibit F http://www.aicw.org/assistance_programs/waterway_assistance_programs/index.php
MARCH 30 2019 -	Second Quarterly Report Due.	
JUNE 30, 2019-	Third Quarterly Report Due.	
SEPTEMBER 30, 2019 -	Fourth Quarterly Report Due.	
DECEMBER 30, 2019 -	Fifth Quarterly Report Due.	
MARCH 30 2020 -	Sixth Quarterly Report Due.	
JUNE 30, 2020-	Seventh Quarterly Report Due.	

NOTE: If the project will not be completed and all close out paperwork submitted by September 1st, a request for a 1-year extension of the completion date of the project should be submitted with the June 2020 quarterly report.

SEPTEMBER 1-30, 2020 - Closeout paperwork due.

Closeout paperwork consists of :

1. Project Completion Certificate, FIND Form No. 90-13 (effective date 7-30-02), which certifies that the project was completed in accordance with the project agreement and the final project plans.
2. A final reimbursement request accompanied by all required supporting documentation including bills and canceled payment vouchers for expenditures.
3. Photograph(s) showing the installation of the sign required by Rule 66B-2.013, F.A.C.
4. Photograph(s) of the completed project clearly showing the program improvements. (jpg or tif format)
5. A Final Project Report (1-2 pages) that shall at minimum include: project name and address, project summary, final cost, and project benefits to the waterway.

SEPTEMBER 30, 2020 - End of Grant. All work must be complete closeout paperwork submitted.

October 2020 - finish processing closeout paperwork, perform project inspection and submit final reimbursement check and coordinates check presentation to sponsor.

NOTE: ANY MODIFICATIONS to the PROJECT shall require advance notice and prior written approval of the District. The appropriate timing for modifications to the project cost estimate, Exhibit A, would be after receipt of bids.

***NON-COMPLIANCE by the PROJECT SPONSOR with the reporting schedule in Exhibit G may result in revocation of this agreement pursuant to Section 13 of the project agreement.**

Agenda Item 12C

EXHIBIT H

http://www.aicw.org/studies_and_information/bids_files_plans_logos/logos.php#revize_document_center_rz617



Agenda Item 12C



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300, North Bay Village, FL 33141


Tel: (305) 756-7171 | Fax: (305) 756-7722 | Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: November 6, 2018

TO: Graciela Mariot
Interim Village Clerk

FROM: Lewis Velken, 
Interim Village Manager

SUBJECT: Introduction of Resolution

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Resolution:

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE FLORIDA INLAND NAVIGATION DISTRICT AND NORTH BAY VILLAGE FOR CONSTRUCTION OF THE BAYWALK PLAZA AREA PHASE IIIA; APPROVING MATCHING FUNDS; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE APPROPRIATE OFFICIALS TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER LEWIS VELKEN)

Accordingly, please place the item on the next available agenda.

LV:gm

Mayor
Connie Leon-Kreps

Vice Mayor
Andreana Jackson

Commissioner
Jose R. Alvarez

Commissioner
Laura Cattabriga

Commissioner
Eddie Lim

Agenda Item 12C

RESOLUTION NO: _____

1
2
3 A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE,
4 FLORIDA, APPROVING AN AGREEMENT BETWEEN THE FLORIDA
5 INLAND NAVIGATION DISTRICT AND NORTH BAY VILLAGE FOR
6 CONSTRUCTION OF THE BAYWALK PLAZA AREA PHASE IIIA;
7 APPROVING MATCHING FUNDS; AUTHORIZING VILLAGE OFFICIALS
8 TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE
9 AGREEMENT; AUTHORIZING THE APPROPRIATE OFFICIALS TO
10 EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.
11 *(INTRODUCED BY INTERIM VILLAGE MANAGER LEWIS VELKEN)*
12

13 **WHEREAS**, North Bay Village (the "Village") seeks to develop a pedestrian walkway
14 ("Baywalk") along portions of the northern perimeter of Treasure Island; and
15

16 **WHEREAS**, the Village has secured a long-term lease with the Florida Department of
17 Transportation to design and develop an entryway/plaza area at the base to the bridge
18 connecting North Bay Village with the City of Miami Beach; and
19

20 **WHEREAS**, in April, 2012, the Village applied for a grant from the Florida Inland
21 Navigation District ("FIND") for design and permitting for the Phase I work for the eastern plaza
22 area of Village's proposed Baywalk (the "Proposed Project"); and
23

24 **WHEREAS**, the cost for this Proposed Project (Phase IIIA- construction) is \$360,000; and
25

26 **WHEREAS**, FIND recently awarded the Village a \$180,000 grant for the construction of
27 the plaza area; and
28

29 **WHEREAS**, the Village is required to provide a 100% project match of \$180,00 for the
30 Florida Inland Navigation District program grant; and
31

32 **WHEREAS**, the Village wishes to utilize the funds from the Parks and Recreation Trust
33 Fund; and
34

35 **WHEREAS**, the Commission desires to continue the process to complete the Baywalk.
36

37 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH BAY**
38 **VILLAGE, FLORIDA, AS FOLLOWS:**
39

40 **Section 1. Recitals.** The above Recitals are true and correct and incorporated herein
41 by this reference.
42

43 **Section 2. Approval Agreement.** The Agreement between the State of Florida and
44 North Bay Village, a copy of which is attached as Exhibit "A," together with such changes as may
45 be acceptable to the Village Manager and approved as to form and legality by the Village Attorney,
46 is hereby approved.
47

48 **Section 3. Authorization of Village Officials.** The Village Manager and/or his
49 designee and the Village Attorney are authorized to take all actions necessary to enter into the

Agenda Item 12C

50 Agreement and to take all necessary steps to implement the terms and conditions of the
51 Agreement.

52

53 **Section 4. Approval of Matching Funds.** Expenditure of \$180,000 is hereby
54 approved for expenditure from the Parks and Recreation Trust Fund for the North Bay Village
55 Baywalk Plaza Area South, Phase IIIA.

56

57

58 **Section 5. Execution of Agreement.** The Village Manager is authorized to
59 execute the Agreement, and any necessary extensions of time of the agreement through
60 October 1, 2015, on behalf of the Village subject to the approval as to form and legality by the
61 Village Attorney.

62

63 **Section 5. Effective Date.** This Resolution shall take effect immediately upon
64 adoption.

65

66 The motion to adopt the foregoing Resolution was offered by _____, seconded by
67 _____. The votes were as follows:

68

69 **FINAL VOTE AT ADOPTION:**

70 Mayor Connie Leon-Kreps _____
71 Vice Mayor Andreana Jackson _____
72 Commissioner Jose R. Alvarez _____
73 Commissioner Laura Cattabriga _____
74 Commissioner Eddie Lim _____

75

76 **PASSED AND ADOPTED** this 13th day of November 2018.

77

78

79

80 _____
81 Connie Leon-Kreps
82 Mayor

83

84

85 **ATTEST:**
86 _____

87 Graciela Mariot
88 Interim Village Clerk

89 **APPROVED AS TO FORM FOR USE ONLY BY**
90 **NORTH BAY VILLAGE:**

91 _____

92

93 Norman C. Powell, Esq.
94 Village Attorney

95

96 North Bay Village Resolution: FIND Agreement for Baywalk Plaza Area South, Phase IIIA



Staff Report Permit Application for Dock

Prepared for: North Bay Village Commission

Applicant: Samer El Fashny

Site Address: 1550 South Treasure Drive

*Request: Dock and Boat Lift Construction Beyond
the D-5 Triangle and Farther than 25 feet
from the Seawall*



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Agenda Item 14A

Staff Report
Dock Permit Request

Applicant: Samer El Fashny
1550 S Treasure Drive

General Information

Owner	Samer El Fashny
Applicant Address	16699 Collins Avenue #4203 Sunny Isles Beach, Fl. 33160
Site Address	1550 S Treasure Drive
Contact Person	Lino R. Solano
Contact Phone Number	305-643-8699
E-mail Address	linosolano@solverstructural.com
Zoning District	RS-2
Use of Property	Single Family Home

General Description

The applicant is requesting a permit to construct a new dock at a residence in the RS-2 zoning district. The proposed dock extends 45 feet from the existing seawall into Biscayne Bay and includes a 30,000-pound capacity boat lift, which will extend no further into the bay than the dock. A new seawall cap is proposed as well.

Applicable Code Provisions

The construction or alteration of docks, piers, etc is governed by Section 9.12 of the Village Unified Land Development Code. Section 9.12(B) reads as follows:

1. No person, firm, or corporation shall construct any docks, piers, dolphins, wharfs, pilings, boat lifts, or similar structures of any kind more than 25 feet perpendicular from the seawall or shoreline into any waterway within the corporate limits of the Village without first-obtaining a waiver from the Village Commission after a public hearing. However, the furthestmost distance seaward from the seawall or shoreline shall not exceed 75 feet including all dolphins or pilings installed beyond the seaward most line of the dock or pier but not including required rip-rap.
2. No dock, pier, wharf, dolphin, piling, or similar structure shall be erected in the Village unless the structure is set back at least 7½ feet from the lot line on each side.
3. No person, firm, or corporation shall build, extend, or make any structural alteration on any building, dock, pier, dolphin, wharf, piling, bulkhead, seawall, or similar structure within the corporate limits of the Village, or do any filling, excavating, or dredging in the waters without first obtaining a building permit to do so from the Village Building Department.
4. Application for any permit or the transfer of any permit required by this section shall be made to the



Agenda Item 14A

Staff Report
Dock Permit Request

Applicant: Samer El Fashny
1550 S Treasure Drive

Village Building Department in writing on forms provided therefore. The permit shall constitute an agreement by the applicant to comply with all conditions imposed upon granting of the permit. The application shall be accompanied by plans and specifications setting forth in detail the work to be done.

5. Permits for seawalls and dock structures can be approved administratively and do not require a hearing or approval of the Village Commission if:
 - a. All proposed dock structures, including but not limited to boat lifts and mooring piles, are not placed more than 25 feet measured perpendicular from the seawall.
 - b. All proposed dock structures, including but not limited to boat lifts and mooring piles, are entirely within the D-5 triangle as described in Section D5 of the Miami-Dade Public Works Manual.
6. Applications for docks, boat lift, mooring piles or other similar structures that do not meet the administrative approval criteria of Section 6 above shall be heard by the Village Commission at a public hearing. If an applicant seeks a dock or pier length greater than 25 feet measured perpendicular from the seawall (including boat lifts, mooring piles or other structures), the Village Commission shall consider the following criteria to determine if a distance waiver shall be granted:
 - a. If the Applicant has provided to the Village notarized letter(s) of consent from adjoining riparian property owners, and
 - b. If the Village has received any letter(s) of objection from adjoining riparian property owners; and
 - c. Any other factors relevant to the specific site.
7. The Village Commission may deny, approve, or modify the request and/or impose conditions in the permit, or granting of a distance waiver, which it deems necessary to protect the waterways of the Village in accordance with the public safety and the general welfare. The requirement of approval by the Village Commission shall not include applications for repair of existing structures.
8. A public hearing held pursuant to this Section shall be quasi-judicial.
9. Repair or reconstruction of existing structures shall not require approval of the Village Commission but may be approved administratively. However, the provisions of subsections 4 and 5 above shall be complied with.
10. A safety light shall be placed on the part of the structure (either dock, mooring pile, or boat lift) which is furthest from the seawall. The light shall be illuminated from one half hour prior to sunset to one half hour after sunrise.



Agenda Item 14A

Staff Report
Dock Permit Request

Applicant: Samer El Fashny
1550 S Treasure Drive

Staff Comments

The proposed dock extends 45 feet from the seawall and is located so that the 7.5 foot side setbacks from the property lines are met.

Since the dock and boat lift extend outside the D-5 triangle and farther than 25 feet from the seawall, the Applicant's plans must be approved by the Village Commission at a public hearing. It is the Commission's decision to grant or deny a waiver for these plans.

Miami-Dade DERM has provided pre-approval for the current plans.

In addition to the dock and lift, the proposed plans include a new seawall cap to be poured over the existing seawall cap. At this time, the applicant has not provided any documentation regarding the state of the current seawall structures.

No letters of consent or letters of objection from adjacent property owners have been submitted with the current application or submitted separately as of the writing of this report.

Staff Recommendations

Since the proposed dock meets applicable standards and staff has not received any objections to the Applicant's request, we recommend approval of the proposed plans. However, if there are any objections submitted prior to the public hearing or at the public hearing, the Village Commission should consider those objections in their decision to approve or deny the Applicant's plans. If the Commission chooses to approve the Applicant's request, the approval should be subject to the following conditions being met prior to the issuance of a building permit:

1. A safety light shall be placed on at least one of the boat lift pilings which is furthest from the seawall. The light shall be illuminated from one half hour prior to sunset to one half hour after sunrise.
2. Verification that the current seawall structures are in good repair or completion of any necessary seawall repairs.
3. Compliance with all state, federal, and environmental laws including, but not limited to, compliance with a State Programmatic General Permit as may be required by the U.S. Army Corps of Engineers. All applicable state and federal permits must be obtained before commencement of construction.
4. Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.



Agenda Item 14A

Staff Report
Dock Permit Request

Applicant: Samer El Fashny
1550 S Treasure Drive

5. Cost recovery charges must be paid pursuant to Section 5.12. Specifically, no new development application shall be accepted and no building permit shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
6. Authorization or issuance of a building permit by the Village does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for issuance of a building permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that results in a violation of federal or state law.

Submitted by:

James G. LaRue
James G. LaRue, AICP
Planning Consultant
November 6, 2018

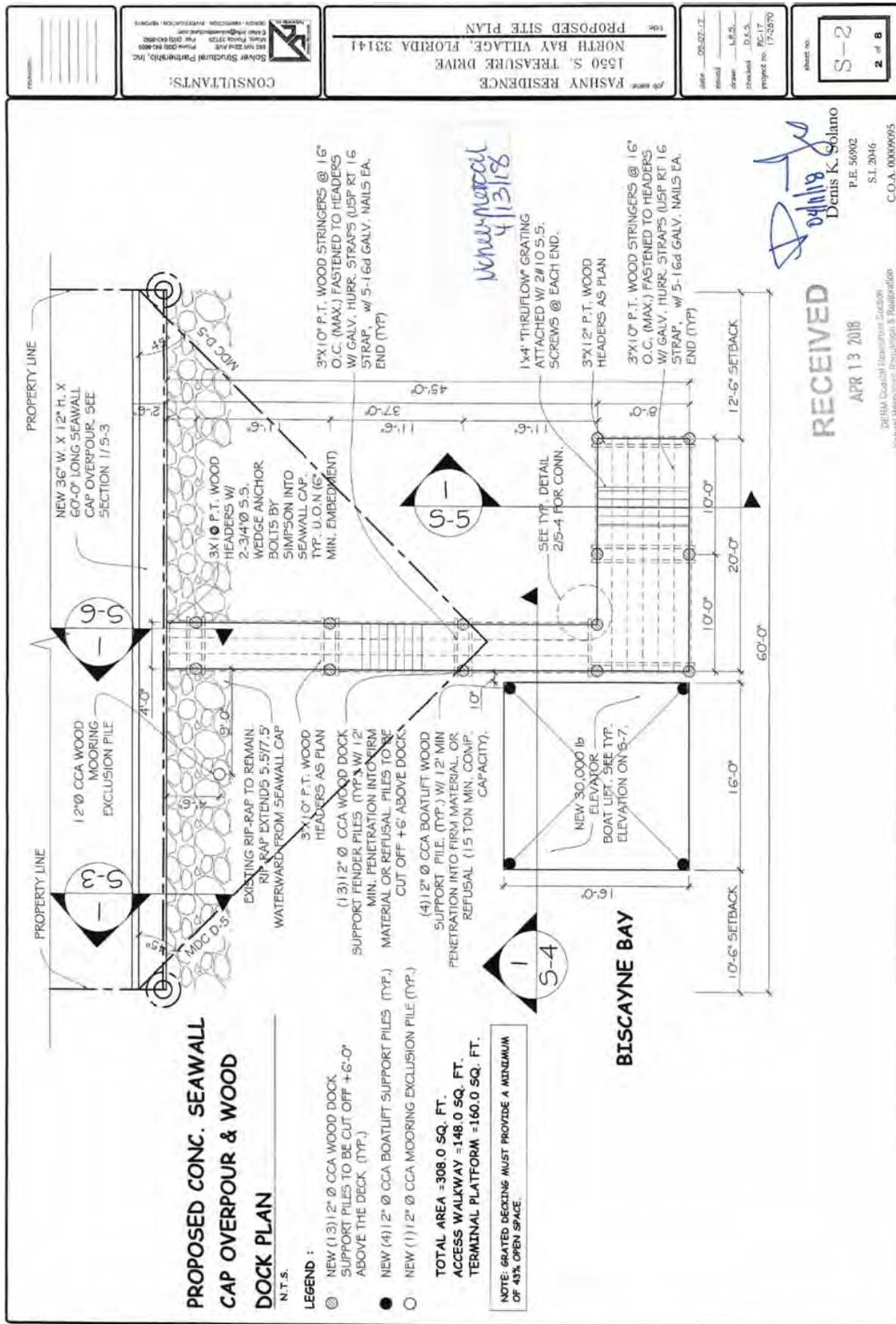
Hearing: Village Commission, November 13, 2018

Attachments: Dock Plans Provided by Applicant



Applicant: Samer El Fashny
1550 S Treasure Drive

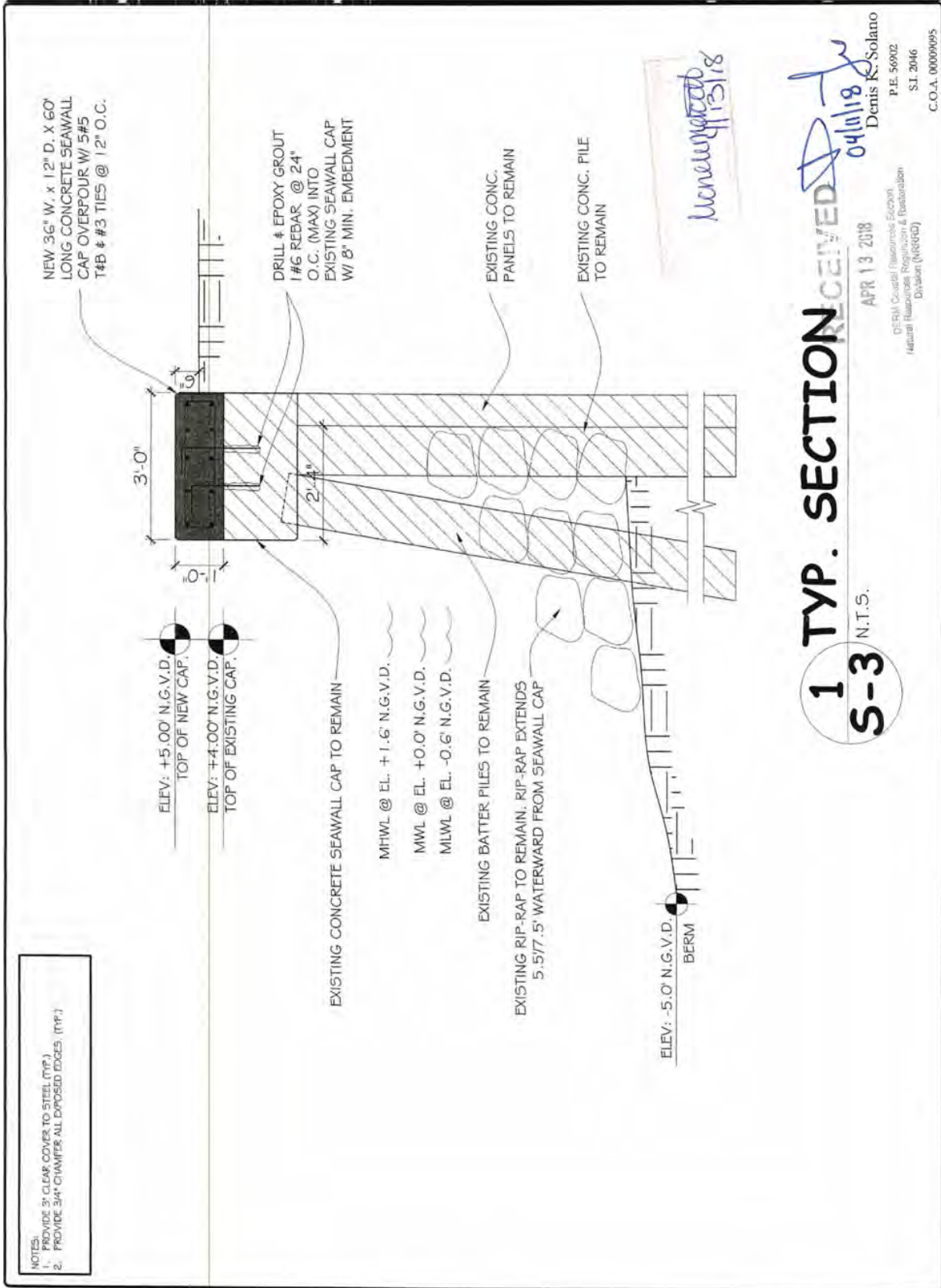
Staff Report
Dock Permit Request



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Applicant: Samer El Fashny
1550 S Treasure Drive

Staff Report
Dock Permit Request

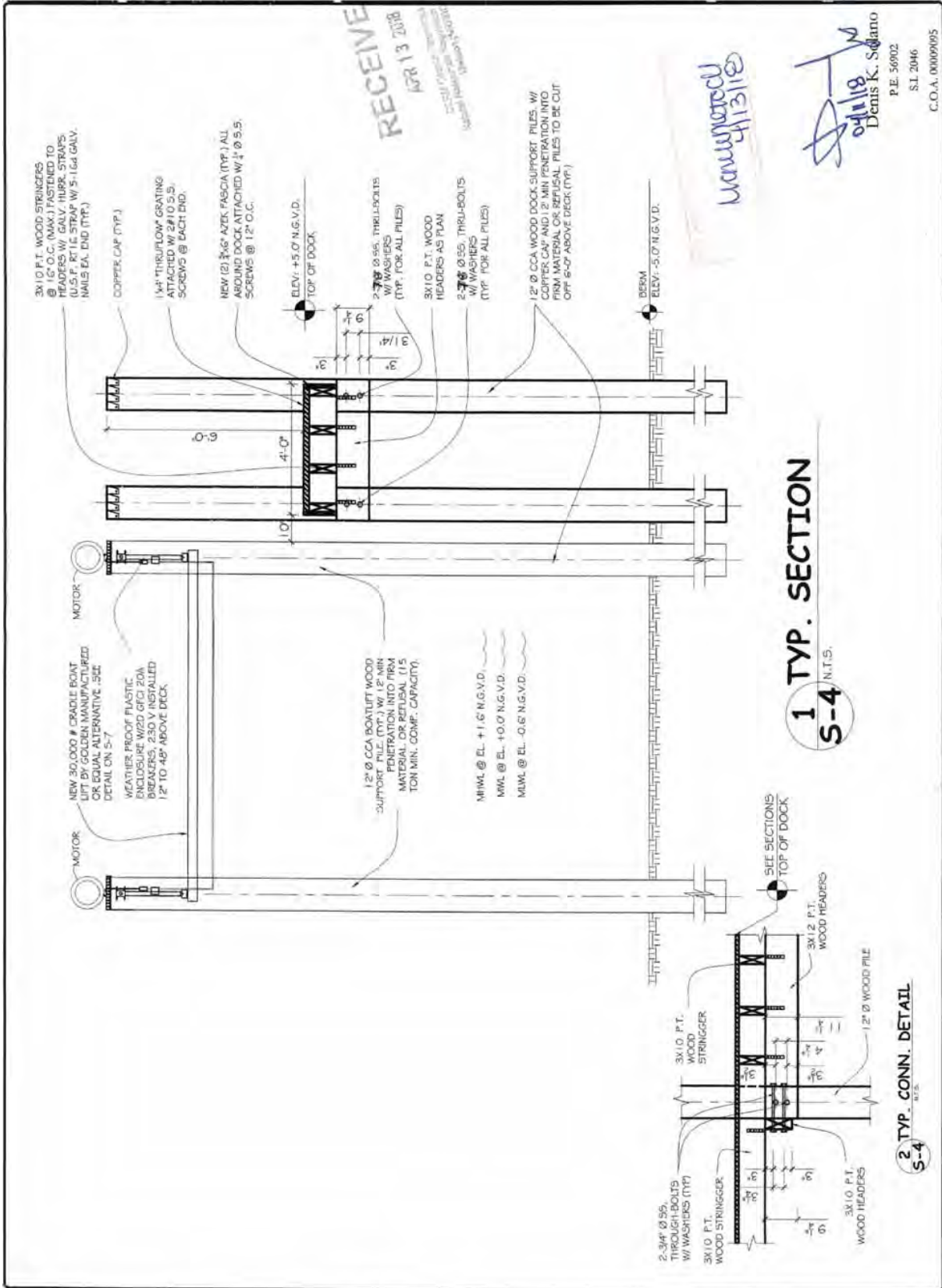


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Agenda Item 14A

Applicant: Samer El Fashny
1550 S Treasure Drive

Staff Report
Dock Permit Request



1 TYP. SECTION
S-4 N.T.S.

2 TYP. CONN. DETAIL
S-4 N.T.S.

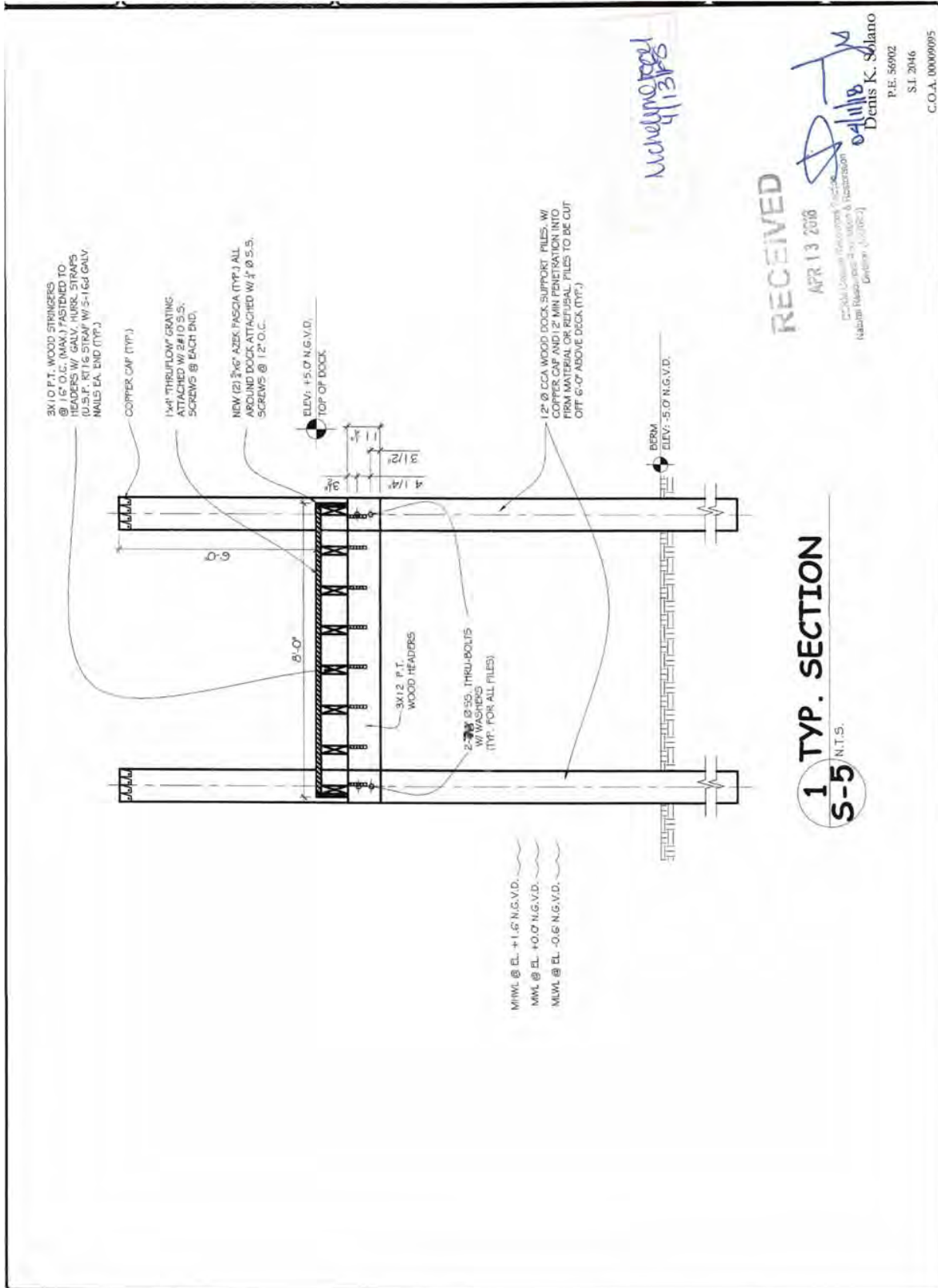


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Agenda Item 14A

Applicant: Samer El Fashny
1550 S Treasure Drive

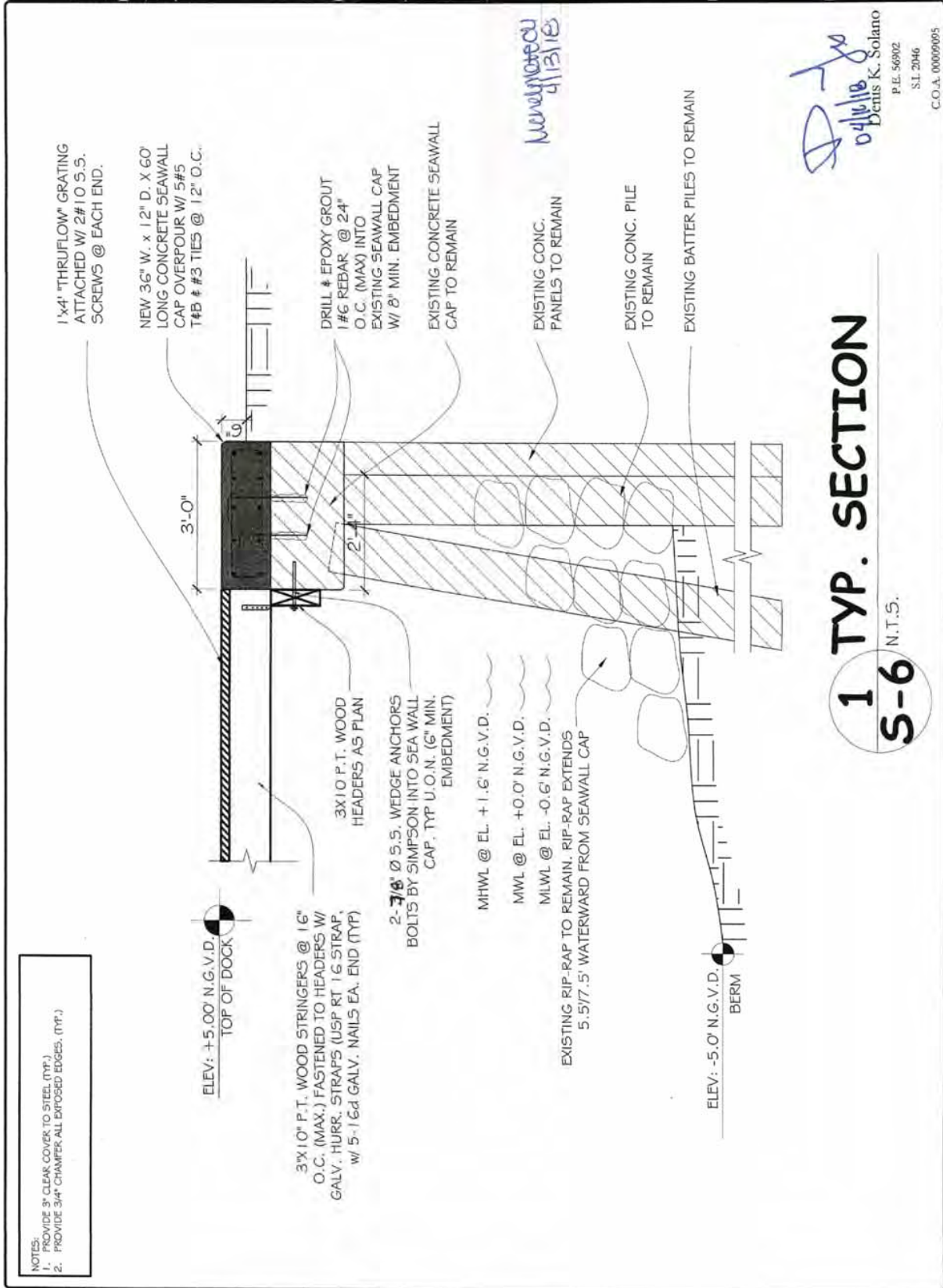
Staff Report
Dock Permit Request



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Applicant: Samer El Fashny
1550 S Treasure Drive

Staff Report
Dock Permit Request



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Agenda Item 14A



10/01/10 12:01PM

DOCK APPLICATION FOR PUBLIC HEARING

Page 1 of 3

Site Address 1550 S. Treasure Drive, North Bay Village Florida

Owner Name Samer El Fashny Owner Phone # (305) 753-0480

Owner Mailing Address 16699 Collins Avenue #4203

Applicant Name Samer El Fashny Applicant Phone # (305) 753-0480

Applicant Mailing Address 16699 Collins Avenue #4203, Sunny Isles Beach FL 33160

Contact Person Lino R. Solano Contact Phone # (305) 643-8699

Contact Email Address linosolano@solverstructural.com

Legal Description of Property Treasure Island PB 50-67, Lot 20 BLK 1

Existing Zoning _____ Lot Size 60x150 Folio Number 23-3209-009-0200

Legal Description Treasure Island PB 50-67, Lot 20, BLK 1, Lot Size 60.000 x 150

Project Description 1) New 308 S.F. wood dock with supporting 12"Ø CCA wood piles

2) New 4-post elevator boat lift, 3) 36"W x 12"D x 60'L concrete seawall cap overpour.

Dock Length Measured Perpendicular from Seawall 45'-0" (see sheet S-2)

Mandatory Submittals (Applicant must check that each item is included with this application)

Site plans which depict:

- North point
- Scale at 1/16 inch to the foot, or larger
- Date of preparation
- Dock structures
- Any mechanical equipment
- Any exterior lighting
- Any other physical features

Property survey

- Elevations
- DERM approval
- Application fees
- Cost recovery deposit

Agenda Item 14A

DOCK APPLICATION FOR PUBLIC HEARING

Page 2 of 3

Applications are incomplete until all mandatory submittals have been received by the Village Clerk.

All requests for dock approval from the North Bay Village Code shall be considered at Public Hearings before the Village Commission. Notice of Hearing shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the petition is complete before the hearing is legally advertised. All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

All persons, firms, or corporations requesting dock approval from the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such a variance request, pursuant to Section 152.110 of the Village Code.

All new and substantial improvements must comply with the Florida Building Code, Department of Environmental Resource Management (DERM), and FEMA regulations.

I (We) the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held by the Village Commission has voted favorable on the proposed request.

I (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning and Zoning Board and the Village Commission pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Village Commission revoked.

Authorized Signature *Samer El Fashny*

Print Name Samer El Fashny

(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

STATE OF FLORIDA
COUNTY OF Miami-Dade

Sworn to and subscribed to before me this 10 day of July, 2018.

by *Samer El Fashny*

who is personally known to me or who has produced *personally known* as identification.

Notary Public Signature *[Signature]*

Commission Number/Expiration _____



Agenda Item 14A

DOCK APPLICATION FOR PUBLIC HEARING

Page 3 of 3

Office Use Only:

Date Submitted: 10/10/2018
Tentative Meeting Date: Nov. 6, 2018 Ptz
Fee Paid: \$ 2,300.⁰⁰
Cash or Check # 8355
Date Paid: 10/10/2018

MAP OF BOUNDARY SURVEY

LB No. 7633
 PROFESSIONAL SURVEYORS AND MAPPERS
 1470 N.W. 107th AVENUE, SUITE 11
 MIAMI, FL 33172
 PHONE: (805) 556-4002 FAX: (805) 556-4003
 WWW.LMSURVEYING.COM
 EMAIL: LANDMARKSURVEYING@HOTMAIL.COM

ABBREVIATIONS AND LEGEND:

AC	= DENOTES AIR CONDITIONING UNIT
APPR.	= DENOTES ASPHALT
ASPH.	= DENOTES APPROXIMATE
B.C.	= DENOTES BRICK CORNER
B.M.	= DENOTES BENCH MARK
C.M.S.	= DENOTES CONCRETE BLOCK STUCCO
CONC.	= DENOTES CONCRETE
L.P.	= DENOTES LIGHT POLE
CB	= DENOTES CATCH BASIN
C.M.	= DENOTES CENTERLINE
M	= DENOTES MONUMENT LINE
L.M.E.	= DENOTES LAKE & MAINTENANCE
E	= EASEMENT
D.H.	= DRAINAGE EASEMENT
D.H.	= DENOTES DRILL HOLE
(M)	= DENOTES MEASURE
(R)	= DENOTES RECORD
WPP	= DENOTES WOOD POWER POLE
U.E.	= DENOTES UTILITY EASEMENT
P.B.	= DENOTES PLAT BOOK
PG.	= DENOTES PAGE
P.C.P.	= DENOTES PERMANENT CONTROL POINT
P.O.B.	= DENOTES POINT OF BEGINNING
TYP.	= DENOTES TYPICAL
—	= DENOTES WOOD FENCE
—	= DENOTES CHAIN LINK FENCE
—	= DENOTES IRON FENCE
—	= DENOTES FOUND IRON PIPE (NO ID.)
—	= DENOTES FOUND NAIL AND DISC
—	= DENOTES ASPHALT PAVEMENT
—	= DENOTES BRICK
—	= DENOTES CONCRETE PAD

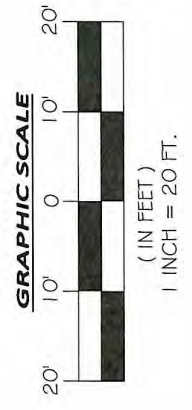
ALL BEARINGS AND DISTANCES SHOWN HEREON ARE RECORD AND MEASURED UNLESS OTHERWISE NOTED.

FLOOD ZONE:	AE
ELEVATION:	8.0
COMMUNITY:	120654
PANEL:	12086C0300
DATE OF FIRM:	09-11-2009
SUFFIX:	L
ORIGINAL FIELD WORK SURVEY DATE:	07-11-2016
BENCH MARK:	N/A
ELEVATION:	N/A
DATE:	07-13-2016
DRAWN BY:	M.G
SCALE:	1"=20'

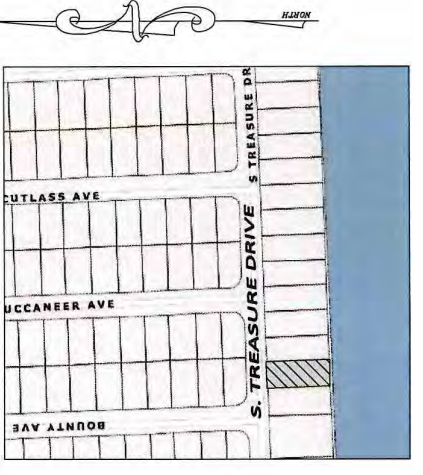
REVISION / UPDATE OF SURVEY

DATE:	02-15-2017	DESCRIPTION:
RE-PRINT:		

JOB No.
1607-023

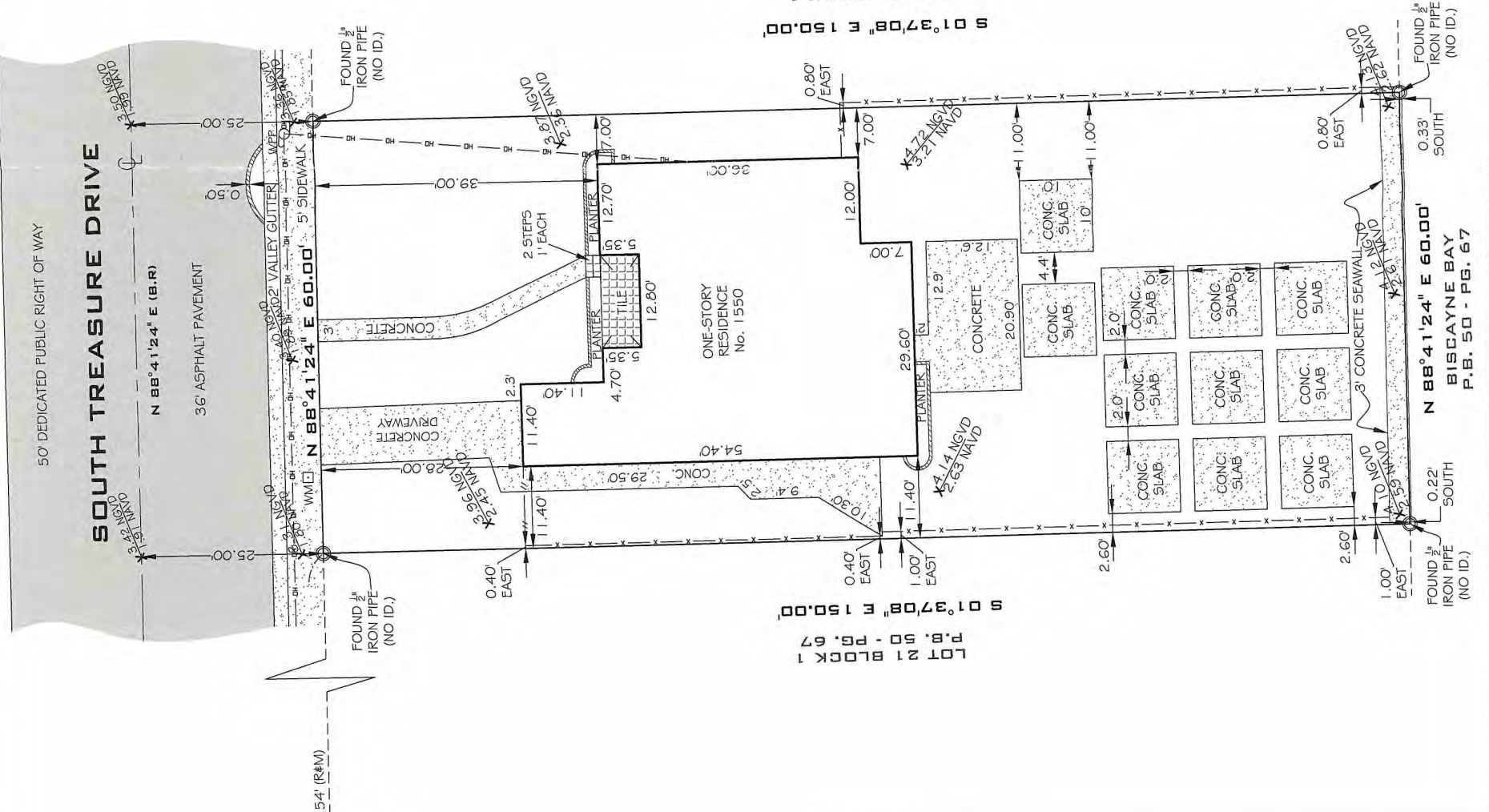


LOCATION MAP
 SECTION 9 TOWNSHIP 53 SOUTH, RANGE 42 EAST
 LYING AND BEING IN MIAMI-DADE COUNTY FLORIDA
 (NOT TO SCALE)



SURVEYOR'S CERTIFICATION: I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS "MAP OF BOUNDARY SURVEY" IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION, THAT IT MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.050 THROUGH 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODE AND ITS IMPLEMENTING LAW, PURSUANT TO CHAPTER 42.02, FLORIDA STATUTE.

SIGNED: *[Signature]*
 ACTUARY/REGISTERED PROFESSIONAL SURVEYOR
 F.S.M.C. No. 5844, STATE OF FLORIDA
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES IN A DIGITAL FORMAT. NOT VALID WITHOUT AN AUTHENTIC ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.



LEGAL DESCRIPTION:

LOT 20, BLOCK 1, OF "TREASURE ISLAND", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 50, AT PAGE 67, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PROPERTY ADDRESS:

FOLIO NO. 23-3209-009-0200
 1550 S TREASURE DRIVE
 NORTH BAY VILLAGE, FL 33141

AREA OF PROPERTY: 9,000 SQUARE FEET AND/OR
 0.207 ACRES MORE OR LESS.

CERTIFIED TO:

THIS BOUNDARY SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAME HEREON. THE CERTIFICATIONS DO NOT EXTEND TO ANY UNNAMED PARTIES.

- SAMER EL FASHY & SAMEH GHOBRIAL
- PRIME RESOURCE TITLE
- WFG NATIONAL TITLE, INSURANCE

SURVEYOR'S NOTES:

- THE ABOVE CAPTIONED PROPERTY WAS SURVEYED AND DESCRIBED BASED ON THE ABOVE LEGAL DESCRIPTION: PROVIDED BY CLIENT.
- THIS CERTIFICATION IS ONLY FOR THE LANDS AS DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS, OR FREEDOM OF ENCUMBRANCES. ABSTRACT NOT REVIEWED.
- THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS BOUNDARY SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF HIS COUNTY. EXAMINATION OF ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE ACCURACY, IF ANY AFFECTING THIS PROPERTY.
- ACCURACY: THE EXPECTED USE OF THE LAND, AS CLASSIFIED IN FLORIDA MINIMUM TECHNICAL STANDARDS (5J-17.51FAC), IS "RESIDENTIAL". THE MINIMUM RELATIVE ACCURACY FOR THIS TYPE OF BOUNDARY SURVEY IS 1 FOOT IN 7,500 FEET. THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSED GEOMETRIC FIGURE WAS FOUND TO EXCEED THIS REQUIREMENT.
- FOUNDATIONS AND/OR FOOTINGS THAT MAY CROSS BEYOND THE BOUNDARY LINES OF THE PARCEL HEREIN DESCRIBED ARE NOT SHOWN.
- TYPE OF SURVEY: BOUNDARY SURVEY
- ELEVATIONS SHOWN HEREON ARE BASED ON TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D. 29), OR AS SHOWN ON SKETCH.
- ALL MEASUREMENTS ARE IN ACCORDANCE WITH THE UNITED STATES STANDARD U.S. FOOT.
- CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK ON THE HEREIN DESCRIBED PARCEL FOR BUILDING AND ZONING INFORMATION.
- UNDERGROUND UTILITIES ARE NOT DEPICTED HEREON. CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK OR CONSTRUCTION ON THE PROPERTY HEREIN DESCRIBED. SURVEYOR SHALL BE NOTIFIED AS TO ANY DEVIATION FROM UTILITIES SHOWN HEREON.
- ENCUMBRANCES NOT SHOWN ON THE PLAT.
- THE WRITTEN CONSENT OF LANDMARK SURVEYING & ASSOCIATES, INC. UNDERGROUND PORTIONS OF FOOTING, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- ONLY VISIBLE AND ABOVE GROUND ENCROACHMENTS LOCATED.
- WALL TIES ARE TO THE FACE OF THE WALL.
- FENCE OWNERSHIP NOT DETERMINED.
- BEARINGS REFERENCED TO LINE NOTED AS B.R.
- BOUNDARY SURVEY MEANS A DRAWING AND/OR GRAPHIC REPRESENTATION OF THE SURVEY WORK PERFORMED IN THE FIELD.
- NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS NOTED.
- THE SOURCES OF DATE USED FOR THE PREPARATION OF THIS BOUNDARY SURVEY IS "TREASURE ISLAND" RECORDED IN PLAT BOOK 50, AT PAGE 67.
- THIS MAP OF SURVEY IS INTENDED TO BE DISPLAYED AT A SCALE OF ONE INCH EQUALS 20 FEET OR SMALLER.

revisions:

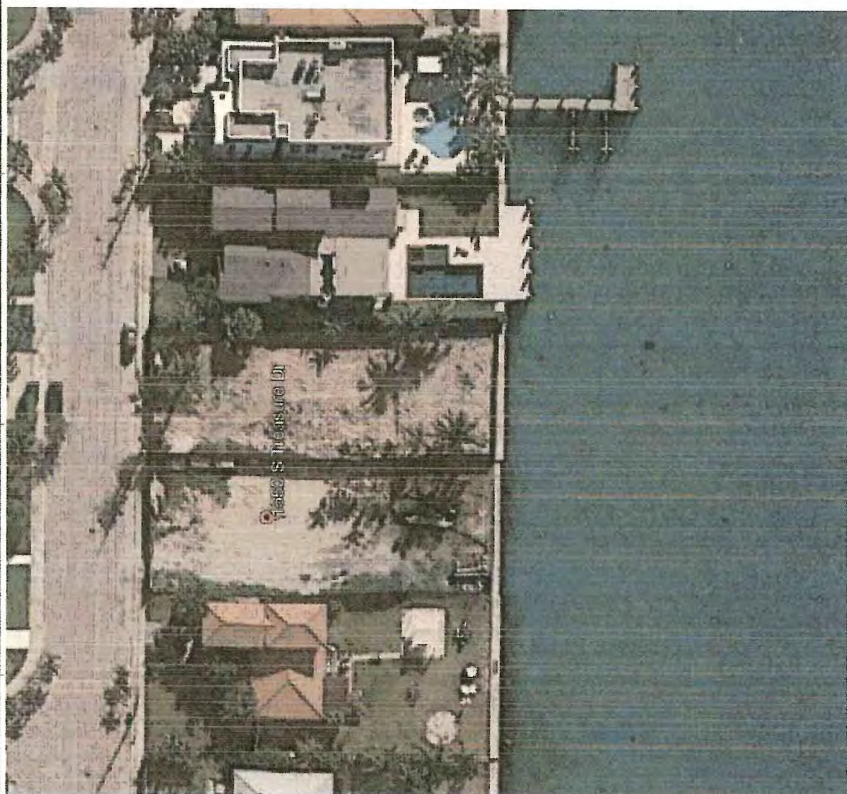
Solver Structural Partnership, Inc.
950 NW 22nd Avenue
Miami, Florida 33125
E-Mail: info@solverstructural.com
Phone: (305) 643-8699
Fax: (305) 643-8698
DESIGN - INSPECTION - INVESTIGATION - REPORTS

CONSULTANTS:

job name: FASHNY RESIDENCE
1550 S. TREASURE DRIVE
NORTH BAY VILLAGE, FLORIDA 33141
title: EXISTING SITE PLAN

date: 09-07-17
issued: _____
drawn: L.R.S.
checked: D.K.S.
project no.: RC-17-2870

sheet no.
S-1
1 of 8



ENLARGED LOCATION MAP



LOCATION MAP

Denis K. Solano
P.E. 56902
S.I. 2046
C.O.A. 00009095

PROJECT LOCATION:

LAT: 25.503598 N LONG: -80.004897 W
FOI# 23-3209-009-0200

DIRECTIONS:

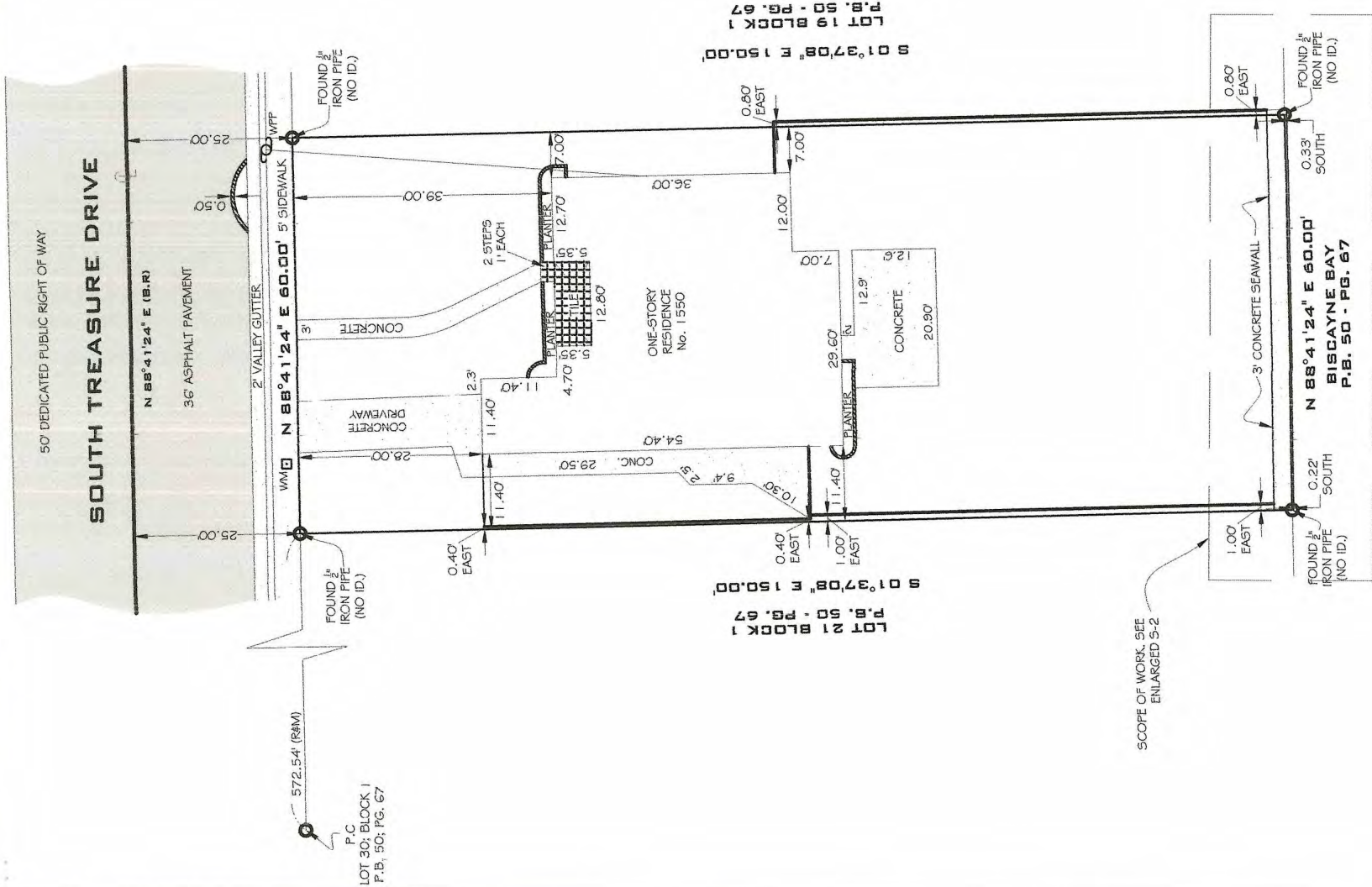
I-95 TO MIAMI BEACH, LEFT ON PINE TREE DR., NORTH ON PINE TREE DR TO W 63 ST, RIGHT ON TO 63 ST TO ALLISON ROAD, LEFT ON ALLISON ROAD TO PROJECT SITE ON RIGHT.

PROJECT SITE ADDRESS:

FAHNSY RESIDENCE
1550 S. TREASURE DRIVE
NORTH BAY VILLAGE, FLORIDA 33141

ADJOINING OWNERS:

- HOLGER PIENING
1540 S. TREASURE DR.
NORTH BAY VILLAGE, FLORIDA 33141
- SIBER US LLC
1560 S. TREASURE DR.
NORTH BAY VILLAGE, FLORIDA 33141




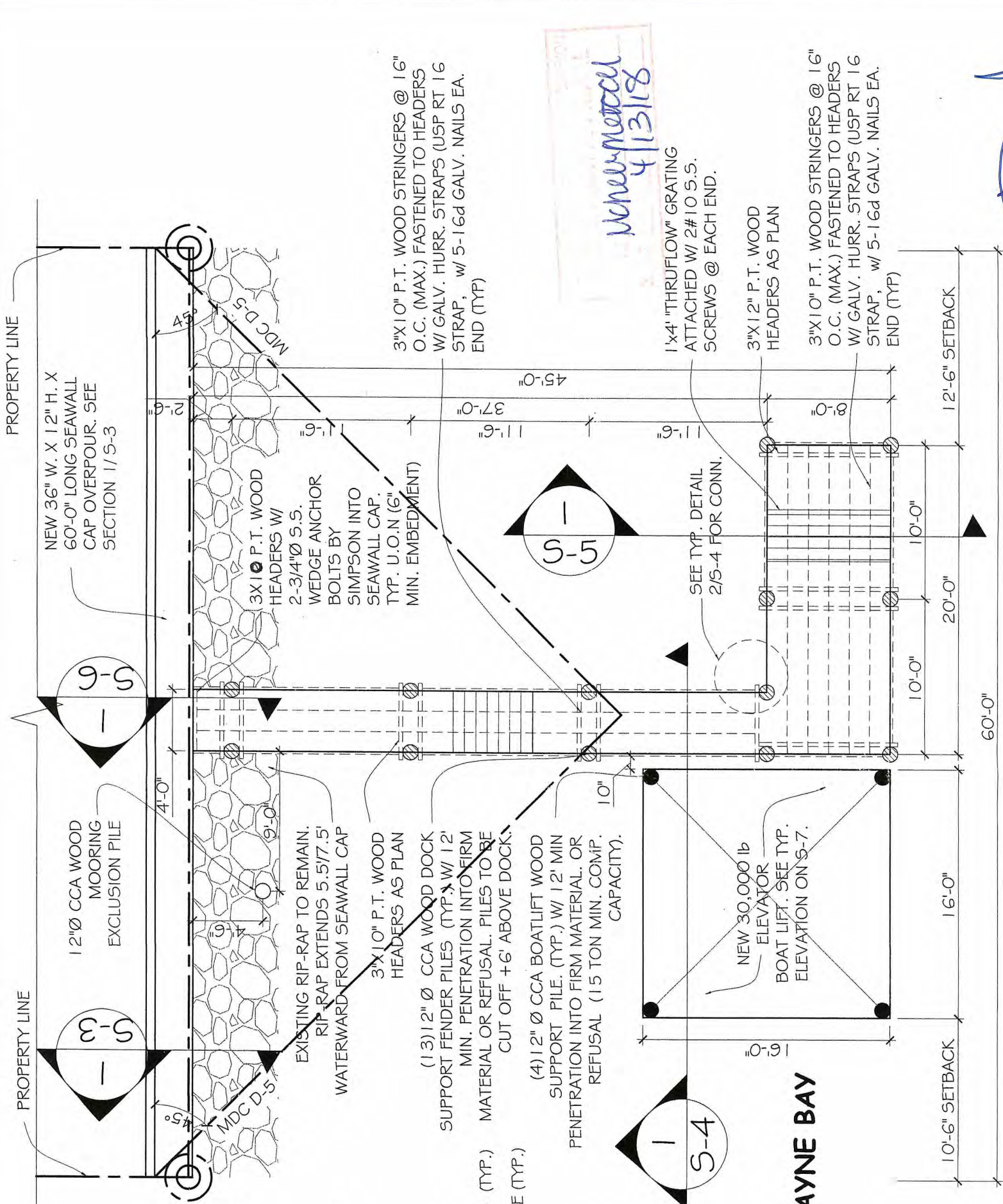
EXISTING SITE PLAN

SCOPE OF WORK, SEE ENLARGED S-2

RECEIVED
APR 13 2018
Florida Department of Environmental Protection
REGULATORY SERVICES SECTION
1550 S. Treasure Dr. North Bay Village, FL 33141

NORWEGIAN CONSULTANTS
4/13/18
011-2017-0401

reVISIONS: 	CONSULTANTS:  Solver Structural Partnership, Inc. Phone: (305) 643-6692 Fax: (305) 643-6692 E-Mail: info@solverstructural.com 850 NW 22nd Ave Miami, Florida 33125 DESIGN - INSPECTION - INVESTIGATION - REPORTS	Job name: FASHNY RESIDENCE 1550 S. TREASURE DRIVE NORTH BAY VILLAGE, FLORIDA 33141 title: PROPOSED SITE PLAN	date: 09-07-17 issued: drawn: L.R.S. checked: D.K.S. Project no.: RC-17 17-2870	sheet no. <div style="border: 1px solid black; padding: 5px; text-align: center;"> S-2 </div> 2 of 8
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**PROPOSED CONC. SEAWALL
CAP OVERPOUR & WOOD
DOCK PLAN**

- N.T.S.
- LEGEND :**
- NEW (13) 12" Ø CCA WOOD DOCK SUPPORT PILES TO BE CUT OFF +6'-0" ABOVE THE DECK (TYP.)
 - NEW (4) 12" Ø CCA BOATLIFT SUPPORT PILES (TYP.)
 - NEW (1) 12" Ø CCA MOORING EXCLUSION PILE (TYP.)
- TOTAL AREA = 308.0 SQ. FT.
ACCESS WALKWAY = 148.0 SQ. FT.
TERMINAL PLATFORM = 160.0 SQ. FT.**

NOTE: GRATED DECKING MUST PROVIDE A MINIMUM OF 43% OPEN SPACE.

Whenny Metcalfe
4/13/18


D.K.S.

Denis K. Solano
P.E. 56902
S.I. 2046
C.O.A. 00009095

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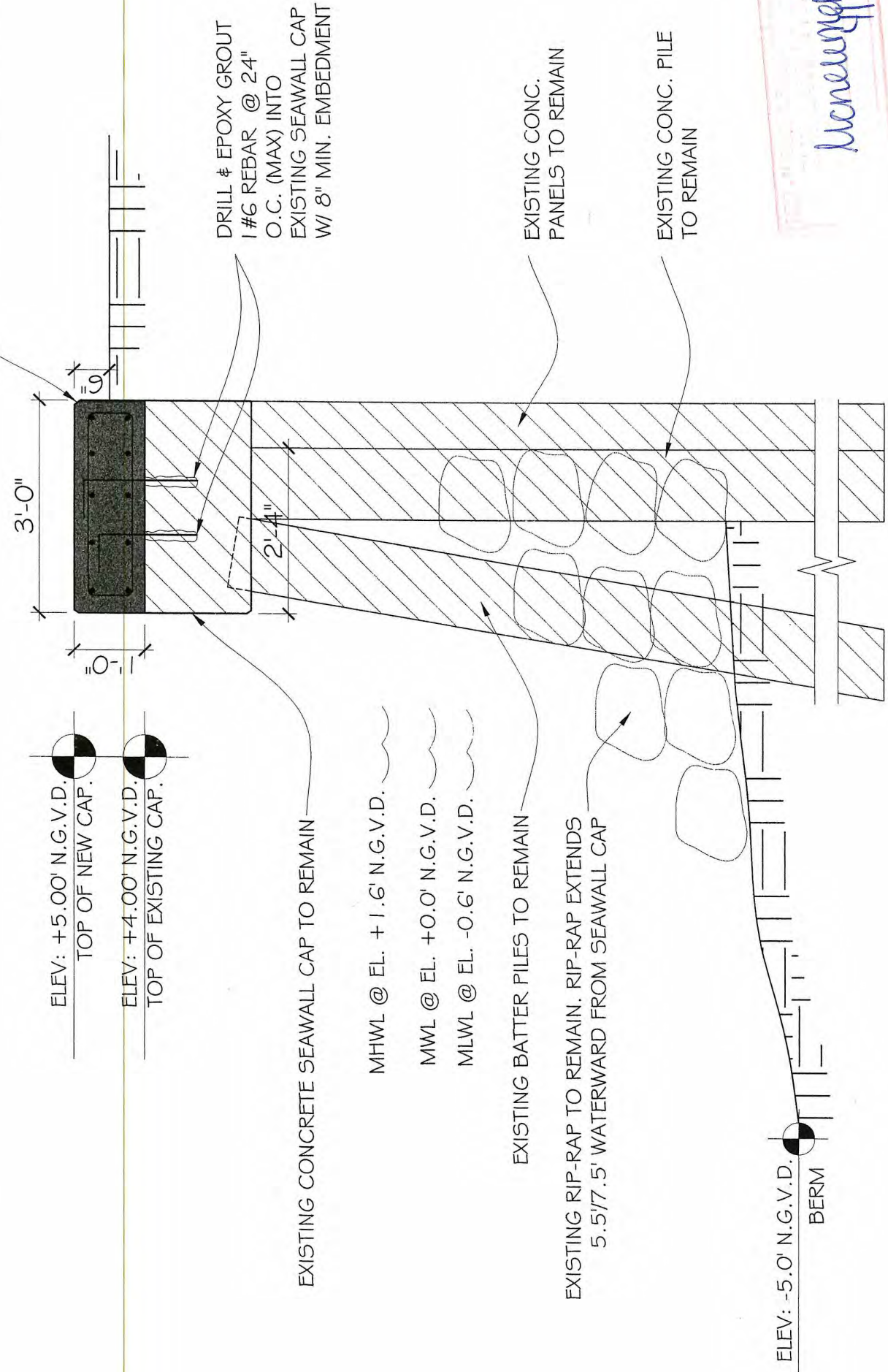
APR 13 2018

DFRM Coastal Resources Section
Natural Resources Regulation & Restoration

REVISIONS: 	CONSULTANTS:  Solter Structural Partnership, Inc. 850 N.W. 22 ND AVE Miami, Florida 33125 Phone: (305) 643-8868 Fax: (305) 643-8892 E-Mail: info@solterstructural.com DESIGN - INSPECTION - INVESTIGATION - REPORTS	Job name: FASHNY RESIDENCE 1550 S. TREASURE DRIVE NORTH BAY VILLAGE, FLORIDA 33141 title: SECTION	date: 09-07-17 issued: _____ drawn: L.R.S. checked: D.K.S. project no.: 17-2870
sheet no. S-3 3 of 8			

NOTES:
 1. PROVIDE 3" CLEAR COVER TO STEEL (TYP.)
 2. PROVIDE 3/4" CHAMFER ALL EXPOSED EDGES. (TYP.)

NEW 36" W. x 12" D. X 60" LONG CONCRETE SEAWALL CAP OVERPOUR W/ 5#5 T&B # 3 TIES @ 12" O.C.



1 TYP. SECTION

S-3


N.T.S.

APR 13 2018

DENIS K. SOLANO
 P.E. 56902
 S.I. 2046
 C.O.A. 00009095

DERM Coastal Resources Section
 Natural Resources Regulation & Restoration
 Division (NRRRD)

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 04/11/18

REVISIONS: 	CONSULTANTS:  Solvet Structural Partnership, Inc. 850 N.W. 22ND AVE. Ft. Lauderdale, FL 33309 Phone: (954) 843-6998 Fax: (954) 843-8892 E-Mail: info@solvetstructural.com DESIGN - INSPECTION - INVESTIGATION - REPORTS	Job name: FASHNY RESIDENCE 1550 S. TREASURE DRIVE NORTH BAY VILLAGE, FLORIDA 33141 SECTION	date 09-07-17 issued _____ drawn L.R.S. checked D.K.S. Project no. RC-17 17-2870
sheet no. S-4			4 of 8

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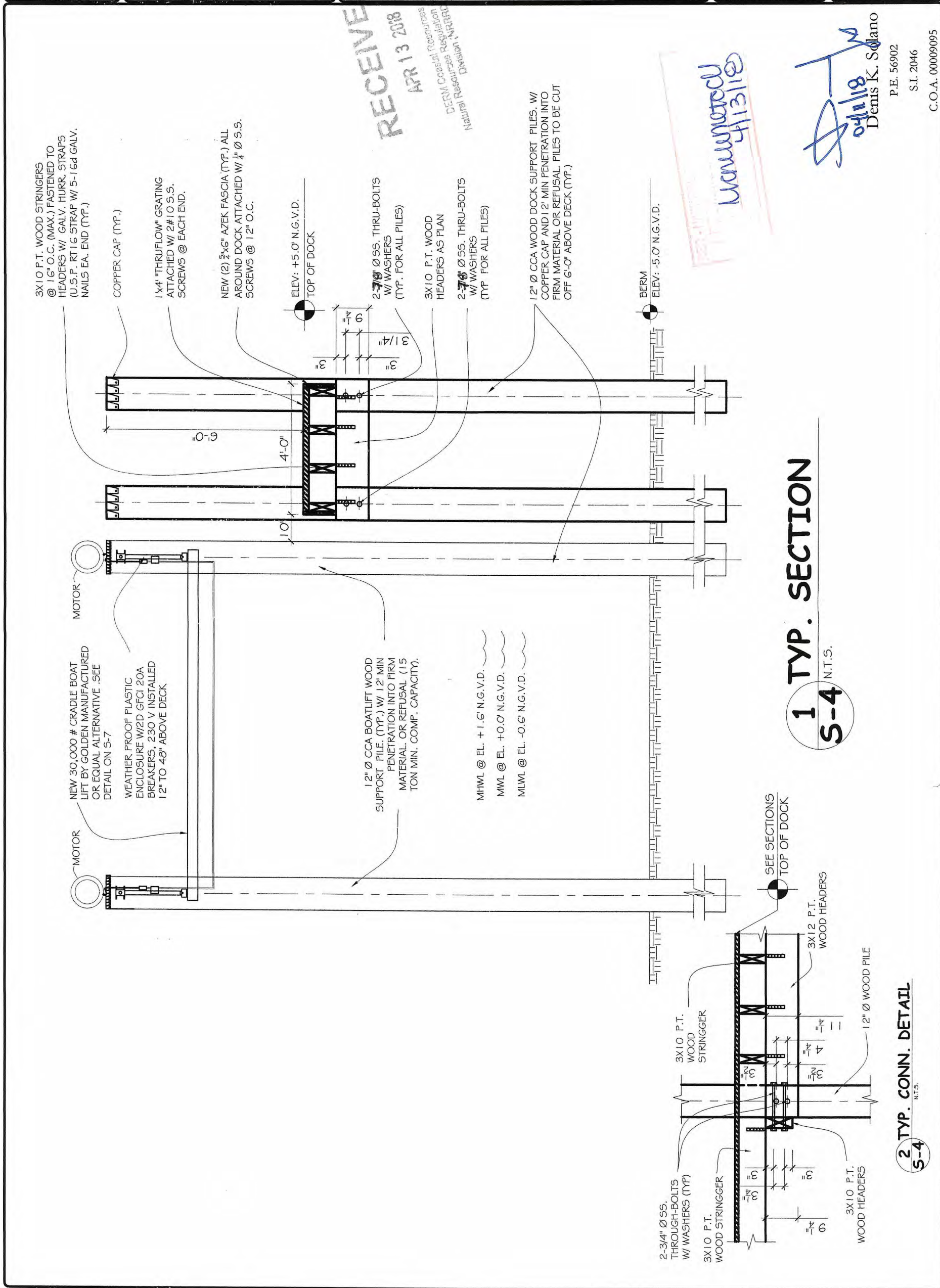
APR 13 2018

CERM Coastal Resources Section
 Natural Resources Regulation
 Division, NR1RR1

Manu/motordy
 4/13/18

Denis K. Soliano
 04/11/18

P.E. 56902
 S.I. 2046
 C.O.A. 00009095



1 TYP. SECTION

S-4

N.T.S.

2 TYP. CONN. DETAIL

S-4

N.T.S.

reVISIONS: _____ _____ _____ _____ _____	CONSULTANTS: Solver Structural Partnership, Inc. 650 N.W. 22 ND AVE. FT. LAUDERDALE, FL 33309 Tel: (305) 543-8892 Fax: (305) 543-8892 E-Mail: info@solverstructural.com DESIGN - INSPECTION - INVESTIGATION - REPORTS	Job name: FASHNY RESIDENCE 1550 S. TREASURE DRIVE NORTH BAY VILLAGE, FLORIDA 33141 title: SECTION	date: 09-07-17 issued: _____ drawn: L.R.S. checked: D.K.S. project no.: RC-17-17-2070	sheet no. S-5 5 of 8
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3X10 P.T. WOOD STRINGERS @ 16" O.C. (MAX.) FASTENED TO HEADERS W/ GALV. HURR. STRAPS (U.S.P. RT16 STRAP W/ 5-16d GALV. NAILS EA. END (TYP.))

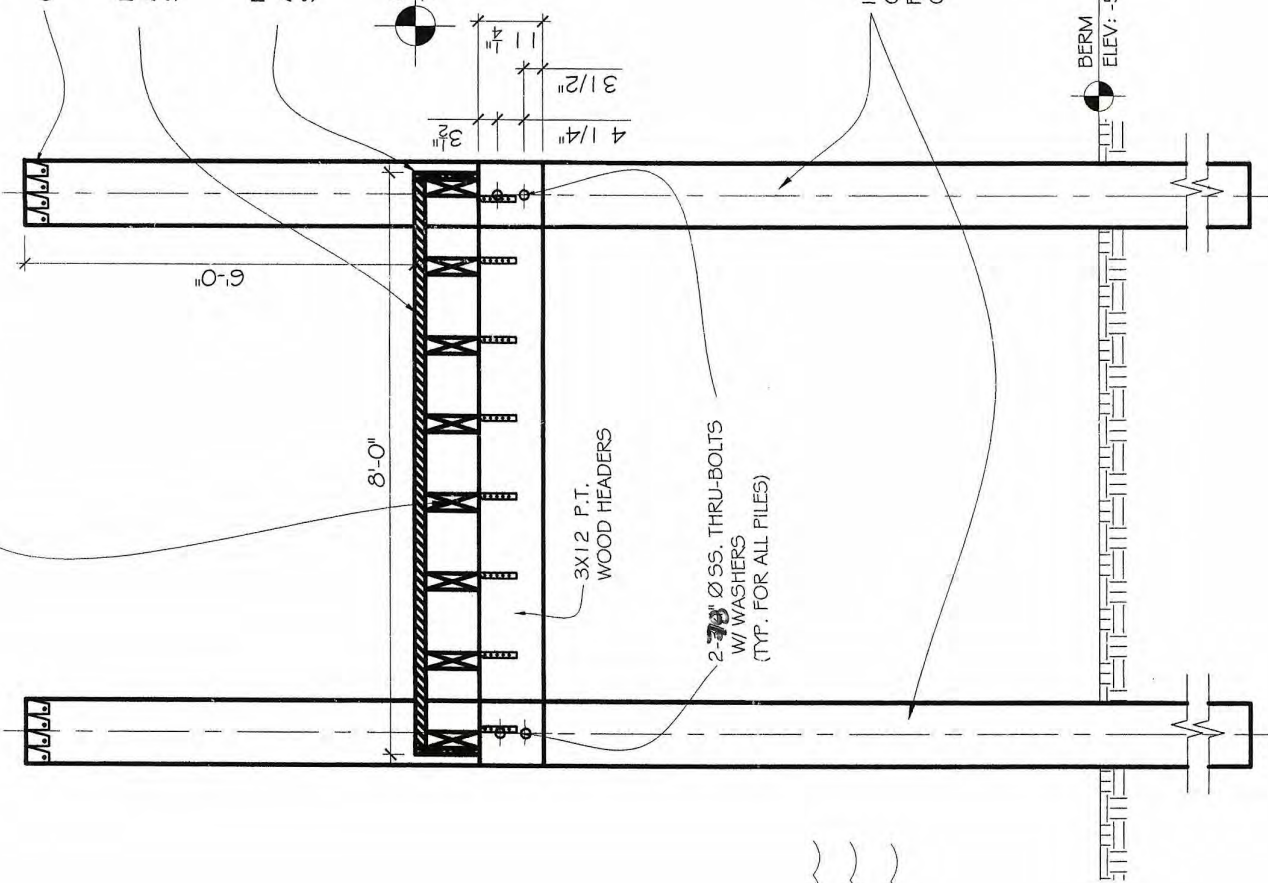
COPPER CAP (TYP.)

1'x4" "THRUFLOW" GRATING ATTACHED W/ 2#10 S.S. SCREWS @ EACH END.

NEW (2) 5/8"x6" AZEK FASCIA (TYP.) ALL AROUND DOCK ATTACHED W/ 1/4" Ø S.S. SCREWS @ 12" O.C.

ELEV: +5.0' N.G.V.D.
TOP OF DOCK

12" Ø CCA WOOD DOCK SUPPORT PILES. W/ COPPER CAP AND 12" MIN PENETRATION INTO FIRM MATERIAL OR REFUSAL. PILES TO BE CUT OFF 6'-0" ABOVE DECK (TYP.)



MHWL @ EL. +1.5' N.G.V.D. ~~~~~
 MWL @ EL. +0.0' N.G.V.D. ~~~~~
 MLWL @ EL. -0.6' N.G.V.D. ~~~~~

1 TYP. SECTION
 N.T.S.
S-5

Nichey/Myer
 4/13/18

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APR 13 2018

DENISE K. SOLANO
 P.E. 56902
 S.I. 2046
 C.O.A. 00009095

DENISE K. SOLANO
 P.E. 56902
 S.I. 2046
 C.O.A. 00009095

NOTES:
 1. PROVIDE 3" CLEAR COVER TO STEEL (TYP.)
 2. PROVIDE 3/4" CHAMFER ALL EXPOSED EDGES. (TYP.)

1'x4' "THRUFLOW" GRATING
 ATTACHED W/ 2#10 S.S.
 SCREWS @ EACH END.

NEW 36" W. x 12" D. X 60'
 LONG CONCRETE SEAWALL
 CAP OVERPOUR W/ 5#5
 T&B # 3 TIES @ 12" O.C.

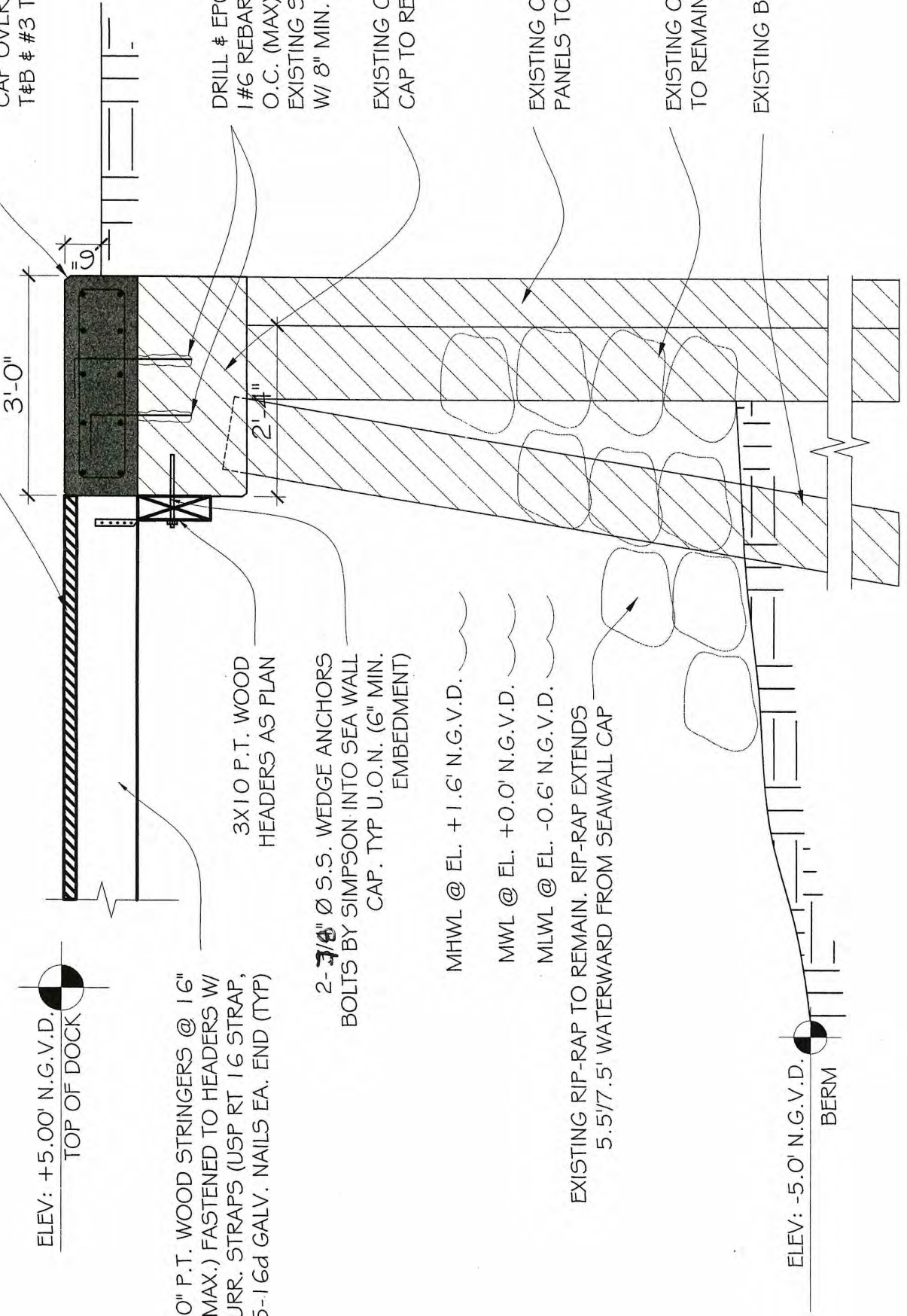
DRILL & EPOXY GROUT
 1#6 REBAR @ 24"
 O.C. (MAX) INTO
 EXISTING SEAWALL CAP
 W/ 8" MIN. EMBEDMENT

EXISTING CONCRETE SEAWALL
 CAP TO REMAIN

EXISTING CONC.
 PANELS TO REMAIN

EXISTING CONC. PILE
 TO REMAIN

EXISTING BATTER PILES TO REMAIN



3"X10" P.T. WOOD STRINGERS @ 16"
 O.C. (MAX.) FASTENED TO HEADERS W/
 GALV. HURR. STRAPS (USP RT 16 STRAP,
 w/ 5-16d GALV. NAILS EA. END (TYP.)

2-3/8" Ø S.S. WEDGE ANCHORS
 BOLTS BY SIMPSON INTO SEA WALL
 CAP. TYP U.O.N. (6" MIN.
 EMBEDMENT)

MHWL @ EL. +1.6' N.G.V.D.
 MWL @ EL. +0.0' N.G.V.D.
 MLWL @ EL. -0.6' N.G.V.D.

EXISTING RIP-RAP TO REMAIN. RIP-RAP EXTENDS
 5.5/7.5' WATERWARD FROM SEAWALL CAP

ELEV: -5.0' N.G.V.D.
 BERM

1 TYP. SECTION
 S-6 N.T.S.

Handwritten: 04/16/18
 Denis K. Solano
 P.E. 56902
 S.I. 2046
 C.O.A. 00009095

job name: FASHNY RESIDENCE
 1550 S. TREASURE DRIVE
 NORTH BAY VILLAGE, FLORIDA 33141

CONSULTANTS:
 Solver Structural Partnership, Inc.
 850 N.W. 22ND AVE. Phone: (305) 643-4898
 Miami, Florida 33135 Fax: (305) 643-4892
 E-Mail: info@solverstructural.com
 DESIGN - INSPECTION - INVESTIGATION - REPORTS

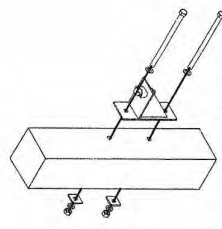
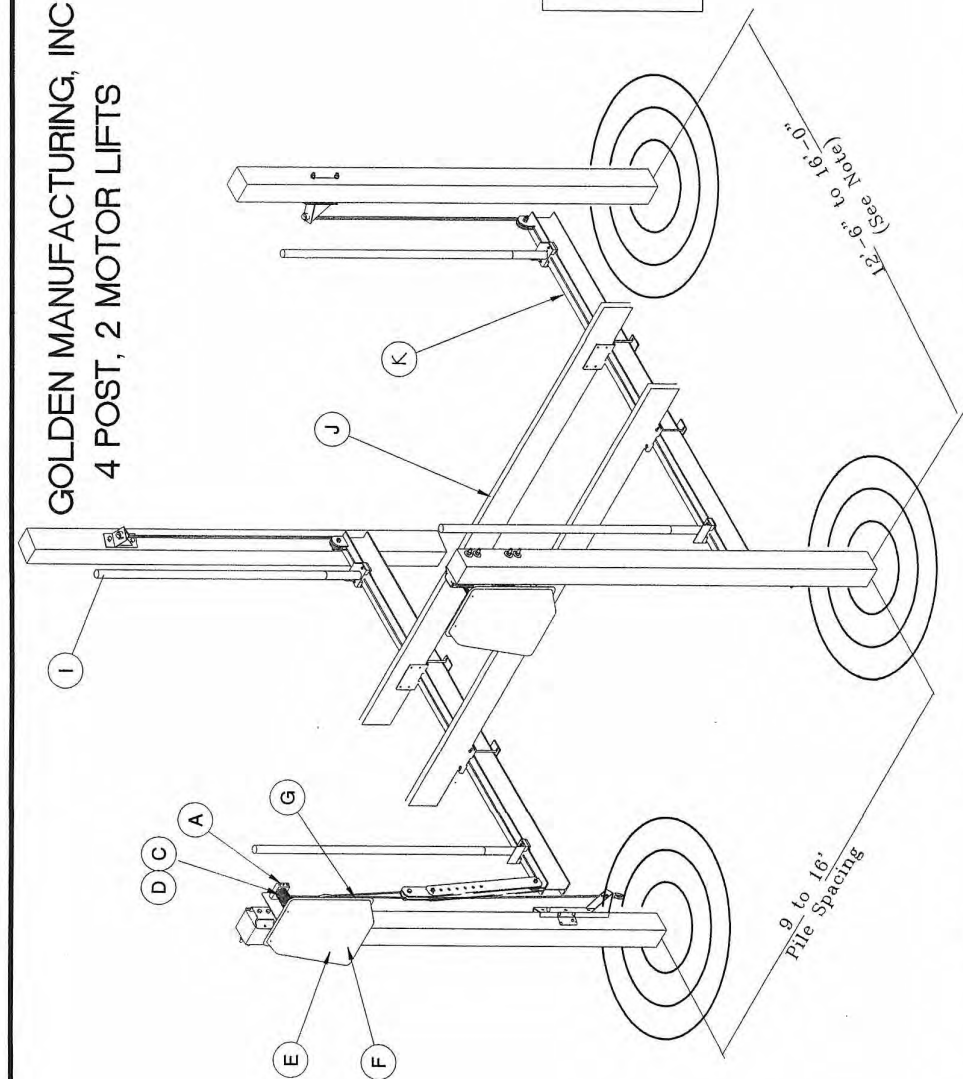
date 09-07-17
 issued _____
 drawn L.R.S.
 checked D.K.S.
 project no. RC-17 17-2870

sheet no.
 S-6
 6 of 8

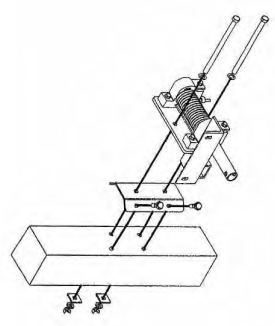
revisions:

Handwritten: Money Motecy 4/13/18

GOLDEN MANUFACTURING, INC
4 POST, 2 MOTOR LIFTS



CABLE TIE-OFF PILE MOUNTING DETAIL MOUNTING DETAIL



CABLE WINDER PILE MOUNTING DETAIL

NOTE: Cradle lengths to be 6" to 8" shorter than the center to center measurement of the pilings

PILING PENETRATION TO BE 10' INTO THE SAND BOTTOM OR 5' INTO THE ROCK STRATA.
NOTE: ALL PILING TO BE 2.5 C.C.A. TREATED 12-22-00

STRUCTURAL ENGINEERING REVIEW
The gravity and wind loads for this construction have been calculated and main wind force resisting system and components and cladding of this building design do comply with the Florida Building Code 6th Ed. (2017), Section 1609 for wind pressures generated by a basic wind speed of 180 MPH.

McNeely/medley 4/11/18

NOTE: THIS STRUCTURE WILL WITHSTAND WIND LOADS ASSOCIATED WITH WIND SPEEDS OF 170 MPH CALCULATED PER F.B.C. (5th ED.) CH16 & ASCE DOCUMENT 7-10 BOATS SHALL NOT BE STORED ON LIFTS DURING HIGH WIND EVENTS.

LIFT CAPACITY	LBS.	KG.	NO. OF BOATS	CABLE CONFIG.	SLEEVED OR GROOVED WINDERS		DRIVE SHAFT		FLAT PULLEY DRIVE RATIO	NO. OF MOTORS & H.P.	LIFTING CABLE		GUIDE POST HGTH		BOAT BUNK		CRDL BM/ 1" BM SIZE		Recomm. Min Filing Sizes	
					IN.	MM	IN.	MM			IN.	MM	IN.	MM	IN.	MM	IN.	MM	IN.	MM
7,000	3,171		4	2	3.5 Ø X 8"	88.9Øx 203.2mm	1.93 Ø. SCH 80 PIPE	490. mm	96:1	(2) 3/4 HP	16' MIN 2 PART	406mm/ MIN 2 PART	80"	2	144	3.7	6x.21 H 4x.35 W 144LGTH	152.4Hx5.3 101.6WxØ.9 3.6M	8Ø	203Ø
10,000	4,540		4	2	3.5 Ø X 10"	88.9Øx 254mm	1.93 Ø. SCH 80 PIPE	508. mm	96:1	(2) 1 HP	16' MIN 2 PART	406mm/ MIN 2 PART	80"	2	144	3.7	8x.23 H 5x.35 W 144LGTH	203Hx5.8 127WxØ.9 3.6M	10Ø	254Ø
14,000	6,356		4	2	3.5 Ø X 12"	88.9Øx 304.8mm	1.93 Ø. SCH 80 PIPE	508. mm	96:1	(2) 1 HP	16' MIN 2 PART	406mm/ MIN 2 PART	80"	2	144	3.7	8x.25 H 5x.41 W 144LGTH	203Hx6.4 127Wx10.4 4.3M	10Ø	254Ø
16,000	7,258		4	2	3.5 Ø X 14"	88.9Øx 355.6mm	1.93 Ø. SCH 80 PIPE	508. mm	96:1	(2) 1 HP	16' MIN 2 PART	406mm/ MIN 2 PART	80"	2	144	3.7	8x.25 H 5x.41 W 168LGTH	203Hx6.4 127Wx10.4 4.3M	10Ø	254Ø
18,000	7,258		4	2	3.5 Ø X 14"	88.9Øx 355.6mm	1.93 Ø. SCH 80 PIPE	508. mm	96:1	(2) 1 HP	16' MIN 2 PART	406mm/ MIN 2 PART	80"	2	144	3.7	8x.25 H 5x.41 W 168LGTH	203Hx6.4 127Wx10.4 4.3M	10Ø	254Ø
20,000	9,072		8	2	3 Ø X 16"	76.2Øx 406.4mm	1.93 Ø. SCH 80 PIPE	490. mm	96:1	(4) 1 HP	13.5	343	120	3.1	3X10 X 192	76X254	10x.25 H 8x.41 W 168LGTH	254HxØ.4 152Wx10.4 4.287L	12Ø	280Ø
30,000	13,637		8	2	3 Ø X 16"	76.2Øx 406.4mm	1.93 Ø. SCH 80 PIPE	490. mm	96:1	(4) 1 HP	13.5	343	120	3.1	ALUM EXT. X 240	X 4877	12x.29 H 7x.47 W 178Wx12 192L	304.8Hx7.4 178Wx12 4877L	12Ø	305Ø

DK
04/11/18
Denis K. Solano
P.E. 56902
S.I. 2046
C.O.A. 00009095


revisions:

CONSULTANTS:
Solver Structural Partnership, Inc.
560 NW 22nd Ave
Miami, Florida 33125
E-Mail: info@solverstructural.com
Phone: (305) 643-8899
Fax: (305) 643-8892
DESIGN - INSPECTION - INVESTIGATION - REPORTS

job name: FASHNY RESIDENCE
1550 S. TREASURE DRIVE
NORTH BAY VILLAGE, FLORIDA 33141
title: DETAILS

date: 09-07-17
issued: _____
drawn: L.R.S.
checked: D.K.S.
project no.: RC-17 17-2870

sheet no. S-7
7 of 8

revisions: <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	CONSULTANTS:  Solver Structural Partnership, Inc. 690 NW 22nd Ave Miami, Florida 33125 E-Mail: info@solverstructural.com Phone: (305) 643-8899 Fax: (305) 643-8892 DESIGN - INSPECTION - INVESTIGATION - REPORTS	Job name: FASHNY RESIDENCE 1550 S. TREASURE DRIVE NORTH BAY VILLAGE, FLORIDA 33141 title: STRUCTURAL NOTES	date <u>09-07-17</u> issued _____ drawn <u>L.R.S.</u> checked <u>D.K.S.</u> project no. <u>RC-17-17-2870</u>	sheet no. <div style="border: 1px solid black; padding: 5px; text-align: center;"> S-8 8 of 8 </div>
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GENERAL
 ELEVATIONS SHOWN REFER TO THE NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929.

ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD. IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION ANY DISCREPANCIES BETWEEN THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF ENGINEER BEFORE PROCEEDING WITH WORK.

IT IS THE INTENT OF THESE PLANS AND THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH LOCAL, STATE AND FEDERAL ENVIRONMENTAL PERMITS ISSUED FOR THIS PROJECT IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARIZE AND GOVERN HIMSELF BY ALL PROVISIONS AF THESE PERMITS.

APPLICABLE BUILDING CODE: FLORIDA BUILDING CODE, 6th EDITION, 2017.

DESIGN LOADS

- 1. DOCK LL. 60 PSF

WOOD

- 1. PRIMARY WOOD FRAMING MEMBERS SHALL BE NO. 1 PRESSURE TREATED SOUTHERN PINE
- 2. ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD.
- 3. IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. ANY DISCREPANCIES BETWEEN THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO ATTENTION OF THE ENGINEER BEFORE PROCEEDING WITH WORK.
- 4. IT IS THE INTENT OF THESE PLANS AND THE REONSABILITY OF THE CONTRACTOR TO COMPLY WITH LOCAL, STATE AND FEDERAL ENVIROMENTAL PERMITS ISSUED FOR THIS PROYECT. IT SHALL BE THE CONTRACTORS RESPONSABILITY TO FAMILIARIZE AND GOVERN HIMSELF BY ALL PROVISIONS OF THESE PERMITS.
- 5. APPLICABLE BUILDING CODE: FLORIDA BUILDING CODE, 6th EDITION, 2017.

Noted
 4/13/18

RECEIVED

APR 13 2018
 Denis K. Solano
 P.E. 56902
 S.I. 2046
 C.O.A. 00009095

DERM Coastal Resources Section
 Natural Resources Regulation & Restoration
 Division (NRRRD)

GENERAL NOTES

CONCRETE AND REINFORCING STEEL

- 1. ALL CONCRETE (EXCEPT PRECAST PILES) SHALL ATTAIN A MIN. COMPRESSIVE STRENGTH OF 5000 P.S.I. AT THE END OF 28 DAYS. FOUR (4) CONCRETE CYLINDERS SHALL BE TAKEN FOR EACH 50 CUBIC YARDS OR FRACTION THEREOF AND SHALL BE TESTED AT 3, 7 & 28 DAYS. SLUMP SHALL NOT EXCEED 4" (± 1").
- 2. ALL REINFORCEMENT SHALL BE 60,000 P.S.I. MINIMUM YIELD NEW BILLET STEEL IN ACCORDANCE WITH ASTM A615 GRADE 60. ALL BAR LAPS SHALL BE A MINIMUM OF 36 BAR DIAMETERS. PLACING OF REINFORCEMENT SHALL CONFORM TO THE LATEST ACI CODE AND MANUAL OF STANDARD PRACTICE.
- 3. ALL CONCRETE SHALL BE PLACED WITHIN 90 MINUTES FROM BATCH TIME, AND VIBRATED AS REQUIRED BY THE ACI MANUAL OF CONCRETE PRACTICE. TEMPERATURE OF CONCRETE AT TIME OF PLACEMENT SHALL BE BETWEEN 75° AND 100° F.
- 4. ALL CONCRETE DECK SURFACES SHALL HAVE A LIGHT BROOM FINISH.
- 5. ALL EXPOSED CONCRETE EDGES SHALL BE CHAMFERED 3/4", OR AS SHOWN ON THE PLANS.

WOOD PILES:

- 1. WOOD DOCK PILES SHALL BE 12" DIA. PILES WITH 10 TONS MIN. BEARING CAPACITY DRIVEN TO A MINIMUM BEARING CAPACITY OF 10 TONS WITH 12' MIN PENETRATION INTO FIRM MATERIAL BELOW SILT LAYER OR REFUSAL.
- 2. PILES SHALL BE CUT OFF ATR ELEVATIONS SHOWN ON THE PLANS # SECTIONS.

STEEL

- 1. ALL BOLTS SHALL BE TYPE 316 STAINLESS STEEL.

MISCELLANEOUS

- 1. FASTENERS EMBEDDED INTO CONC. STRUCTURE SHALL BE ANCHORED WITH TWO PARTY EPOXY ADHESIVE ("RAWL" CHEM-FAST CARTRIDGE SYSTEM OR EQUAL). ANCHOR HOLES SHALL BE DRILLED TO 1/8" GREATER THAN THE SPECIFIED FASTENER. HOLES SHALL BE DRILLED TO MINIMUM DEPTH SHOWN ON THE PLANS, AND SHALL BE THOROUGHLY CLEANED OUT AND DRY PRIOR TO INJECTION OF EPOXY.

Agenda Item 14A



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300, North Bay Village, FL 33141

Tel: (305) 756-7171 | Fax: (305) 756-7722 | Website: www.nbvillage.com

RE: AN APPLICATION BY SAMER EL FASHNY, PROPERTY OWNER OF 1550 SOUTH TRESURE DRIVE, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT REGULATIONS, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 1550 SOUTH TRESURE DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT AND BEYOND THE D-5 TRIANGLE; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

I, Graciela Mariot, Interim Village Clerk, hereby certify

- The petition filed hereto is correct
- The attached Notice of Public Hearing was mailed to property owners and residents within 300 feet of the property of the subject request on October 29, 2018, pursuant to Section 4.4(4)(b) of the Unified Land Development Code
- The attached Notice of Public Hearing to be held on November 13, 2018 was posted at the above-referenced property on October 29, 2018, pursuant to Section 4.4(A)(6) of the Unified Land Development Code.

Dated this 29th day of October 2018.

Graciela Mariot
Graciela Mariot, Interim Village Clerk

(North Bay Village Commission Meeting – November 13, 2018)



Agenda Item 14A

NORTH BAY VILLAGE **NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A REGULAR MEETING ON **TUESDAY, NOVEMBER 13, 2018** AT 6:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING REQUESTS:

1. AN APPLICATION BY SAMER EL FASHNY, PROPERTY OWNER OF 1550 SOUTH TRESURE DRIVE, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT REGULATIONS, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 1550 SOUTH TRESURE DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT AND BEYOND THE D-5 TRIANGLE; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.
2. AN APPLICATION BY OLIVER PFEFFER, PROPERTY OWNER OF 7610 MIAMI VIEW DRIVE, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT REGULATIONS, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 7610 MIAMI VIEW DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT AND BEYOND THE D-5 TRIANGLE; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.
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INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, NORTH BAY VILLAGE, FL 33141. THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST 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.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME AS NECESSARY, AS DETERMINED BY THE VILLAGE COMMISSION.

GRACIELA MARIOT, INTERIM VILLAGE CLERK
(October 29, 2018)

SUNDAY NOVEMBER 4 2018
MIAMIHERALD.COM

NEIGHBORS

13NE



**NORTH BAY VILLAGE
NOTICE OF PUBLIC HEARING**

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GRACIELA MARIOT, INTERIM VILLAGE CLERK
(October 29, 2018)



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NORTH BAY VILLAGE **NOTICE OF PUBLIC HEARING**

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THIS HEARING MAY BE CONTINUED FROM TIME TO TIME AS NECESSARY, AS DETERMINED BY THE VILLAGE COMMISSION.

GRACIELA MARIOT, INTERIM VILLAGE CLERK
(October 29, 2018)

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DONALD J KAHN &W LOURDES
1600 S TREASURE DR
NO BAY VILLAGE, FL
33141-4129

FRED J MURPHY &W RIVIEN
1500 S TREASURE DR
NO BAY VILLAGE, FL
33141-4127

NORMA WYNNE SMITH
5123 BAYVIEW DR
NO BAY VILLAGE, FL
33141-4112

JOSHUA FURMAN &W JEANETTE
1590 S TREASURE DR
NO BAY VILLAGE, FL
33141-4127

ALEXANDER M JONUSAS
7517 BOUNTY AVE
NORTH BAY VILLAGE, FL
33141

JOSEPH M GRECO
7516 BUCCANEER AVE
NORTH BAY VILLAGE, FL
33141

1580 S TREASURE DR LLC
1580 S TREASURE DR
NORTH BAY VILLAGE, FL
33141

DARREN SMITH
7513 BOUNTY AVE
N BAY VILLAGE, FL
33141-4109

ARMOGAN MANIKUM &W
SURSWATTIE
7513 BUCCANEER AVE
N BAY VILLAGE, FL
33141-4111

GERHARD BECHTOLDT
1570 S TREASURE DR
NORTH BAY VILLAGE, FL
33141

MARIA BEHAR
7509 BOUNTY AVE
N BAY VILLAGE, FL
33141-4109

BARRY NEXER LE
7509 BUCCANEER AVE
NORTH BAY VILLAGE, FL
33141

SIBER US LLC
990 BISCAYNE BLVD #701
MIAMI, FL
33132

ROMULO HERRERA
7505 BOUNTY AVE
NORTH BAY VILLAGE, FL
33141

HENAO INVERSION & SERVICES LLC
857 81 ST #5
MIAMI BEACH, FL
33141

SAMER EL FASHNY
16699 COLLINS AVE 4203
SUNNY ISLES BEACH, FL
33160

JORGE F CAPIN &W GRETHEL F
1541 S TREASURE DR
NO BAY VILLAGE, FL
33141-4126

JUNIUS D MORRISON TRS
1601 S TREASURE DR
NORTH BAY VILLAGE, FL
33141

HOLGER PIENING
150 ALHAMBRA CR STE 1150
CORAL GABLES, FL
33134

NELDO SANTOS &W BETHZAIDA
1571 S TREASURE DR
NO BAY VILLAGE, FL
33141-4126

SARA MAYA
7501 E TREASURE DR APT 7G
NORTH BAY VILLAGE, FL
33141-4303

KAROLINE STAROSTIK
3283 HUTTON DRIVE
BEVERLY HILLS, CA
90210

ALEXIS MITCHELL FLORES
7504 BUCCANEER AVE
N BAY VILLAGE, FL
33141-4112

RYAN WHIDBY
7017 Trouville Esplanade
Miami Beach, FL
33141-4733

JUNIUS D MORRISON TRS
1510 S TREASURE DR
NORTH BAY VILLAGE, FL
33141

PURNIMA PATEL
7508 BUCCANEER AVE
NO BAY VILLAGE, FL
33141-4112

RICHARD S JOHNSTON
7505 ADVENTURE AVE
NORTH BAY VILLAGE, FL
33141

Agenda Item 14A

VILLA POETS CORP
3370 MARY ST
MIAMI, FL
33133

CHATE VAILIKIT & W LILIA
7500 BOUNTY AVE
NO BAY VILLAGE, FL
33141-4110

MICHAEL M O CONNELL
7504 BOUNTY AVE
NORTH BAY VILLAGE, FL
33141

HELEN GELLER LE
7780 SW 120 PL
MIAMI, FL
33183

MORRIS FRANKLIN &
7512 BOUNTY AVE
NORTH BAY VILLAGE, FL
33141-4110

SERENITY GARDEN VILLAS LLC
1301 NW 84 AVE #101
MIAMI, FL
33126

Agenda Item 14A

CURRENT OCCUPANT
1600 S TREASURE DR
North Bay Village FL
33141-4129

CURRENT OCCUPANT
1510 S TREASURE DR
North Bay Village FL
33141-4127

CURRENT OCCUPANT
7504 BUCCANEER AVE
North Bay Village FL
33141-4112

CURRENT OCCUPANT
1590 S TREASURE DR
North Bay Village FL
33141-4127

CURRENT OCCUPANT
1500 S TREASURE DR
North Bay Village FL
33141-4127

CURRENT OCCUPANT
7508 BUCCANEER AVE
North Bay Village FL
33141-4112

CURRENT OCCUPANT
1580 S TREASURE DR
North Bay Village FL
33141-4127

CURRENT OCCUPANT
7517 BOUNTY AVE
North Bay Village FL
33141-4109

CURRENT OCCUPANT
7512 BUCCANEER AVE
North Bay Village FL
33141-4112

CURRENT OCCUPANT
1570 S TREASURE DR
North Bay Village FL
33141-4127

CURRENT OCCUPANT
7513 BOUNTY AVE
North Bay Village FL
33141-4109

CURRENT OCCUPANT
7516 BUCCANEER AVE
North Bay Village FL
33141-4112

CURRENT OCCUPANT
1560 S TREASURE DR
North Bay Village FL
33141-4127

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North Bay Village FL
33141-4109

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North Bay Village FL
33141-4111

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33141-4109

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33141-4111

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1540 S TREASURE DR
North Bay Village FL
33141-4127

CURRENT OCCUPANT
1541 S TREASURE DR
North Bay Village FL
33141-4126

CURRENT OCCUPANT
7505 BUCCANEER AVE
North Bay Village FL
33141-4111

CURRENT OCCUPANT
1520 S TREASURE DR
North Bay Village FL
33141-4127

CURRENT OCCUPANT
1571 S TREASURE DR
North Bay Village FL
33141-4126

CURRENT OCCUPANT
1601 S TREASURE DR
North Bay Village FL
33141-4128

Agenda Item 14A

CURRENT OCCUPANT
1621 S TREASURE DR
North Bay Village FL
33141-4128

CURRENT OCCUPANT
7516 BOUNTY AVE
North Bay Village FL
33141-4110

CURRENT OCCUPANT
7509 ADVENTURE AVE
North Bay Village FL
33141-4107

CURRENT OCCUPANT
7505 ADVENTURE AVE
North Bay Village FL
33141-4107

CURRENT OCCUPANT
7501 ADVENTURE AVE
North Bay Village FL
33141-4107

CURRENT OCCUPANT
7500 BOUNTY AVE
North Bay Village FL
33141-4110

CURRENT OCCUPANT
7504 BOUNTY AVE
North Bay Village FL
33141-4110

CURRENT OCCUPANT
7508 BOUNTY AVE
North Bay Village FL
33141-4110

CURRENT OCCUPANT
7512 BOUNTY AVE
North Bay Village FL
33141-4110

Agenda Item 14A



North Bay Village

Administrative Offices
1666 Kennedy Causeway, Suite 300, North Bay Village, FL 33141
Tel: (305) 756-7171 | Fax: (305) 756-7722 | Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: November 6, 2018

TO: Graciela Mariot
Interim Village Clerk

FROM: Lewis Velken, *Lewis Velken*
Interim Village Manager

SUBJECT: Introduction of Resolution

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Resolution:

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, GRANTING A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT CODE, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 1550 SOUTH TREASURE DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

LV:gm

Mayor
Connie Leon-Kreps

Vice Mayor
Andreana Jackson

Commissioner
Jose R. Alvarez

Commissioner
Laura Cattabriga

Commissioner
Eddie Lim

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1 RESOLUTION NO. _____
2

3 A RESOLUTION OF THE COMMISSION OF NORTH BAY
4 VILLAGE, FLORIDA, GRANTING A WAIVER, PURSUANT TO
5 SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND
6 DEVELOPMENT CODE, FOR THE CONSTRUCTION OF A
7 DOCK WITH A BOATLIFT AT 1550 SOUTH TREASURE DRIVE,
8 WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT;
9 PROVIDING FINDINGS, PROVIDING FOR GRANTING THE
10 REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR
11 APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING
12 FOR AN EFFECTIVE DATE. *(INTRODUCED BY INTERIM*
13 *VILLAGE MANAGER LEWIS VELKEN)*
14

15 WHEREAS, Samer El Fashny has requested a Building Permit to construct a new dock
16 and boatlift at 1700 South Treasure Drive, Treasure Island, in the RS-2, Medium Density Single-
17 Family Zoning District, North Bay Village, Florida; and
18

19 WHEREAS, Pursuant to Section 9.12 of the Village Code, docks are to be constructed
20 no more than 25 feet perpendicular from the seawall or shoreline into any waterway within the
21 corporate limits of the Village, unless such construction is necessary based on federal, state, or
22 local laws; and
23

24 WHEREAS, the structures will extend 30 feet from the existing seawall into Biscayne
25 Bay; and
26

27 WHEREAS, the Department of Regulatory and Economic Resources (DERM) has
28 granted preliminary approval of the dock and boatlift; and
29

30 WHEREAS, Section 9.12(B) authorizes the Village Commission to consider the approval
31 of docks greater than 25 feet upon the following determination:
32

- 33 1. If Miami-Dade Department of Environmental Management has required specific
34 depth or location criteria; and
- 35 2. If the applicant has provided to the Village notarized letter(s) of consent from
36 adjoining riparian property owners; and
- 37 3. If the Village has received any letter(s) of objection from adjoining riparian
38 property owners; and
- 39 4. Any other factors relevant to the specific site.
40

41 WHEREAS, Sections 9.12 of the North Bay Village Code of Ordinances require all
42 applications for construction of docks and boatlifts to be approved by the Village Commission;
43 and

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44
45 **WHEREAS**, in accordance with Section 9.12 of the Village Code, a public hearing by the
46 Village Commission was noticed for November 13, at 6:30 p.m. at Village Hall, 1666 Kennedy
47 Causeway, Suite 101, North Bay Village, Florida 33141 and all interested parties have had the
48 opportunity to address their comments to the Village Commission.
49

50 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH**
51 **BAY VILLAGE, FLORIDA, AS FOLLOWS:**
52

53 **Section 1.** **Recitals.**
54

55 The above recitals are true and correct and incorporated into this Resolution by this reference.
56

57 **Section 2.** **Findings.**
58

59 In accordance with Section 5.4 of the Village Code, the Village Commission, having considered
60 the testimony and evidence in the record presented by all parties, finds that the dock and the
61 boatlift are safe and environmentally compatible.
62

63 **Section 3.** **Grant.**
64

65 In accordance with Section 9.12(B) of the North Bay Village Code of Ordinances, a waiver is
66 granted to construct a dock and a boatlift, which structures will extend 30 feet from the existing
67 seawall into Biscayne Bay as requested by Samer El Fashny for the property situated at 1550
68 South Treasure Drive.
69

70 **Section 4.** **Conditions.**
71

72 Approval is granted with the condition that the following items are met prior to issuance of a
73 Building Permit:
74

- 75 1. A safety light shall be placed on at least one of the boatlift pilings which is
76 furthest from the seawall. The light shall be illuminated from one half hour prior
77 to sunset to one half hour after sunrise.
78
- 79 2. Compliance with all state, federal, and environmental laws including, but not
80 limited to, compliance with a State Programmatic General Permit as may be
81 required by the U.S. Army Corps of Engineers. All applicable state and
82 federal permits must be obtained before commencement of construction.
83
- 84 3. Building permits and related approvals must be obtained from the Building
85 Official prior to commencement of construction.
86
- 87 4. Cost recovery charges must be paid pursuant to Section 5.12. Specifically, no
88 new development application shall be accepted and no building permit shall be
89 issued for the property until all application fees, cost recovery deposits and

Agenda Item 14A

90 outstanding fees and fines related to the property (including fees related to any
91 previous development proposal applications on the property), have been paid in
92 full.
93

- 94 5. Authorization or issuance of a building permit by the Village does not in any
95 way create a right on the part of the applicant to obtain a permit from a state or
96 federal agency, and does not create liability on the part of the Village for
97 issuance of a building permit, if the applicant fails to obtain requisite approvals
98 or fulfill the obligations imposed by a state or federal agency or undertakes action
99 that results in a violation of federal or state law.

100
101 **Section 5. Appeal.**
102

103 In accordance with Section 4.6 of the Village Code, the Applicant, or any aggrieved property
104 owner, may appeal the decision of the Village Commission by filing a Writ of Certiorari to the
105 Circuit Court of Miami-Dade County, Florida, in accordance with the Florida Rules of Appellate
106 Procedure.
107

108 **Section 6. Violation of Terms and Conditions.**
109

110 Failure to adhere to the terms and conditions contained in this Resolution in Section 4 shall be
111 considered a violation of this Resolution, and persons found violating the conditions shall be
112 subject to the penalties prescribed by the Village Code, including but not limited to the revocation
113 of any of the approval(s) granted in this Resolution.
114

115 The Applicant understands and acknowledges that it must comply with all other applicable
116 requirements of the Village Code before it may commence construction or operation, and that the
117 foregoing approval in this Resolution may be revoked by the Village at any time upon a
118 determination that the Applicant is in non-compliance with the Village Code.
119

120 **Section 7. Effective Date.**
121

122 This Resolution shall become effective upon its adoption.
123

124 The motion to adopt the foregoing Resolution was offered by _____, seconded by
125 _____.
126
127

128 **FINAL VOTE AT ADOPTION:**
129

130 Mayor Connie Leon-Kreps _____
131 Vice Mayor Andreana Jackson _____
132 Commissioner Jose R. Alvarez _____
133 Commissioner Laura Cattabriga _____
134 Commissioner Eddie Lim _____

Agenda Item 14A

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PASSED and ADOPTED this 13th day of November 2018.

MAYOR CONNIE LEON-KREPS

ATTEST:

Graciela Mariot
Interim Village Clerk

APPROVED AS TO FORM:

Norman C. Powell, Esq.
Village Attorney

North Bay Village Resolution: Construction of New Dock and Boatlift- 1550 South Treasure Drive



**Staff Report
Permit Application for Dock**

Prepared for: North Bay Village Commission

Applicant: Oliver Pfeffer

Site Address: 7610 Miami View Drive

*Request: Dock and Boat Lift Construction Beyond
the D-5 Triangle and Farther than 25 feet
from the Seawall*



Serving Florida Local Governments Since 1988

Agenda Item 14B

General Information

Owner	Oliver Pfeffer
Applicant Address	7610 Miami View Dr, North Bay Village
Site Address	7610 Miami View Drive
Contact Person	Henry Abelo
Contact Phone Number	305-316-5032
E-mail Address	bibi@tridentenv.com
Zoning District	RS-1
Use of Property	Single Family Home

General Description

The applicant is requesting approval from the Village Commission to construct a new dock with a 15,000 pound capacity boat lift and a floating platform at a single family residence in the RS-1 zoning district. The proposed dock and boat lift will extend 35 feet from the existing seawall into Biscayne Bay. The proposed dock and boat lift will extend outside of the D-5 triangle. There are two existing pairs of mooring piles located 48 feet from the seawall and 5 feet from the side riparian property lines which are not proposed to be removed.

Applicable Code Provisions

The construction or alteration of docks, piers, etc is governed by Section 9.12 of the Village Unified Land Development Code. Section 9.12(B) reads as follows:

1. No person, firm, or corporation shall construct any docks, piers, dolphins, wharfs, pilings, boat lifts, or similar structures of any kind more than 25 feet perpendicular from the seawall or shoreline into any waterway within the corporate limits of the Village without first-obtaining a waiver from the Village Commission after a public hearing. However, the furthestmost distance seaward from the seawall or shoreline shall not exceed 75 feet including all dolphins or pilings installed beyond the seaward most line of the dock or pier but not including required rip-rap.
2. No dock, pier, wharf, dolphin, piling, or similar structure shall be erected in the Village unless the structure is set back at least 7½ feet from the lot line on each side.
3. No person, firm, or corporation shall build, extend, or make any structural alteration on any building, dock, pier, dolphin, wharf, piling, bulkhead, seawall, or similar structure within the corporate limits of the Village, or do any filling, excavating, or dredging in the waters without first obtaining a building

Agenda Item 14B

permit to do so from the Village Building Department.

4. Application for any permit or the transfer of any permit required by this section shall be made to the Village Building Department in writing on forms provided therefore. The permit shall constitute an agreement by the applicant to comply with all conditions imposed upon granting of the permit. The application shall be accompanied by plans and specifications setting forth in detail the work to be done.
5. Permits for seawalls and dock structures can be approved administratively and do not require a hearing or approval of the Village Commission if:
 - a. All proposed dock structures, including but not limited to boat lifts and mooring piles, are not placed more than 25 feet measured perpendicular from the seawall.
 - b. All proposed dock structures, including but not limited to boat lifts and mooring piles, are entirely within the D-5 triangle as described in Section D5 of the Miami-Dade Public Works Manual.
6. Applications for docks, boat lift, mooring piles or other similar structures that do not meet the administrative approval criteria of Section 6 above shall be heard by the Village Commission at a public hearing. If an applicant seeks a dock or pier length greater than 25 feet measured perpendicular from the seawall (including boat lifts, mooring piles or other structures), the Village Commission shall consider the following criteria to determine if a distance waiver shall be granted:
 - a. If the Applicant has provided to the Village notarized letter(s) of consent from adjoining riparian property owners, and
 - b. If the Village has received any letter(s) of objection from adjoining riparian property owners; and
 - c. Any other factors relevant to the specific site.
7. The Village Commission may deny, approve, or modify the request and/or impose conditions in the permit, or granting of a distance waiver, which it deems necessary to protect the waterways of the Village in accordance with the public safety and the general welfare. The requirement of approval by the Village Commission shall not include applications for repair of existing structures.
8. A public hearing held pursuant to this Section shall be quasi-judicial.
9. Repair or reconstruction of existing structures shall not require approval of the Village Commission but may be approved administratively. However, the provisions of subsections 4 and 5 above shall be complied with.
10. A safety light shall be placed on the part of the structure (either dock, mooring pile, or boat lift) which is furthest from the seawall. The light shall be illuminated from one half hour prior to sunset to one half hour after sunrise.

Agenda Item 14B

Staff Comments

The proposed dock will extend 35 feet from the seawall and will be located so that the 7.5 foot side setbacks from the property lines are met.

Since the proposed structure will extend outside the D-5 triangle and farther than 25 feet from the seawall, the Applicant's plans must be approved by the Village Commission at a public hearing. It is the Commission's decision to grant or deny a waiver for these plans.

Miami-Dade DERM has provided pre-approval of the current plans.

The applicant has provided letters of consent from owners of both properties which adjoin the applicant's property. At the time of the writing of this report, no objections to this dock have been received by staff.

The seawall at this property was replaced in 2006 and did not receive any negative comments during the 2016 Village-wide seawall inspections. The applicant has provided recent photographs of the seawall, which are attached to this report, and depict the seawall in good repair.

Staff Recommendations

The proposed dock meets the applicable standards and both of the adjacent property owners have provided letters of consent. Staff recommends approval of this dock. If the Commission chooses to approve the Applicant's request, the approval should be subject to the following conditions being met prior to the issuance of a building permit:

1. A safety light shall be placed on at least one of the boat lift pilings which is furthest from the seawall. The light shall be illuminated from one half hour prior to sunset to one half hour after sunrise.
2. Compliance with all state, federal, and environmental laws including, but not limited to, compliance with a State Programmatic General Permit as may be required by the U.S. Army Corps of Engineers. All applicable state and federal permits must be obtained before commencement of construction.
3. Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
4. Cost recovery charges must be paid pursuant to Section 5.12. Specifically, no new development application shall be accepted and no building permit shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.

Agenda Item 14B

5. Authorization or issuance of a building permit by the Village does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for issuance of a building permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that results in a violation of federal or state law.

Submitted by:

James G. LaRue

James G. LaRue, AICP

Planning Consultant

November 6, 2018

Hearing: Village Commission, November 13, 2018

Attachments: Letters of Consent
Recent Seawall Photographs Provided by Applicant
Dock Plans Provided by Applicant

Agenda Item 14B

CLASS I PERMIT APPLICATION

LETTER OF CONSENT

Note: Please insert applicable information

Date: 8-31-18

Miami-Dade County RER
Class I Permitting Program
701 NW 1st Court
Miami FL, 33136

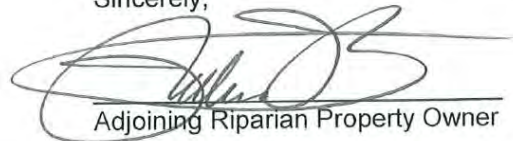
Re: Letter of Consent for Miami-Dade County RER Class I Permit Application Number
CLI-2018-0292, (insert Class I Permit application number), for work proposed at
7610 MIAMI VIEW DRIVE, NORTH BAY VILLAGE, FL
(insert address of proposed work)

Ladies and Gentlemen:

RICHARD NIELSEN (insert name), am the owner of the property located at
7600 MIAMI VIEW DRIVE, NORTH BAY VILLAGE,
(insert address of adjoining riparian property)

which is an adjoining riparian property to the above-referenced property. I have reviewed the plans entitled PFEFFER RESIDENCE - NEW TIMBER DOCK, 15K BOATLIFT AND FVP
(insert title of plans)
prepared by LUIS ROSAS-GUYON, PE dated 8/31/2018, and preliminarily approved by RER on 8/31/2018 for the above-referenced project. Pursuant to Section 24-48.3(1)(j)(iii) of the Code of Miami-Dade County, Florida, I hereby consent to the above-referenced project.

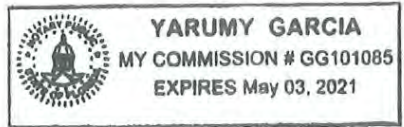
Sincerely,


Adjoining Riparian Property Owner

SUBSCRIBED AND SWORN TO ME THIS 31 DAY OF Aug, 2018.
BY Yarumy Garcia

PERSONALLY KNOWN PRODUCED IDENTIFICATION (PLEASE CHECK ONE)

TYPE OF ID PRODUCED _____
Yarumy Garcia NOTARY PUBLIC



Agenda Item 14B

CLASS I PERMIT APPLICATION

LETTER OF CONSENT

Note: Please insert applicable information

Date: 9/2/18

Miami-Dade County RER
Class I Permitting Program
701 NW 1st Court
Miami FL, 33136

Re: Letter of Consent for Miami-Dade County RER Class I Permit Application Number
CLI-2018-0292, (insert Class I Permit application number), for work proposed at
7610 MIAMI VIEW DRIVE, NORTH BAY VILLAGE, FL
(insert address of proposed work)

Ladies and Gentlemen:

GUALBERTO NAVARRO (insert name), am the owner of the property located at
7620 MIAMI VIEW DRIVE, NORTH BAY VILLAGE,
(insert address of adjoining riparian property)

which is an adjoining riparian property to the above-referenced property. I have reviewed the
plans entitled PFEFFER RESIDENCE - NEW TIMBER DOCK, 15K BOATLIFT AND FVP
(insert title of plans)

prepared by LUIS ROSAS-GUYON, PE dated 8/31/2018, and preliminarily approved
by RER on 8/31/2018 for the above-referenced project. Pursuant to Section 24-
48.3(1)(j)(iii) of the Code of Miami-Dade County, Florida, I hereby consent to the above-
referenced project.

Sincerely,



Adjoining Riparian Property Owner

SUBSCRIBED AND SWORN TO ME THIS 2 DAY OF Sept, 20 18
BY Gualberto Navarro

PERSONALLY KNOWN PRODUCED IDENTIFICATION (PLEASE CHECK ONE)

TYPE OF ID PRODUCED _____



Agenda Item 14B

Recent Seawall Photographs



Agenda Item 14B

Dock Plans

LOCATION PLAN
SCALE: NTS.

EXISTING SITE PLAN:
SCALE: NTS.

EXISTING SITE CONDITION

PHOTO 1: 7/27/2018 11:49
PHOTO 2: 7/27/2018 11:57

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NATURAL RESOURCES DIVISION
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES

CLZ 2018-29 A
PER-NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL
NAME: [Signature]
DATE: 8/31/18

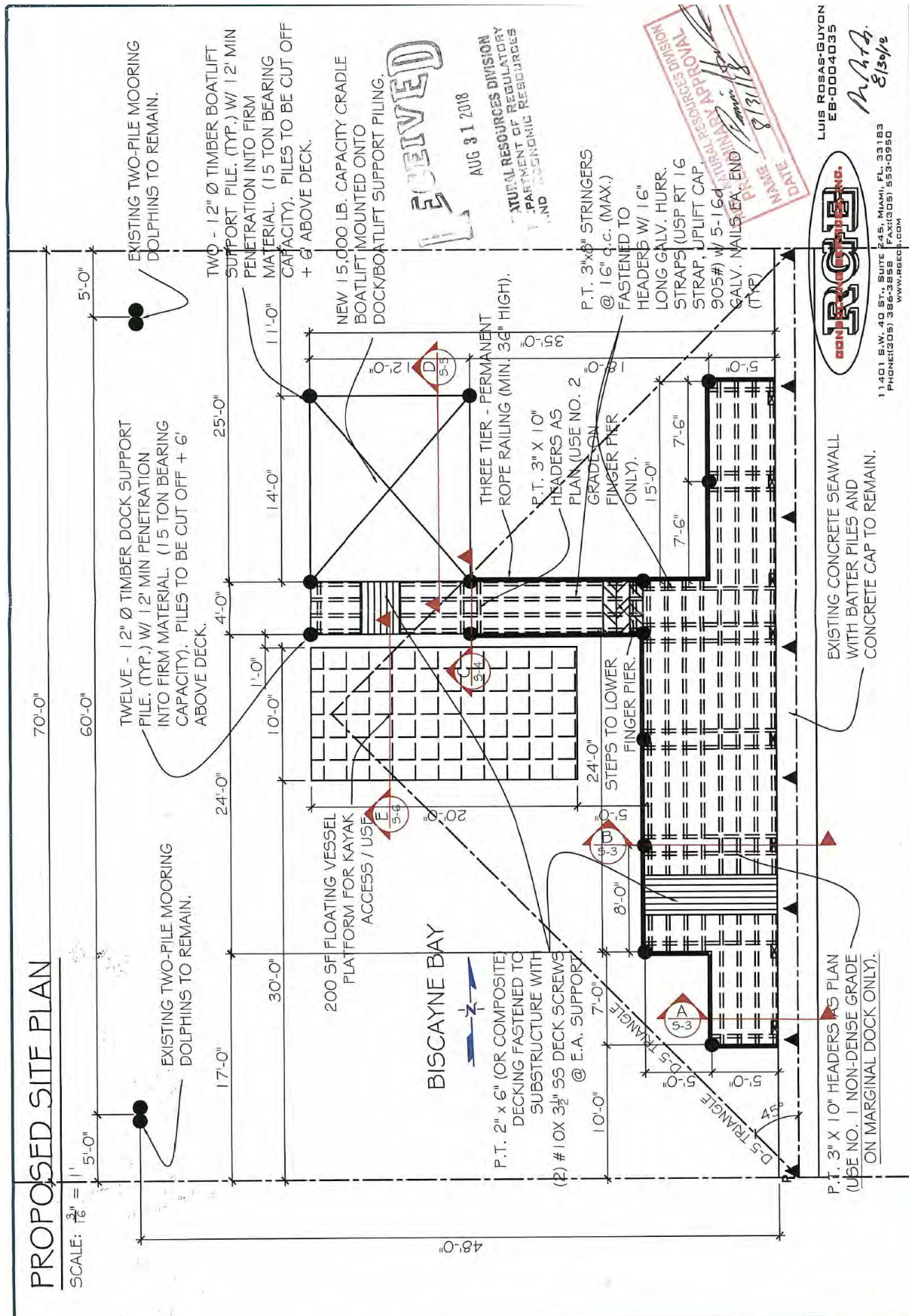
TRIDENT ENVIRONMENTAL
marine design and permitting
1600 SW 8TH STREET
SUITE 200A
MIAMI, FL 33135
305-244-0595
WWW.TRIDENTENV.COM

Job name: PFEFFER RESIDENCE
7610 MIAMI VIEW DR
NORTH BAY VILLAGE, FL
NEW TIMBER BOAT DOCK, 1 SK BOATLIFT AND PVP.
PLOT NO: EB-0004035
OWNER: OLIVER & JENNIFER PFEFFER
PLOT # 23-3209-008-0360
NORTH BAY ISLAND P440-59
LOT 1 & 117 5TH AVE SW
OR WEST BLK 2
REC FILE # CU-2018-0292
PLN: TAMMY BURTON

REGCORP
LUIS ROBASTRUYON
EB-0004035
Mr. A.A.
5/30/19

11401 S.W. 40 ST., SUITE 245, MIAMI, FL 33183
PHONE: (305) 366-3858 FAX: (305) 553-0950
WWW.REGCORP.COM

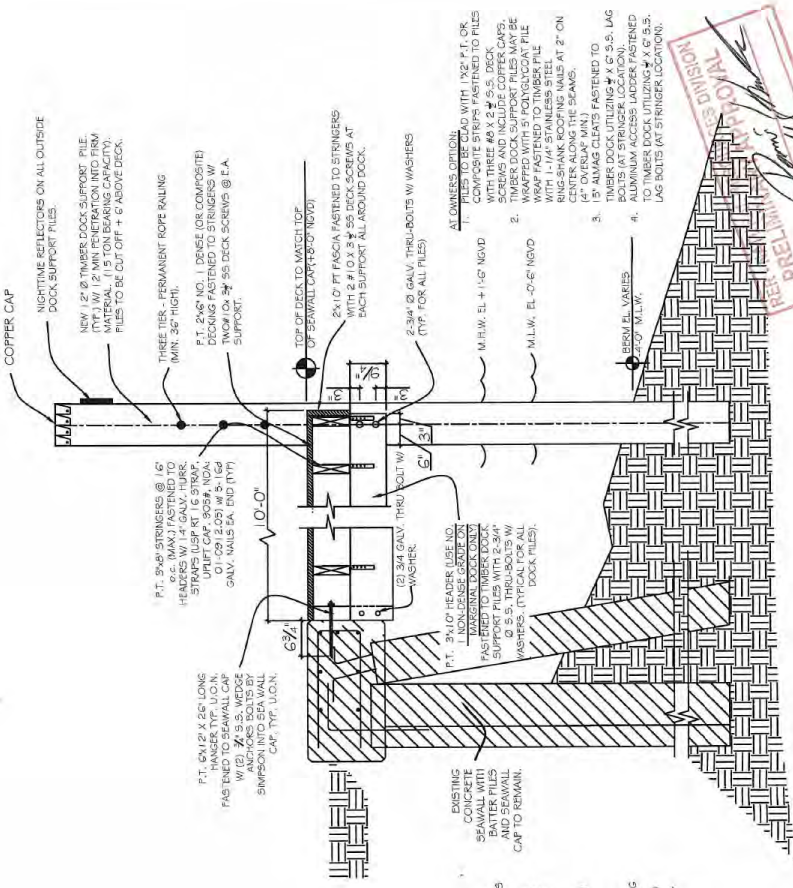
Agenda Item 14B



10' WIDE MARGINAL DOCK SECTION B (SHEET S-2):

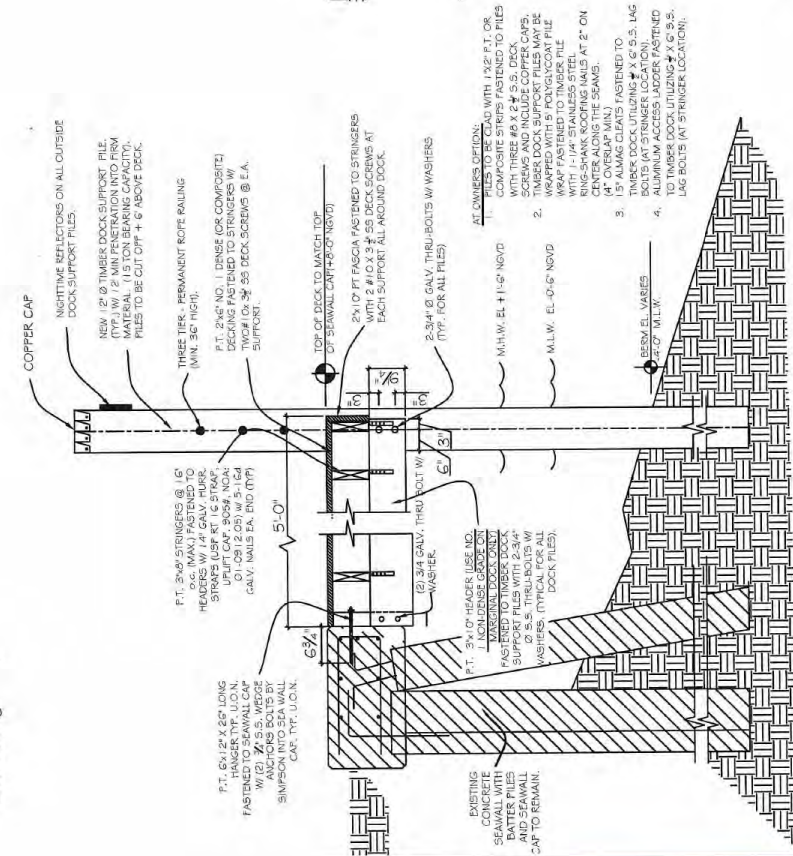
SCALE: $\frac{3}{8}" = 1'$

AUG 31 2018
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 DIVISION
 DEPARTMENT OF REGULATION
 AND ECONOMIC REVENUE



5' WIDE MARGINAL DOCK SECTION A (SHEET S-2):

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



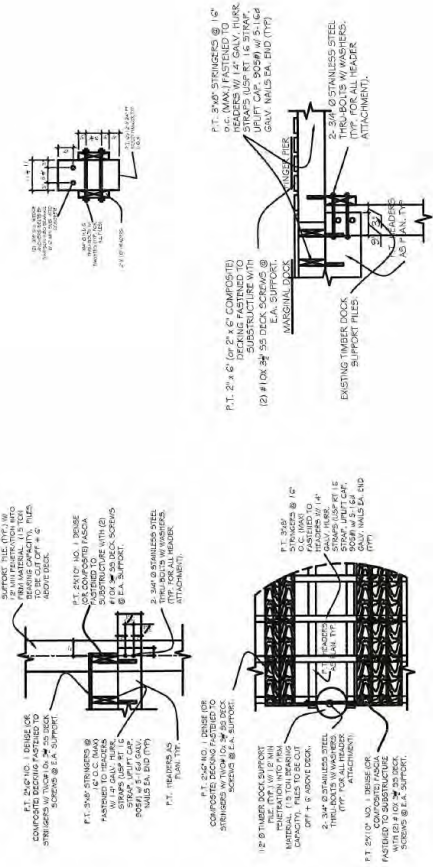
LUIS ROSAS-GUYON
 EB-0004035
 11401 S.W. 40 ST., SUITE 245, MIAMI, FL 33183
 PHONE: (305) 386-3858 FAX: (305) 553-0950
 WWW.RGCCS.COM



PREPARED BY: [Signature]
 DATE: 8/31/18
 ENVIRONMENTAL
 DIVISION

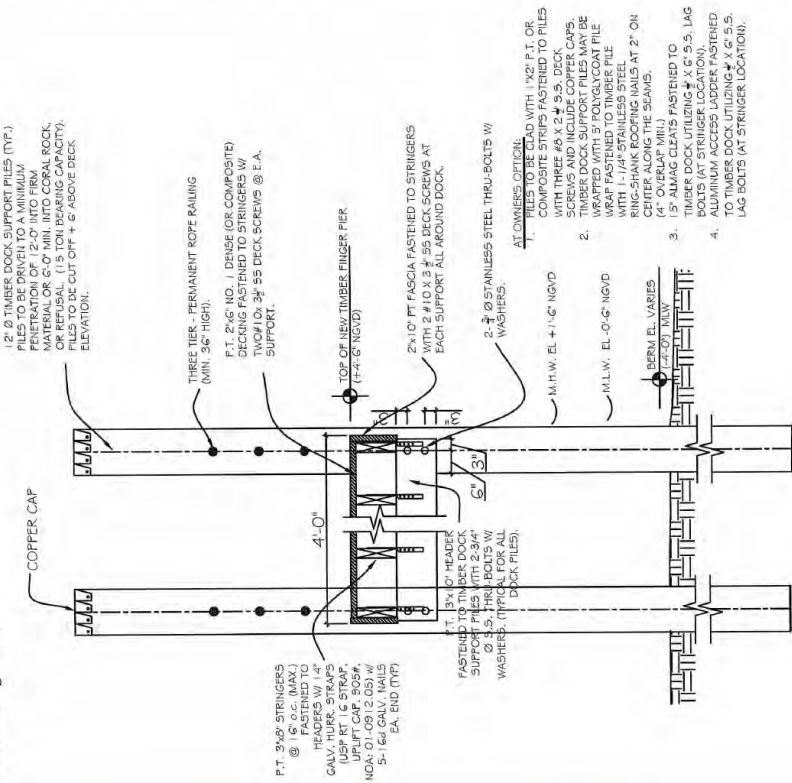
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NATURAL RESOURCES DIVISION
DEPARTMENT OF REGULATION
AND ECONOMIC RESOURCES

TYPICAL DOCK DETAILS:



FINGER PIER SECTION C (SHEET S-2):

SCALE: 3/8" = 1'



PRELIMINARY APPROVAL
NAME: [Signature]
DATE: 8/31/18



LUIS ROSAS-GUYON
EB-0004035

[Signature]
8/31/19

11401 S.W. 40 ST., SUITE 245, MIAMI, FL. 33183
PHONE: (305) 366-3858 FAX: (305) 565-0950
WWW.RRCCS.COM

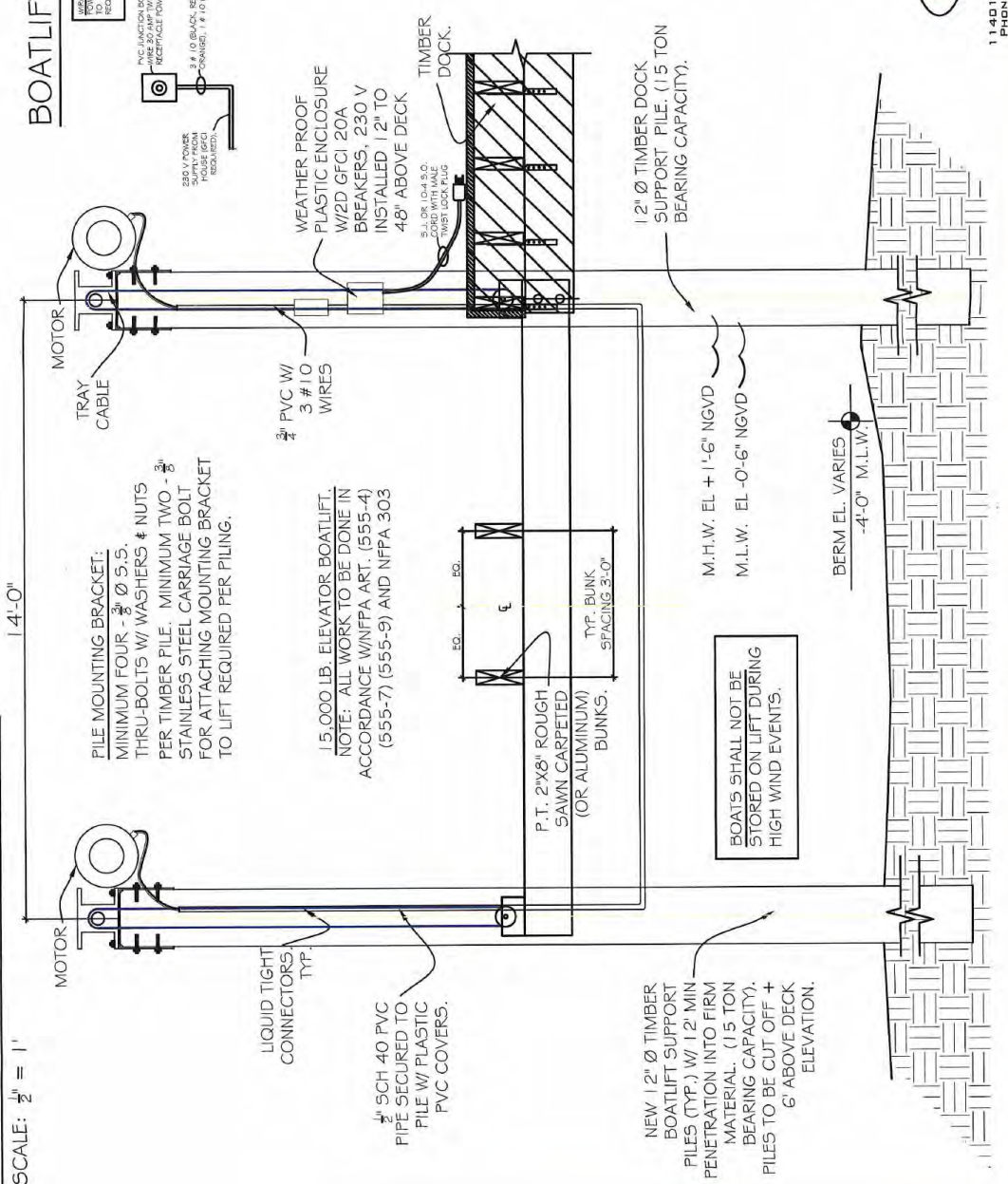
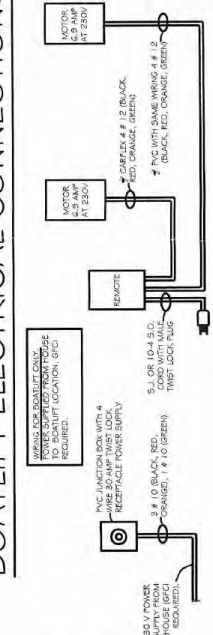
FOUR-POSTED BOATLIFT SECTION D (SHEET S-2):

SCALE: $\frac{1}{2}'' = 1'$

AUG 31 2018

NATURAL RESOURCES DIVISION
DEPARTMENT OF REGULATORY
AND ECONOMIC SERVICES

BOATLIFT ELECTRICAL CONNECTION:



PILE MOUNTING BRACKET:
MINIMUM FOUR - $\frac{3}{8}''$ \varnothing S.S. THRU-BOLTS W/ WASHERS & NUTS PER TIMBER PILE. MINIMUM TWO - $\frac{3}{8}''$ STAINLESS STEEL CARRIAGE BOLTS FOR ATTACHING MOUNTING BRACKET TO LIFT REQUIRED PER PILING.

15,000 LB. ELEVATOR BOATLIFT.
NOTE: ALL WORK TO BE DONE IN ACCORDANCE WITH ART. (555-4) (555-7) (555-9) AND NFPA 303

BOATS SHALL NOT BE STORED ON LIFT DURING HIGH WIND EVENTS.

NEW 12" \varnothing TIMBER BOATLIFT SUPPORT PILES (TYP.) W/ 12" MIN PENETRATION INTO FIRM MATERIAL. (15 TON BEARING CAPACITY). PILES TO BE CUT OFF + 6" ABOVE DECK ELEVATION.

PRELIMINARY APPROVAL
NAME: *[Signature]*
DATE: 8/31/18



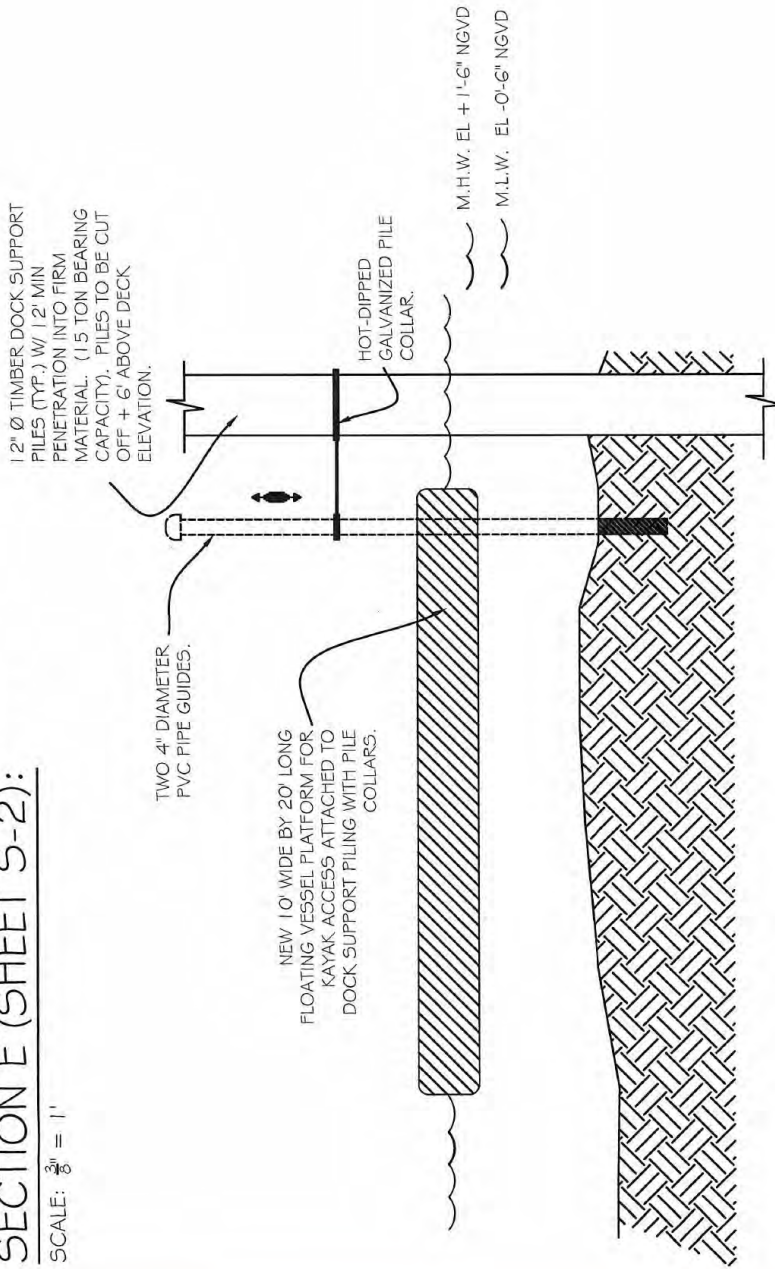
LUIS ROSAS-GUYON
EB-0004035

[Signature]
5/13/18

11401 S.W. 40 ST., SUITE 245, MIAMI, FL 33183
PHONE: (305) 386-3858 FAX: (305) 553-0950
WWW.RECEB.COM

FLOATING VESSEL PLATFORM SECTION E (SHEET S-2):

SCALE: $\frac{3}{8}'' = 1'$



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NATURAL RESOURCES DIVISION
FLORIDA DEPARTMENT OF REVENUE
AND ECONOMIC REVENUES

PRELIMINARY APPROVAL
NAME: *Daniel H. [Signature]*
DATE: 8/31/18



LUIS ROSAS-GUYON
EB-0004095

M.A.G.
9/20/18

11401 S.W. 40 ST., SUITE 245, MIAMI, FL 33183
PHONE: (305) 386-3858 FAX: (305) 553-0950
WWW.REEDS.COM

Agenda Item 14B



North Bay Village
Administrative Offices
1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

10/25/13 1:08PM

10/25/13 3:57PM

DOCK APPLICATION FOR PUBLIC HEARING

Page 1 of 3

Site Address 7610 Miami View Dr.
Owner Name Oliver Pfeffer Owner Phone # 3/316 5032
Owner Mailing Address 7610 Miami View Dr.
Applicant Name Oliver Pfeffer Applicant Phone # 3/316 5032
Applicant Mailing Address 7610 Miami View Dr.
Contact Person Henry Albelo Contact Phone # 3/316 5032
Contact Email Address Bibi@tridentenv.com
Legal Description of Property North Bay Island PB40-59
Existing Zoning RS-1 Lot Size 70x115 Folio Number 23-3209-008-0360
Legal Description Lot 16 to 1st strip ADJ same on W. Blvd
Project Description New Timber Boat Dock, 15K Boatlift
and FVP
Dock Length Measured Perpendicular from Seawall 500 sq Ft.

Mandatory Submittals (Applicant must check that each item is included with this application)

- | | |
|---|--|
| <input type="checkbox"/> Site plans which depict:
North point
Scale at 1/16 inch to the foot, or larger
Date of preparation
Dock structures
Any mechanical equipment
Any exterior lighting
Any other physical features | <input type="checkbox"/> Property survey
<input type="checkbox"/> Elevations
<input type="checkbox"/> DERM approval
<input type="checkbox"/> Application fees
<input type="checkbox"/> Cost recovery deposit |
|---|--|

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

Agenda Item 14B

DOCK APPLICATION FOR PUBLIC HEARING

Page 2 of 3

Applications are incomplete until all mandatory submittals have been received by the Village Clerk.

All requests for dock approval from the North Bay Village Code shall be considered at Public Hearings before the Village Commission. Notice of Hearing shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the petition is complete before the hearing is legally advertised. All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

All persons, firms, or corporations requesting dock approval from the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such a variance request, pursuant to Section 152.110 of the Village Code.

All new and substantial improvements must comply with the Florida Building Code, Department of Environmental Resource Management (DERM), and FEMA regulations.

I (We) the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held by the Village Commission has voted favorable on the proposed request.

I (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning and Zoning Board and the Village Commission pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Village Commission revoked.

Authorized Signature _____

Print Name Oliver Pfeffer

(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

STATE OF FLORIDA
COUNTY OF Miami-Dade

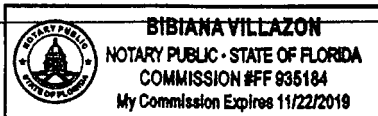
Sworn to and subscribed to before me this 10 day of September, 2018,

by Oliver Pfeffer

who is personally known to me or who has produced _____ as identification.

Notary Public Signature _____

Commission Number/Expiration _____



Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

Agenda Item 14B

DOCK APPLICATION FOR PUBLIC HEARING

Page 3 of 3

Office Use Only:

Date Submitted: _____

Tentative Meeting Date: _____

Fee Paid: \$ _____

Cash or Check # _____

Date Paid: _____

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

TRIDENT ENVIRONMENTAL
marine design and permitting
1850 SW 8TH STREET
SUITE 208A
MIAMI, FL 33135
305-244-0595
bibl@tridentenv.com
www.tridentenv.com

Job name:
PFEFFER RESIDENCE
7610 MIAMI VIEW DR
NORTH BAY VILLAGE, FL
Title: NEW TIMBER BOAT DOCK, 15K BOATLIFT
AND FVP.

OWNER: OLIVER & JENNIFER PFEFFER
FOLIO # 23-3209-008-0360
NORTH BAY ISLAND PB40-59
LOT 16 & 1 FT STRIP ADJ SAME
ON WEST BUK 2
REF FILE # CU-2018-0292
FM: TAMMY BURTON

Sheet no.
S-1
1 of 4

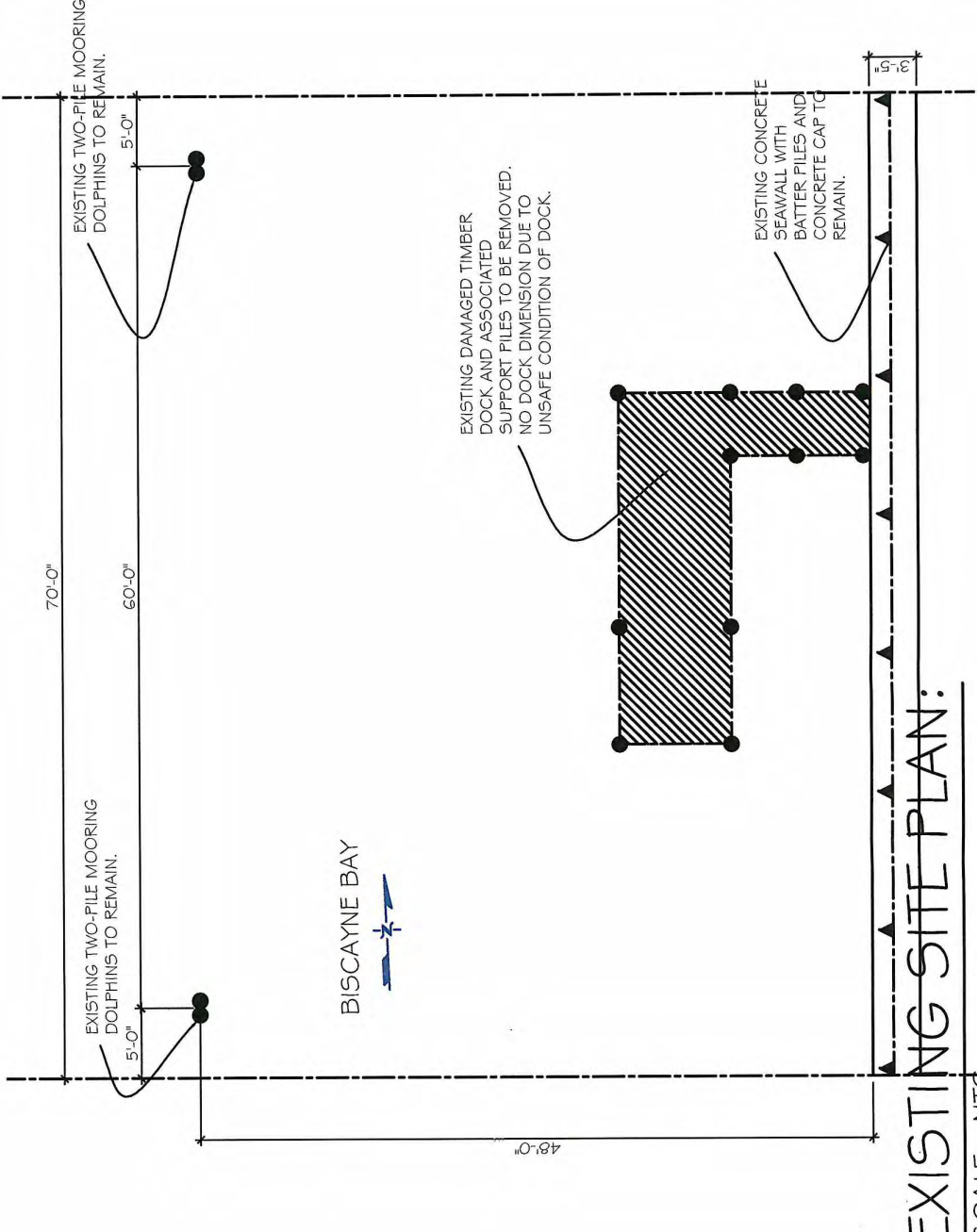
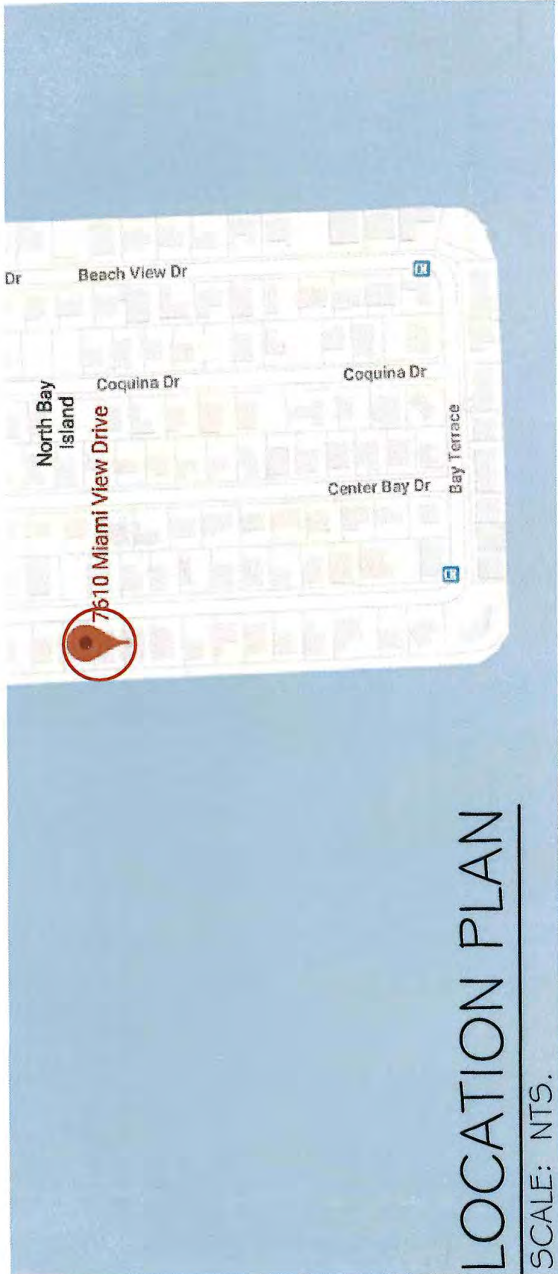
EXISTING SITE
CONDITION

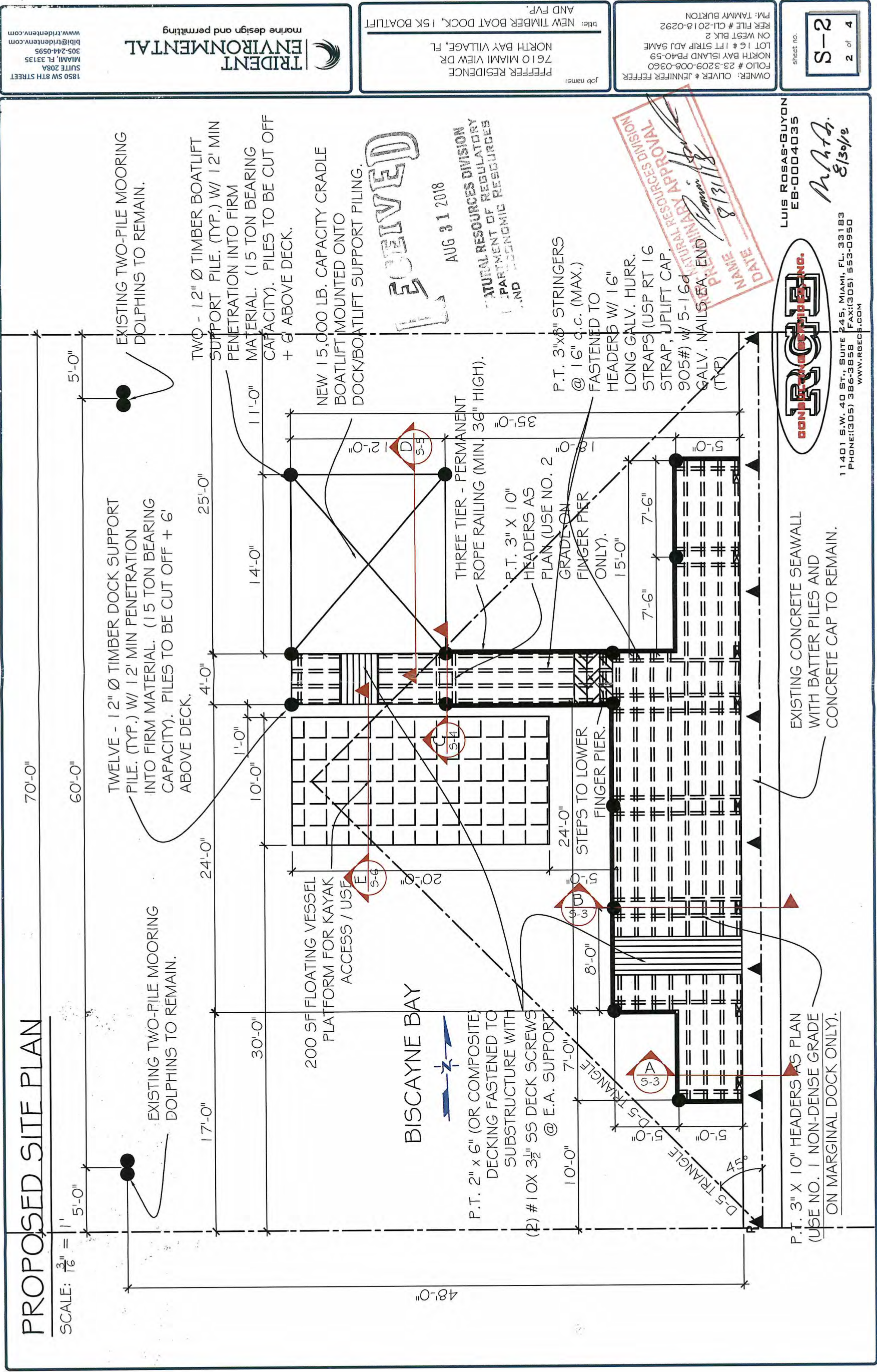


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AUG 31 2018
NATURAL RESOURCES DIVISION
DEPARTMENT OF REGULATORY
AND ECONOMIC RESOURCES

CLI 2018-29 A
RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL
NAME: *[Signature]*
DATE: 8/31/18

RECEIVING
LUIS ROSAS-GUYON
EB-0004035
[Signature]
5/30/19
11401 S.W. 40 ST., SUITE 245, MIAMI, FL 33183
PHONE:(305) 386-3858 FAX:(305) 553-0950
WWW.RECCS.COM





PROPOSED SITE PLAN

SCALE: 3/16" = 1'

70'-0"

60'-0"

5'-0"

5'-0"

TWELVE - 12" Ø TIMBER DOCK SUPPORT PILE. (TYP.) W/ 12' MIN PENETRATION INTO FIRM MATERIAL. (15 TON BEARING CAPACITY). PILES TO BE CUT OFF + 6' ABOVE DECK.

EXISTING TWO-PILE MOORING DOLPHINS TO REMAIN.

EXISTING TWO-PILE MOORING DOLPHINS TO REMAIN.

TWO - 12" Ø TIMBER BOATLIFT SUPPORT PILE. (TYP.) W/ 12' MIN PENETRATION INTO FIRM MATERIAL. (15 TON BEARING CAPACITY). PILES TO BE CUT OFF + 6' ABOVE DECK.

200 SF FLOATING VESSEL PLATFORM FOR KAYAK ACCESS / USE

NEW 15,000 LB. CAPACITY CRADLE BOATLIFT MOUNTED ONTO DOCK/BOATLIFT SUPPORT PILING.

BISCAYNE BAY

P.T. 2" x 6" (OR COMPOSITE) DECKING FASTENED TO SUBSTRUCTURE WITH (2) #10 X 3 1/2" SS DECK SCREWS @ E.A. SUPPORT.

THREE TIER - PERMANENT ROPE RAILING (MIN. 36" HIGH).

P.T. 3" X 10" HEADERS AS PLAN (USE NO. 2 GRADE) ON FINGER PIER ONLY.

P.T. 3"x8" STRINGERS @ 16" o.c. (MAX.) FASTENED TO HEADERS W/ 16" LONG GALV. HURR. STRAPS (USP RT 16 STRAP, UPLIFT CAP. 905#) W/ 5-16d GALV. NAILS EA. END (TYP)

P.T. 3" X 10" HEADERS AS PLAN (USE NO. 1 NON-DENSE GRADE ON MARGINAL DOCK ONLY).

EXISTING CONCRETE SEAWALL WITH BATTER PILES AND CONCRETE CAP TO REMAIN.

RECEIVED
AUG 31 2018
NATURAL RESOURCES DIVISION
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES

PRELIMINARY APPROVAL
NATURAL RESOURCES DIVISION
DATE 8/31/18
NAME [Signature]



11401 S.W. 40 ST., SUITE 245, MIAMI, FL. 33183
PHONE: (305) 386-3858 | FAX: (305) 553-0950
WWW.RBCEC.COM

LUIS ROSAS-GUYON
EB-0004035

MLA
8/30/18

TRIDENT ENVIRONMENTAL
marine design and permitting
1850 SW 8TH STREET
SUITE 208A
MIAMI, FL 33135
305-244-0595
bib@tridentenv.com
www.tridentenv.com

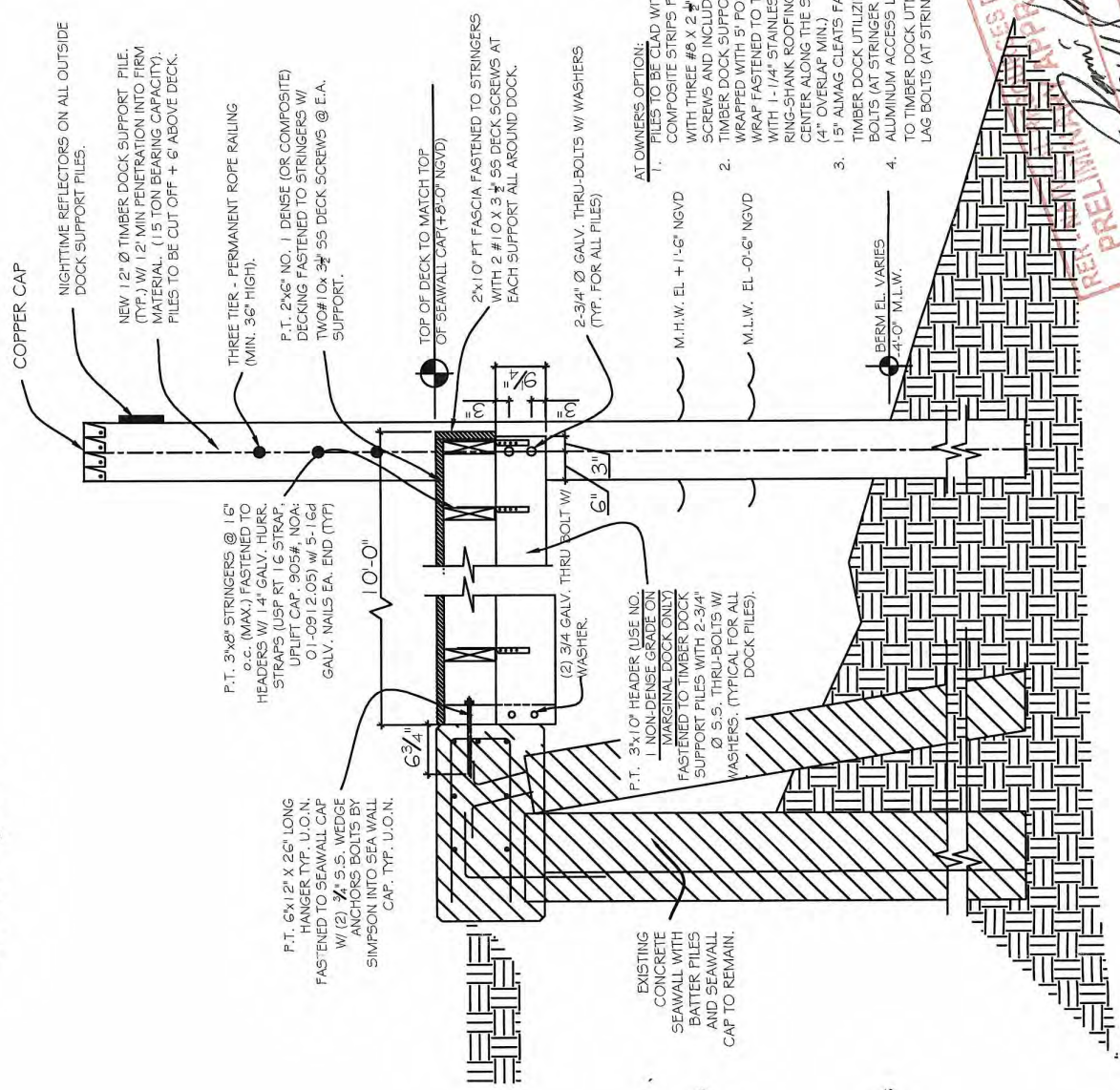
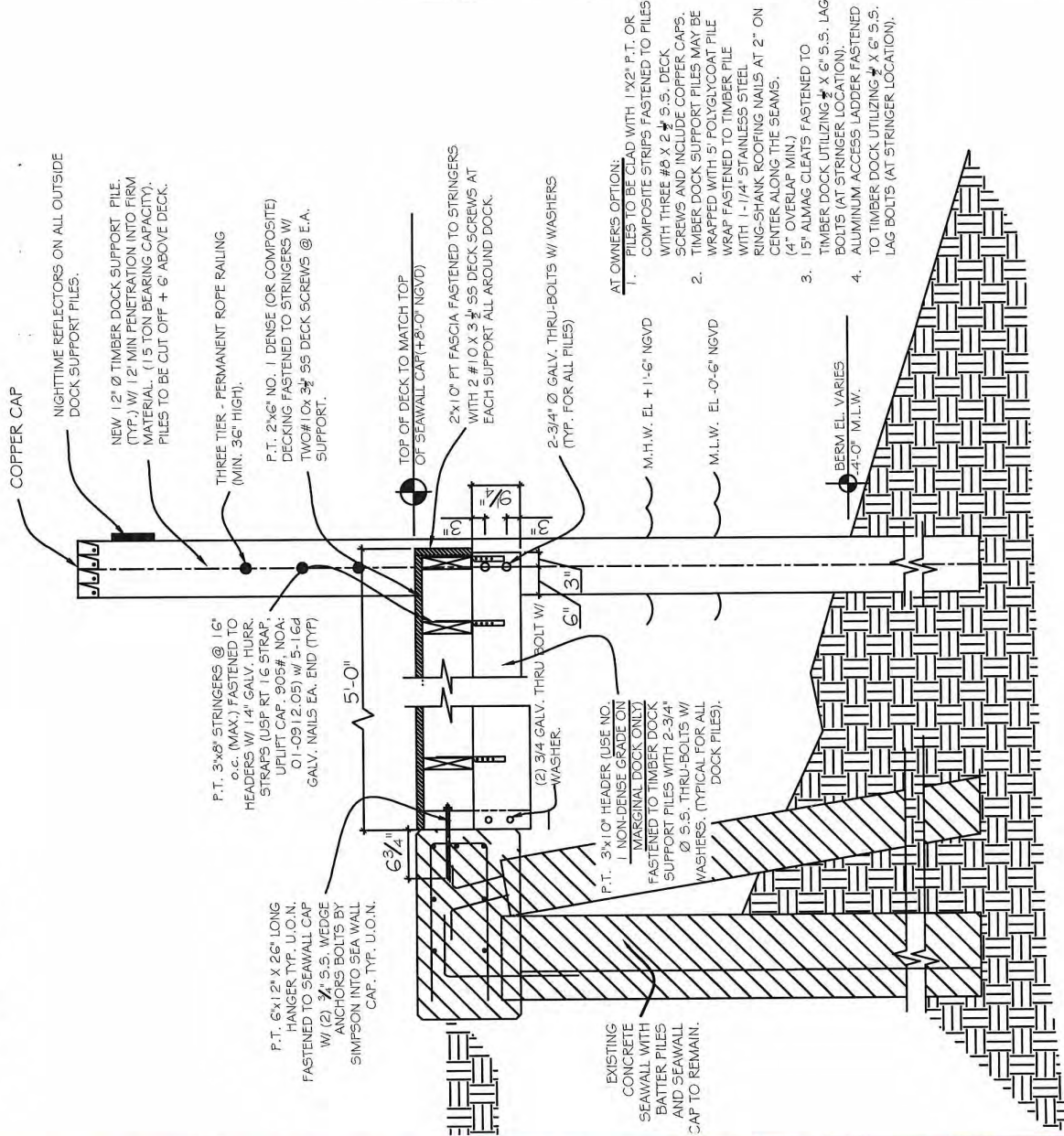
Job name:
FFEFFER RESIDENCE
7610 MIAMI VIEW DR
NORTH BAY VILLAGE, FL
AND FVP.
title: NEW TIMBER BOAT DOCK, 15K BOATLIFT

OWNER: OLIVER & JENNIFER FEFER
FOLIO # 23-209-008-0360
NORTH BAY ISLAND PB40-59
LOT 16 & 17 STRIP ADJ SAME
ON WEST BLK 2
RFR FILE # CI-2018-0292
PM: TAMMY BURTON

sheet no.
S-2
2 of 4

5' WIDE MARGINAL DOCK
SECTION A (SHEET S-2):
SCALE: 3/8" = 1'

10' WIDE MARGINAL DOCK
SECTION B (SHEET S-2):
SCALE: 3/8" = 1'



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NATURAL RESOURCES DIVISION
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES

LUIS ROSAS-GUYON
EB-0004035

M. A. G.
9/30/19

11401 S.W. 40 ST., SUITE 245, MIAMI, FL. 33183
PHONE:(305) 386-3858 FAX:(305) 553-0950
WWW.RBECG.COM

sheet no. **S-3** of 7

OWNER: OLIVER & JENNIFER FEFER
FOLIO # 23-3-209-008-0360
NORTH BAY ISLAND PB40-59
LOT 16 & 17 STRIP ADJ SAME
ON WEST BLK 2
RFR FILE # CL-2018-0292
PM: TAMMY BURTON

Job name: PFEFFER RESIDENCE
7610 MIAMI VIEW DR
NORTH BAY VILLAGE, FL
AND FVP.
NEW TIMBER BOAT DOCK, 15K BOATLIFT

TRIDENT ENVIRONMENTAL
marine design and permitting

1850 SW 8TH STREET
SUITE 208A
MIAMI, FL 33135
305-244-0595
blb@tridentenv.com
www.tridentenv.com

PRELIMINARY APPROVAL

NAME: *James G. Bill*
DATE: 8/31/18

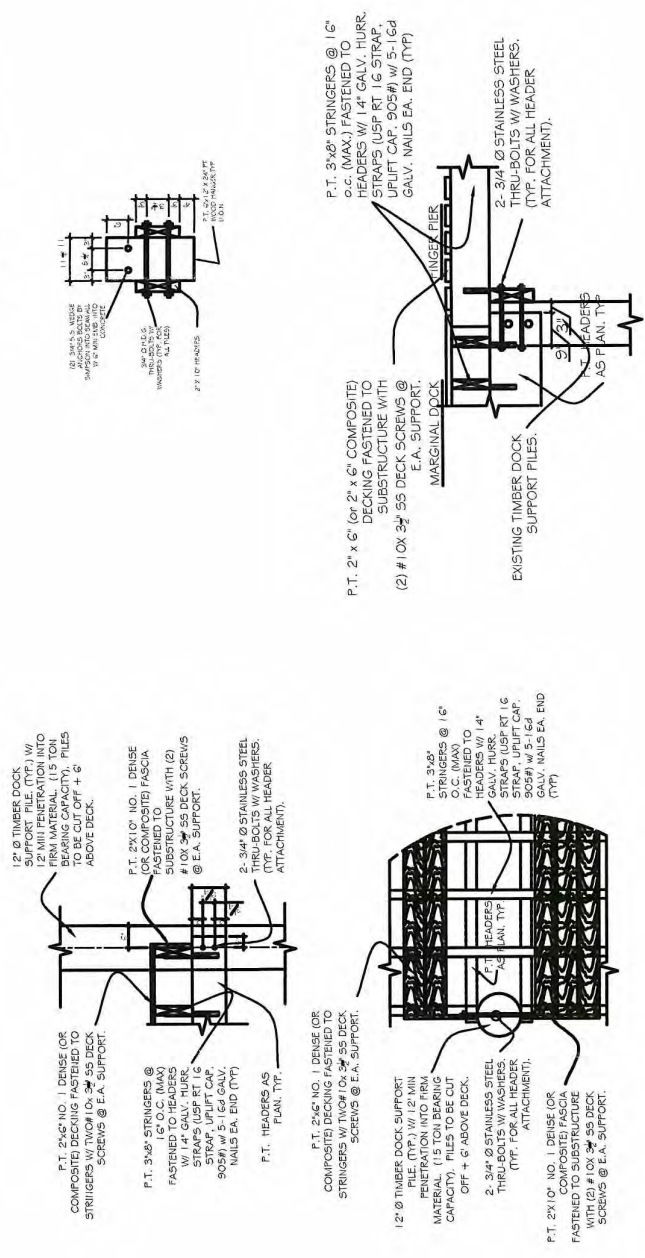
sheet no. S-4 4 of 7

OWNER: OLIVER & JENNIFER FEFER
 FOLIO # 23-3209-008-0360
 NORTH BAY ISLAND PB40-59
 LOT 16 & 1 FT STRIP ADJ 5AME
 ON WEST BLK 2
 RFR FILE # CL-2018-0292
 PM: TAMMY BURTON

Job name: PFEFFER RESIDENCE
 7610 MIAMI VIEW DR
 NORTH BAY VILLAGE, FL
 AND FVP.
 NEW TIMBER BOAT DOCK, 15K BOATLIFT

TRIDENT ENVIRONMENTAL
 marine design and permitting
 1850 SW 8TH STREET
 SUITE 208A
 MIAMI, FL 33135
 305-244-0595
 bbl@tridentenv.com
 www.tridentenv.com

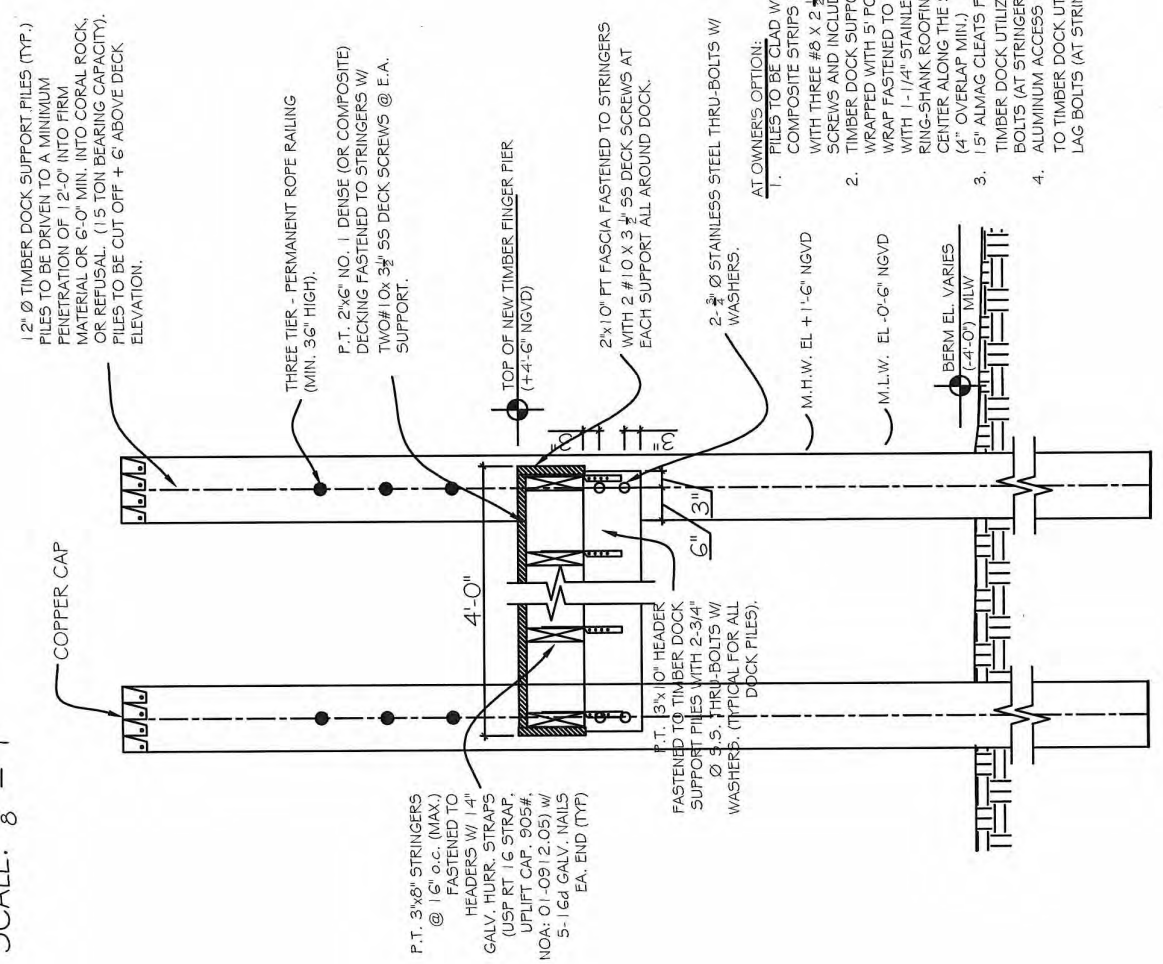
TYPICAL DOCK DETAILS:



PER - NATURAL RESOURCES DIVISION
 PRELIMINARY APPROVAL
 NAME: [Signature]
 DATE: 8/13/18

LUIS ROSAS-GUYON
 EB-0004035
 8/13/19
 11401 S.W. 40 ST., SUITE 245, MIAMI, FL 33183
 PHONE:(305) 366-3858 FAX:(305) 553-0950
 WWW.RGCS.COM

FINGER PIER SECTION C (SHEET S-2):
 SCALE: 3/8" = 1'



- AT OWNERS OPTION:
- PILES TO BE CLAD WITH 1" X 2" P.T. OR COMPOSITE STRIPS FASTENED TO PILES WITH THREE #8 X 2" X 5.5" DECK SCREWS AND INCLUDE COPPER CAPS. TIMBER DOCK SUPPORT PILES MAY BE WRAPPED WITH 5' POLYGLYCOAT PILE WRAP FASTENED TO TIMBER PILE WITH 1-1/4" STAINLESS STEEL RING-SHANK ROOFING NAILS AT 2" ON CENTER ALONG THE SEAMS.
 - 1 5" ALVAG CLEATS FASTENED TO TIMBER DOCK UTILIZING 1/2" X 6" S.S. LAG BOLTS (AT STRINGER LOCATION).
 - ALUMINUM ACCESS LADDER FASTENED TO TIMBER DOCK UTILIZING 1/2" X 6" S.S. LAG BOLTS (AT STRINGER LOCATION).

RECEIVED
 AUG 31 2018
 NATURAL RESOURCES DIVISION
 DEPARTMENT OF REGULATORY AND ECONOMIC REGULATION

RECEIVED

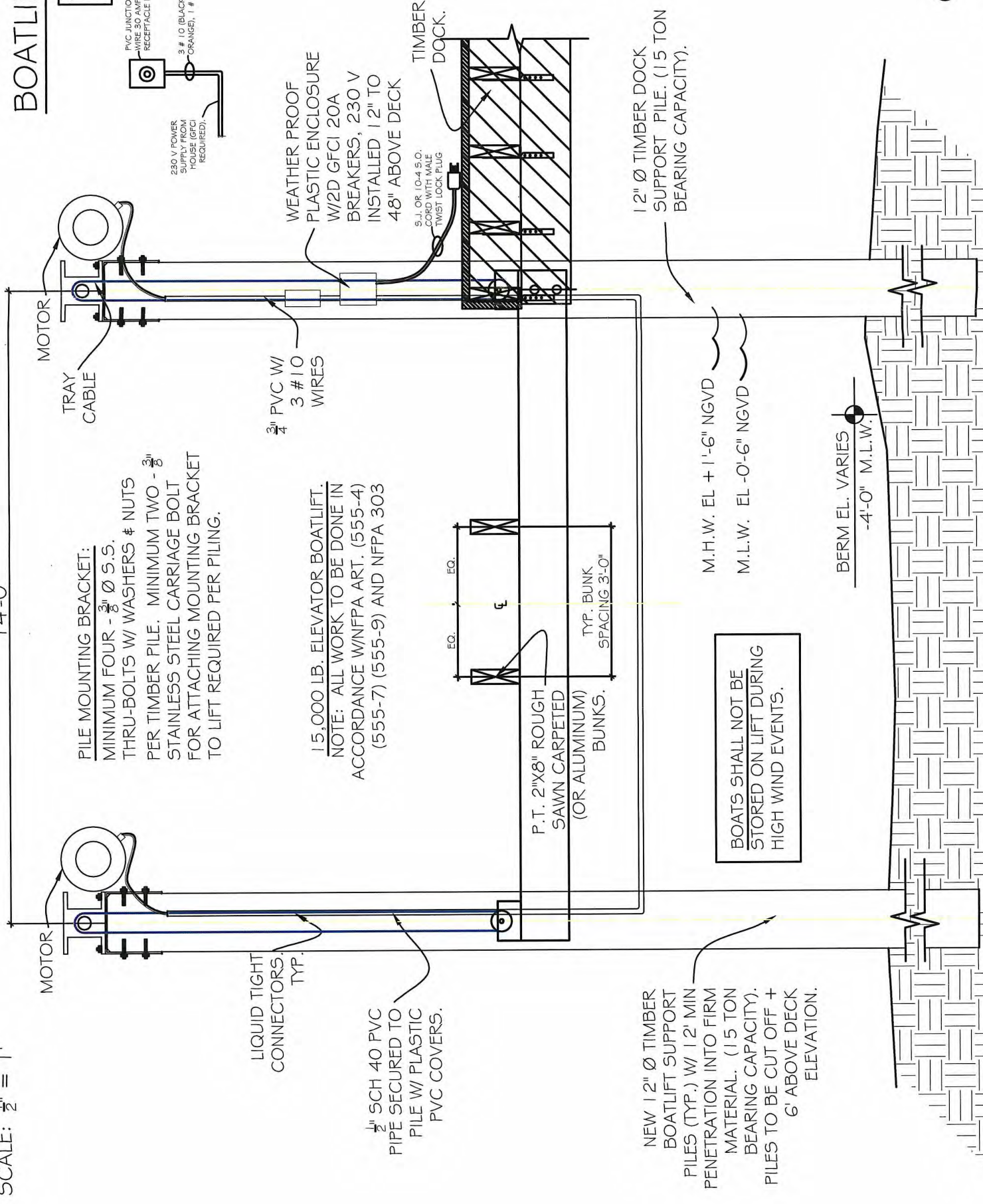
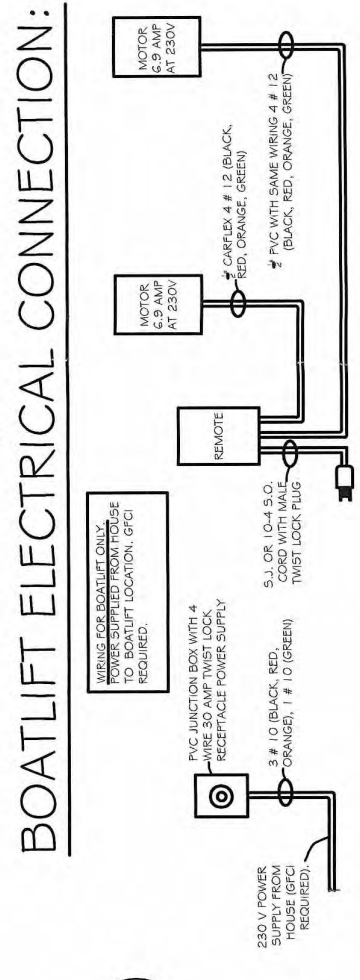
**FOUR-POSTED BOATLIFT
SECTION D (SHEET S-2):**

SCALE: $\frac{1}{2}" = 1'$

AUG 31 2018

**NATURAL RESOURCES DIVISION
DEPARTMENT OF REVENUE AND
LICENSING**

BOATLIFT ELECTRICAL CONNECTION:



1850 SW 8TH STREET
SUITE 208A
MIAMI, FL 33135
305-244-0595
blb@tridentenv.com
www.tridentenv.com

TRIDENT ENVIRONMENTAL
marine design and permitting

job name: PFEFFER RESIDENCE
7610 MIAMI VIEW DR
NORTH BAY VILLAGE, FL
AND FVP.
NEW TIMBER BOAT DOCK, 15K BOATLIFT

OWNER: OLIVER & JENNIFER PFEFFER
FOLIO # 23-3209-008-0360
NORTH BAY ISLAND PB40-59
LOT 16 & 1 FT STRIP ADJ SAME
ON WEST BLK 2
RFR FILE # CL-2018-0292
PM: TAMMY BURTON

sheet no.
S-5
5 of 7

PRELIMINARY APPROVAL
NAME: *David* DATE: 8/31/18
PRELIMINARY APPROVAL FOR
NATURAL RESOURCES DIVISION

RECEIVED

LUIS ROSAS-GUYON
EB-0004035
Luis Rosas-Guyon 8/31/18

11401 S.W. 40 ST., SUITE 245, MIAMI, FL 33183
PHONE: (305) 386-3858 FAX: (305) 553-0950
WWW.RBEC.S.COM

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SUITE 208A
MIAMI, FL 33135
305-244-0595
bib@tridentenv.com
www.tridentenv.com

TRIDENT ENVIRONMENTAL
marine design and permitting

job name: PFEFFER RESIDENCE
7610 MIAMI VIEW DR
NORTH BAY VILLAGE, FL

title: NEW TIMBER BOAT DOCK, 15K BOATLIFT
AND FVP.

OWNER: OLIVER & JENNIFER PFEFFER
FOLIO # 23-3209-008-0360
NORTH BAY ISLAND PB40-59
LOT 16 & 1 FT STRIP ADJ SAME
ON WEST BLK 2
PER FILE # CL-2018-0292
FM: TAMMY BURTON

sheet no. **S-6**
6 of 7

RECEIVED

AUG 31 2018
NATURAL RESOURCES DIVISION
DEPARTMENT OF REGULATORY
AND ECONOMIC RESOURCES

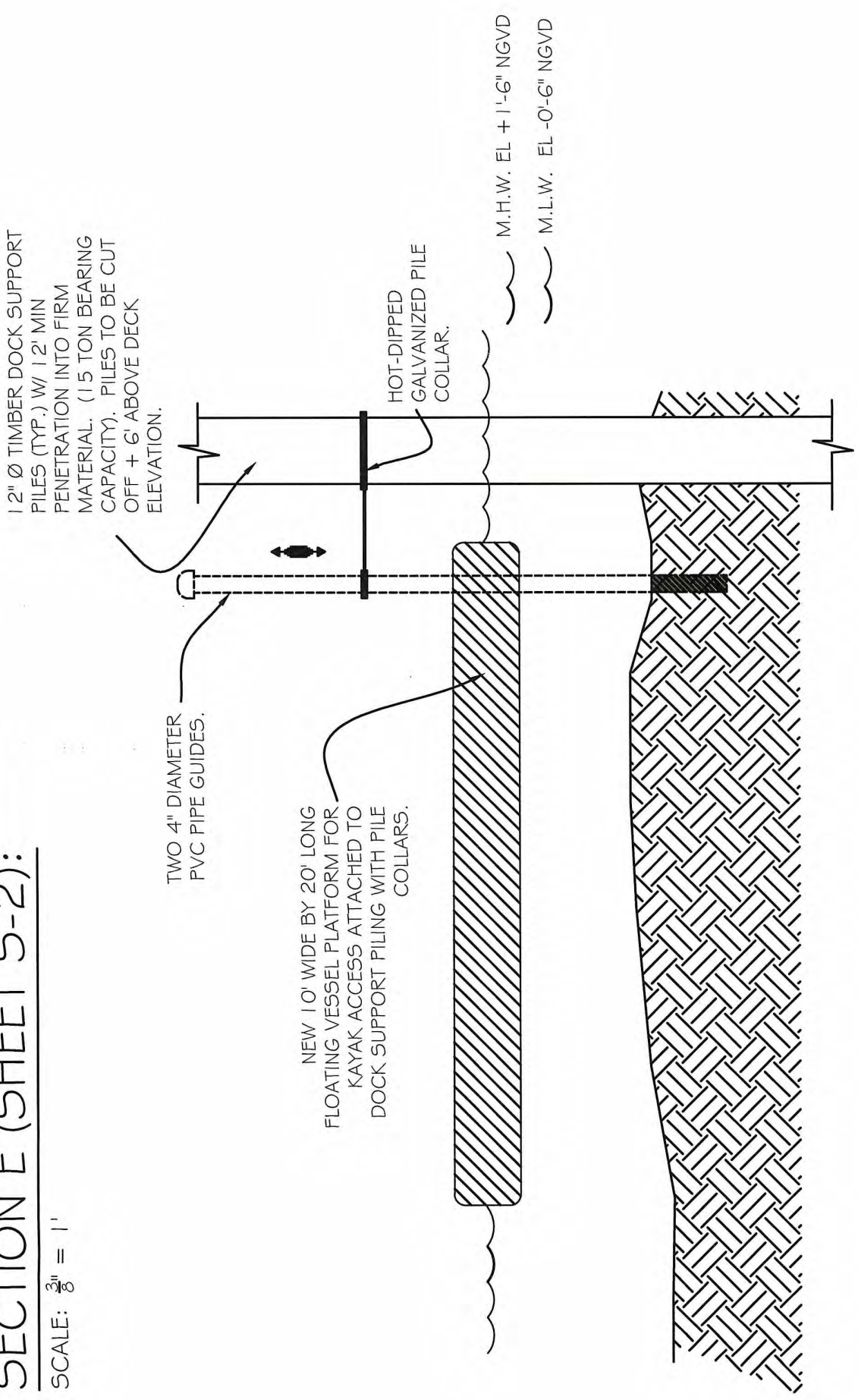
PER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL
NAME: *Diana...*
DATE: 8/31/18

TRIDENT ENVIRONMENTAL
LUIS ROSAS-GUYON
EB-0004035
Luis Rosas-Guyon
5/30/18

11401 S.W. 40 ST., SUITE 245, MIAMI, FL 33183
PHONE:(305) 386-3858 FAX:(305) 553-0950
WWW.RGECOS.COM

**FLOATING VESSEL PLATFORM
SECTION E (SHEET S-2):**

SCALE: $\frac{3}{8}'' = 1'$



TRIDENT ENVIRONMENTAL marine design and permitting

1850 SW 8TH STREET
SUITE 208A
MIAMI, FL 33135
305-244-0595
bibl@tridentenv.com
www.tridentenv.com

Job name: PFFFER RESIDENCE
7610 MIAMI VIEW DR
NORTH BAY VILLAGE, FL
Title: NEW TIMBER BOAT DOCK, 15K BOATLIFT AND FVP.

OWNER: OLIVER & JENNIFER PFFFER
FOLIO # 23-3209-008-0360
NORTH BAY ISLAND PB40-59
LOT 16 # 1 FT STRIP ADJ SAME
ON WEST BLK 2
REF FILE # CU-2018-0292
FM: TAMMY BURTON

Sheet no. S-7
7 of 7

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AUG 31 2018
NATURAL RESOURCES DIVISION
DEPARTMENT OF REGULATION
AND ECONOMIC RESOURCES

GENERAL NOTES
ELEVATIONS SHOWN REFER TO THE NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929.
ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD.
IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION ANY DISCREPANCIES BETWEEN THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF ENGINEER BEFORE PROCEEDING WITH WORK.
IT IS THE INTENT OF THESE PLANS AND THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH LOCAL, STATE AND FEDERAL ENVIRONMENTAL PERMITS ISSUED FOR THIS PROJECT IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO FAMILIARIZE AND GOVERN HIMSELF BY ALL PROVISIONS OF THESE PERMITS.
APPLICABLE BUILDING CODE: FLORIDA BUILDING CODE, 6th EDITION (2017).
CONTRACTOR TO DETERMINE THE SUSTAINABILITY OF EXISTING STRUCTURES AND VERIFY ALL DIMENSIONS. THE CONTRACTOR IS RESPONSIBLE FOR ALL METHODS, MEANS, SEQUENCES AND PROCEDURES OF WORK.
CONTRACTOR TO VERIFY LOCATION OF EXISTING UTILITIES PRIOR TO COMMENCING WORK.
ANY DEVIATION AND/OR SUBSTITUTION FROM THE INFORMATION PROVIDED HEREIN SHALL BE SUBMITTED TO THE ENGINEER FOR APPROVAL PRIOR TO COMMENCEMENT OF WORK.

WOOD PILING
1. ALL WOOD PILES TO BE 12" DIAMETER SOUTH AMERICAN GREENHEART PILES; OR 12" DIAMETER SOUTHERN PINE AND COMPLY WITH A.S.T.M. D25-79 AVID BE PRESSED TREATED W/ C.C.A, FEDERAL SPECIFICATIONS TT-W-550D (1) OR TT-W-00550E (L) AND AWFA-MF-4.
2. ALL WOOD PILES SHALL BE DRIVEN TO A MINIMUM BEARING CAPACITY OF 15 TONS WITH MINIMUM PENETRATION OF 12" INTO FIRM MATERIAL BELOW SILT LAYER OR 6'-0" MIN. INTO ROCK, OR REFUSAL (30 HAMMER BLOWS (4,500# MIN. HAMMER WEIGHT / 7'-6" MIN. HAMMER DROP) FOR THE LAST 9" OF PENETRATION.)
3. PILES SHALL BE CUT OFF AT ELEVATIONS AS SHOWN ON PLANS AND SECTIONS.

WOOD
1. PRIMARY WOOD FRAMING MEMBERS SHALL BE NO. 2 PRESSURE TREATED SOUTHERN PINE OR BETTER. (FB= 1050 PSI MINIMUM).
2. ALL DECKING SHALL BE NO. 1 GRADE OR BETTER. (FB=2000 PSI MINIMUM).
3. ALL DIMENSIONAL LUMBER SHALL COMPLY WITH A.I.T.C. 109-69 SPECIFICATIONS.

PILE DRIVING NOTES
1. PILE DRIVING OPERATIONS SHALL BE OBSERVED BY A SPECIAL INSPECTOR, INCLUDING TEST PILES IF REQUIRED.
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. MINIMUM PENETRATION OF 12" INTO FIRM MATERIAL BELOW SILT LAYER OR 6'-0" MIN. INTO ROCK, OR REFUSAL.
4. PILES SHALL BE DRIVEN WITH A VARIATION OF NO MORE THAN 1/4" PER FOOT FROM THE VERTICAL OR FROM THE BATTER LINE INDICATED WITH A MAX VARIATION OF THE HEAD OF THE PILE FROM THE POSITION SHOWN ON THE PLANS OF NO MORE THAN 3".
5. MINIMUM PENETRATION OF ALL PILES TO BE AS FOLLOWS:
INTO BEDROCK: -6' MIN
INTO YIELDING MATERIAL: -10' MIN.
MINIMUM SAFE BEARING: 25 TONS PRECAST CONCRETE PILE
15 TONS TIMBER PILE

HARDWARE, BOLTS AND FASTENERS
1. ALL MISCELLANEOUS STEEL COMPONENTS, BOLTS AND HARDWARE SHALL BE TYPE 316 STAINLESS STEEL.

MISCELLANEOUS
1. FASTENERS EMBEDDED INTO CONCRETE STRUCTURES SHALL BE ANCHORED WITH TWO PARTY EPOXY ADHESIVE (HILTI, INC HIT-HY 200 ADHESIVE ANCHOR SYSTEM FL# 17180). ANCHOR HOLES SHALL BE DRILLED TO 1/8" GREATER THAN THE SPECIFIED FASTENER SIZE. HOLES SHALL BE DRILLED TO MINIMUM DEPTH SHOWN ON PLANS # SHALL BE THOROUGHLY CLEANED OUT AND DRY PRIOR TO INJECTION OF EPOXY.

TURBIDITY BARRIER
APPROVED TURBIDITY BARRIERS SHALL REMAIN IN PLACE DURING ALL PHASES OF IN-WATER WORK.
CONTRACTOR SHALL EMPLOY AND MAINTAIN ADEQUATE SEDIMENT AND EROSION CONTROL MEASURES DURING ALL PHASES OF WORK.

LOADS
WIND LOADS AS CALCULATED BY ASCE 7-10, CATEGORY II STRUCTURE, FOR A WIND LOADING OF 175 MPH, EXPOSURE 'C'.
LIVE LOAD = 60 PSF
DEAD LOAD = 10 PSF
DO NOT SCALE DRAWINGS FOR DIMENSION.

REC-NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL
NAME: *Edward Jim*
DATE: 8/31/18

TRIDENT CONSULTING INC.
LUIS ROSAS-GUYON
EB-0004035
11401 S.W. 40 ST., SUITE 245, MIAMI, FL 33183
PHONE:(305) 366-3858 FAX:(305) 553-0950
WWW.RGECOS.COM

M. Rodriguez
8/28/18

Agenda Item 14B



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300, North Bay Village, FL 33141

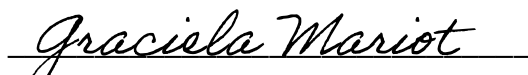
Tel: (305) 756-7171 | Fax: (305) 756-7722 | Website: www.nbvillage.com

RE: AN APPLICATION BY OLIVER PFEFFER, PROPERTY OWNER OF 7610 MIAMI VIEW DRIVE, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT REGULATIONS, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 7610 MIAMI VIEW DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT AND BEYOND THE D-5 TRIANGLE; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

I, Graciela Mariot, Interim Village Clerk, hereby certify

- The petition filed hereto is correct
- The attached Notice of Public Hearing was mailed to property owners and residents within 300 feet of the property of the subject request on October 29, 2018, pursuant to Section 4.4(4)(b) of the Unified Land Development Code
- The attached Notice of Public Hearing to be held on November 13, 2018 was posted at the above-referenced property on October 29, 2018, pursuant to Section 4.4(A)(6) of the Unified Land Development Code.

Dated this 29th day of October 2018.



Graciela Mariot, Interim Village Clerk

(North Bay Village Commission Meeting – November 13, 2018)

SUNDAY NOVEMBER 4 2018
MIAMIHERALD.COM

NEIGHBORS

13NE



**NORTH BAY VILLAGE
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A REGULAR MEETING ON **TUESDAY, NOVEMBER 13, 2018** AT 6:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING REQUESTS:

1. AN APPLICATION BY SAMER EL FASHNY, PROPERTY OWNER OF 1550 SOUTH TRESURE DRIVE, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT REGULATIONS, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 1550 SOUTH TRESURE DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT AND BEYOND THE D-5 TRIANGLE; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.
2. AN APPLICATION BY OLIVER PFEFFER, PROPERTY OWNER OF 7610 MIAMI VIEW DRIVE, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT REGULATIONS, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 7610 MIAMI VIEW DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT AND BEYOND THE D-5 TRIANGLE; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.
3. AN APPLICATION BY FELIPE LATA, PROPERTY OWNER OF 7929 WEST DRIVE, UNIT 8, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT REGULATIONS, FOR INSTALLATION OF A NEW BOATLIFT AND AN ACCESS PLATFORM BEYOND THE 25 FOOT LIMIT ON AN EXISTING DOCK IN SLIP #5 AT AN EXISTING MARINA AT 7929 WEST DRIVE, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE UNIFIED LAND DEVELOPMENT CODE.

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, NORTH BAY VILLAGE, FL 33141. THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST 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.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE). THIS HEARING MAY BE CONTINUED FROM TIME TO TIME AS NECESSARY, AS DETERMINED BY THE VILLAGE COMMISSION.

GRACIELA MARIOT, INTERIM VILLAGE CLERK
(October 29, 2018)



Agenda Item 14B

NORTH BAY VILLAGE NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A REGULAR MEETING ON **TUESDAY, NOVEMBER 13, 2018** AT 6:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING REQUESTS:

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THIS HEARING MAY BE CONTINUED FROM TIME TO TIME AS NECESSARY, AS DETERMINED BY THE VILLAGE COMMISSION.

GRACIELA MARIOT, INTERIM VILLAGE CLERK
(October 29, 2018)

Agenda Item 14B

CURRENT OCCUPANT
7500 MIAMI VIEW DR
North Bay Village FL
33141-4035

CURRENT OCCUPANT
7700 MIAMI VIEW DR
North Bay Village FL
33141-4039

CURRENT OCCUPANT
7611 MIAMI VIEW DR
North Bay Village FL
33141-4036

CURRENT OCCUPANT
7510 MIAMI VIEW DR
North Bay Village FL
33141-4035

CURRENT OCCUPANT
7710 MIAMI VIEW DR
North Bay Village FL
33141-4039

CURRENT OCCUPANT
7621 MIAMI VIEW DR
North Bay Village FL
33141-4036

CURRENT OCCUPANT
7520 MIAMI VIEW DR
North Bay Village FL
33141-4035

CURRENT OCCUPANT
7720 MIAMI VIEW DR
North Bay Village FL
33141-4039

CURRENT OCCUPANT
7631 MIAMI VIEW DR
North Bay Village FL
33141-0000

CURRENT OCCUPANT
7530 MIAMI VIEW DR
North Bay Village FL
33141-4035

CURRENT OCCUPANT
7501 MIAMI VIEW DR
North Bay Village FL
33141-4034

CURRENT OCCUPANT
7701 MIAMI VIEW DR
North Bay Village FL
33141-0000

CURRENT OCCUPANT
7600 MIAMI VIEW DR
North Bay Village FL
33141-4037

CURRENT OCCUPANT
7511 MIAMI VIEW DR
North Bay Village FL
33141-4034

CURRENT OCCUPANT
7711 MIAMI VIEW DR
North Bay Village FL
33141-4038

CURRENT OCCUPANT
7610 MIAMI VIEW DR
North Bay Village FL
33141-4037

CURRENT OCCUPANT
7521 MIAMI VIEW DR
North Bay Village FL
33141-4034

CURRENT OCCUPANT
7721 MIAMI VIEW DR
North Bay Village FL
33141-4038

CURRENT OCCUPANT
7620 MIAMI VIEW DR
North Bay Village FL
33141-4037

CURRENT OCCUPANT
7531 MIAMI VIEW DR
North Bay Village FL
33141-4034

CURRENT OCCUPANT
7710 CENTER BAY DR
North Bay Village FL
33141-4019

CURRENT OCCUPANT
7630 MIAMI VIEW DR
North Bay Village FL
33141-4037

CURRENT OCCUPANT
7601 MIAMI VIEW DR
North Bay Village FL
33141-4036

CURRENT OCCUPANT
7700 CENTER BAY DR
North Bay Village FL
33141-4019

Agenda Item 14B

CURRENT OCCUPANT
7620 CENTER BAY DR
North Bay Village FL
33141-4017

CURRENT OCCUPANT
7610 CENTER BAY DR
North Bay Village FL
33141-4017

CURRENT OCCUPANT
7600 CENTER BAY DR
North Bay Village FL
33141-4017

CURRENT OCCUPANT
7530 CENTER BAY DR
North Bay Village FL
33141-4015

CURRENT OCCUPANT
7520 CENTER BAY DR
North Bay Village FL
33141-4015

CURRENT OCCUPANT
7510 CENTER BAY DR
North Bay Village FL
33141-4015

Agenda Item 14B

CLIFFORD A FRIEDLAND
7500 MIAMI VIEW DR
NORTH BAY VILLAGE, FL
33141

HENRY W MICHAEL
7710 MIAMI VIEW DR
NO BAY VILLAGE, FL
33141

BAYMAR HOTELS & PROP INC
11111 COLLINS AVE STE 211
BAY HARBOR ISLANDS, FL
33154

DAVID MENDENHALL &W MARIA
PILAR
7510 MIAMI VIEW DR
N BAY VILLAGE, FL
33141-4035

JUAN LUIS MATOS
7720 MIAMI VIEW DR
NORTH BAY VILLAGE, FL
33141

EDY CARLSON
PO BOX 640581
MIAMI, FL
33164

MELODY DAVIS TRS
7520 MIAMI VIEW DR
MIAMI, FL
33141

JOHN-MICHEL CORNELL
7501 MIAMI VIEW DR
NO BAY VILLAGE, FL
33141-4034

ROBERT FEIFFER &W BERNADETTE
7711 MIAMI VIEW DR
NO BAY VILLAGE, FL
33141-4038

1405 DAYTONIA LLC
700 E DANIA BEACH BLVD STE 202
DANIA, FL
33004

ADA C LOPEZ TRS
7511 MIAMI VIEW DR
NORTH BAY VILLAGE, FL
33141

YSSET E DECARLO
PO BOX 402544
MIAMI BEACH, FL
33140-0544

RICHARD S NIELSEN
7600 MIAMI VIEW DR
NORTH BAY VILLAGE, FL
33141

KENNETH I STOWE &W NINA J
7521 MIAMI VIEW DR
MIAMI BEACH, FL
33141-4034

KIP DUGAL
7710 CENTER BAY DR
NORTH BAY VILLAGE, FL
33141

OLIVER PFEFFER &W JENNIFER
7610 MIAMI VIEW DR
NORTH BAY VILLAGE, FL
33141-4022

NICOLAS D ALESSANDRO
7531 MIAMI VIEW DR
NORTH BAY VILLAGE, FL
33141

JOHN LATZ
7700 CENTER BAY DR
NORTH BAY VILLAGE, FL
33141

GUALBERTO NAVARRO &W MARIA
7620 MIAMI VIEW DR
NORTH BAY VILLAGE, FL
33141

DAVID MENDENHALL
7510 MIAMI VIEW DR
MIAMI, FL
33141

ELIZABETH FEFER &H
7620 CENTER BAY DR
N BAY VILLAGE, FL
33141-4017

ROY MARTAYAN &W IRIS
7630 MIAMI VIEW DR
NORTH BAY VILLAGE, FL
33141-4037

MARTHA GODOY
7611 MIAMI VIEW DR
NORTH BAY VILLAGE, FL
33141

ERIC SERGE BOUDIN
7610 CENTER BAY DR
NORTH BAY VILLAGE, FL
33141

MIAMI VIEW PROPERTIES LLC
4779 COLLINS AVE #2001
MIAMI BEACH, FL
33140

CARLOS ESPINDOLA
7621 MIAMI VIEW DR
MIAMI, FL
33141

PAOLO BERDINI
7600 CENTER BAY DR
NORTH BAY VILLAGE, FL
33141

Agenda Item 14B

CONNIE KREPS
7530 CENTER BAY DR
N BAY VILLAGE, FL
33141-4015

HOWARD CYNAMON &W ELYSE TRS
7520 CENTER BAY DR
NO BAY VILLAGE, FL
33141-4015

DAVID VANSKY &W BEATRIZ
7510 CENTER BAY DR
N BAY VILLAGE, FL
33141-4015

Agenda Item 14B



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300, North Bay Village, FL 33141

Tel: (305) 756-7171 | Fax: (305) 756-7722 | Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: November 6, 2018

TO: Graciela Mariot
Interim Village Clerk

FROM: Lewis Velken, *Lewis Velken*
Interim Village Manager

SUBJECT: Introduction of Resolution

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Resolution:

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, GRANTING A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT CODE, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 7610 MIAMI VIEW DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

LV:gm

Mayor
Connie Leon-Kreps

Vice Mayor
Andreana Jackson

Commissioner
Jose R. Alvarez

Commissioner
Laura Cattabriga

Commissioner
Eddie Lim

Agenda Item 14B

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, GRANTING A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT CODE, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 7610 MIAMI VIEW DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER LEWIS VELKEN)

WHEREAS, Oliver Pfeffer has requested a Building Permit to construct a new dock and boatlift at 7610 Miami View Drive, North Bay Island, in the RS-1, Medium Density Single-Family Zoning District, North Bay Village, Florida; and

WHEREAS, Pursuant to Section 9.12 of the Village Code, docks are to be constructed no more than 25 feet perpendicular from the seawall or shoreline into any waterway within the corporate limits of the Village, unless such construction is necessary based on federal, state, or local laws; and

WHEREAS, the structures will extend 30 feet from the existing seawall into Biscayne Bay; and

WHEREAS, the Department of Regulatory and Economic Resources (DERM) has granted preliminary approval of the dock and boatlift; and

WHEREAS, Section 9.12(B) authorizes the Village Commission to consider the approval of docks greater than 25 feet upon the following determination:

1. If Miami-Dade Department of Environmental Management has required specific depth or location criteria; and
2. If the applicant has provided to the Village notarized letter(s) of consent from adjoining riparian property owners; and
3. If the Village has received any letter(s) of objection from adjoining riparian property owners; and
4. Any other factors relevant to the specific site.

WHEREAS, Sections 9.12 of the North Bay Village Code of Ordinances require all applications for construction of docks and boatlifts to be approved by the Village Commission; and

Agenda Item 14B

44
45 **WHEREAS**, in accordance with Section 9.12 of the Village Code, a public hearing by the
46 Village Commission was noticed for November 13, at 6:30 p.m. at Village Hall, 1666 Kennedy
47 Causeway, Suite 101, North Bay Village, Florida 33141 and all interested parties have had the
48 opportunity to address their comments to the Village Commission.
49

50 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH**
51 **BAY VILLAGE, FLORIDA, AS FOLLOWS:**
52

53 **Section 1. Recitals.**
54

55 The above recitals are true and correct and incorporated into this Resolution by this reference.
56

57 **Section 2. Findings.**
58

59 In accordance with Section 5.4 of the Village Code, the Village Commission, having considered
60 the testimony and evidence in the record presented by all parties, finds that the dock and the
61 boatlift are safe and environmentally compatible.
62

63 **Section 3. Grant.**
64

65 In accordance with Section 9.12(B) of the North Bay Village Code of Ordinances, a waiver is
66 granted to construct a dock and a boatlift, which structures will extend 30 feet from the existing
67 seawall into Biscayne Bay as requested by Oliver Pfeffer for the property situated at 7610 Miami
68 View Drive.
69

70 **Section 4. Conditions.**
71

72 Approval is granted with the condition that the following items are met prior to issuance of a
73 Building Permit:
74

- 75 1. A safety light shall be placed on at least one of the boatlift pilings which is
76 furthest from the seawall. The light shall be illuminated from one half hour prior
77 to sunset to one half hour after sunrise.
78
- 79 2. Compliance with all state, federal, and environmental laws including, but not
80 limited to, compliance with a State Programmatic General Permit as may be
81 required by the U.S. Army Corps of Engineers. All applicable state and
82 federal permits must be obtained before commencement of construction.
83
- 84 3. Building permits and related approvals must be obtained from the Building
85 Official prior to commencement of construction.
86
- 87 4. Cost recovery charges must be paid pursuant to Section 5.12. Specifically, no
88 new development application shall be accepted and no building permit shall be
89 issued for the property until all application fees, cost recovery deposits and

Agenda Item 14B

90 outstanding fees and fines related to the property (including fees related to any
91 previous development proposal applications on the property), have been paid in
92 full.
93

- 94 5. Authorization or issuance of a building permit by the Village does not in any
95 way create a right on the part of the applicant to obtain a permit from a state or
96 federal agency, and does not create liability on the part of the Village for
97 issuance of a building permit, if the applicant fails to obtain requisite approvals
98 or fulfill the obligations imposed by a state or federal agency or undertakes action
99 that results in a violation of federal or state law.

100
101 **Section 5. Appeal.**
102

103 In accordance with Section 4.6 of the Village Code, the Applicant, or any aggrieved property
104 owner, may appeal the decision of the Village Commission by filing a Writ of Certiorari to the
105 Circuit Court of Miami-Dade County, Florida, in accordance with the Florida Rules of Appellate
106 Procedure.
107

108 **Section 6. Violation of Terms and Conditions.**
109

110 Failure to adhere to the terms and conditions contained in this Resolution in Section 4 shall be
111 considered a violation of this Resolution, and persons found violating the conditions shall be
112 subject to the penalties prescribed by the Village Code, including but not limited to the revocation
113 of any of the approval(s) granted in this Resolution.
114

115 The Applicant understands and acknowledges that it must comply with all other applicable
116 requirements of the Village Code before it may commence construction or operation, and that the
117 foregoing approval in this Resolution may be revoked by the Village at any time upon a
118 determination that the Applicant is in non-compliance with the Village Code.
119

120 **Section 7. Effective Date.**
121

122 This Resolution shall become effective upon its adoption.
123

124 The motion to adopt the foregoing Resolution was offered by _____, seconded by
125 _____.
126
127

128 **FINAL VOTE AT ADOPTION:**
129

130 Mayor Connie Leon-Kreps _____
131 Vice Mayor Andreana Jackson _____
132 Commissioner Jose R. Alvarez _____
133 Commissioner Laura Cattabriga _____
134 Commissioner Eddie Lim _____

Agenda Item 14B

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PASSED and ADOPTED this 13th day of November 2018.

MAYOR CONNIE LEON-KREPS

ATTEST:

Graciela Mariot
Interim Village Clerk

APPROVED AS TO FORM:

Norman C. Powell, Esq.
Village Attorney

North Bay Village Resolution: Construction of New Dock and Boatlift- 7610 Miami View Drive



Staff Report Permit Application for Dock

Prepared for: North Bay Village Commission

Applicant: Felipe Lata

Site Address: 7929 West Drive

*Request: Boat Lift Construction Farther than 25 feet
from the Seawall*



LaRue Planning
& Management Services, Inc.
1375 Jackson Street, Suite 206
Fort Myers, Florida
239-334-3366

Serving Florida Local Governments Since 1988

Agenda Item 14C

General Information

Applicant	Felipe Lata
Applicant Address	10001 NW 135 St Hialeah Gardens, Fl. 33018
Site Address	7929 West Drive
Contact Person	Bibi Villazon
Contact Phone Number	305-244-0595
E-mail Address	bibi@tridentenv.com
Zoning District	RM-70
Use of Property	Condominium with Marina

General Description

The applicant is requesting a permit to install a new boat lift at an existing dock at an existing Condominium property in the RM-70 zoning district. The existing docks at the site extend 35 feet into the bay from the seawall and existing mooring piles are located as far as 50 feet from the seawall. The proposed 24,000 pound boat lift extends an additional 20 feet from the existing dock for a total proposed structure length of 55 into Biscayne Bay from the seawall.

Applicable Code Provisions

The construction or alteration of docks, piers, etc is governed by Section 9.12 of the Village Unified Land Development Code. Section 9.12(B) reads as follows:

1. No person, firm, or corporation shall construct any docks, piers, dolphins, wharfs, pilings, boat lifts, or similar structures of any kind more than 25 feet perpendicular from the seawall or shoreline into any waterway within the corporate limits of the Village without first-obtaining a waiver from the Village Commission after a public hearing. However, the furthestmost distance seaward from the seawall or shoreline shall not exceed 75 feet including all dolphins or pilings installed beyond the seaward most line of the dock or pier but not including required rip-rap.
2. No dock, pier, wharf, dolphin, piling, or similar structure shall be erected in the Village unless the structure is set back at least 7½ feet from the lot line on each side.
3. No person, firm, or corporation shall build, extend, or make any structural alteration on any building, dock, pier, dolphin, wharf, piling, bulkhead, seawall, or similar structure within the corporate limits of

Agenda Item 14C

the Village, or do any filling, excavating, or dredging in the waters without first obtaining a building permit to do so from the Village Building Department.

4. Application for any permit or the transfer of any permit required by this section shall be made to the Village Building Department in writing on forms provided therefore. The permit shall constitute an agreement by the applicant to comply with all conditions imposed upon granting of the permit. The application shall be accompanied by plans and specifications setting forth in detail the work to be done.
5. Permits for seawalls and dock structures can be approved administratively and do not require a hearing or approval of the Village Commission if:
 - a. All proposed dock structures, including but not limited to boat lifts and mooring piles, are not placed more than 25 feet measured perpendicular from the seawall.
 - b. All proposed dock structures, including but not limited to boat lifts and mooring piles, are entirely within the D-5 triangle as described in Section D5 of the Miami-Dade Public Works Manual.
6. Applications for docks, boat lift, mooring piles or other similar structures that do not meet the administrative approval criteria of Section 6 above shall be heard by the Village Commission at a public hearing. If an applicant seeks a dock or pier length greater than 25 feet measured perpendicular from the seawall (including boat lifts, mooring piles or other structures), the Village Commission shall consider the following criteria to determine if a distance waiver shall be granted:
 - a. If the Applicant has provided to the Village notarized letter(s) of consent from adjoining riparian property owners, and
 - b. If the Village has received any letter(s) of objection from adjoining riparian property owners; and
 - c. Any other factors relevant to the specific site.
7. The Village Commission may deny, approve, or modify the request and/or impose conditions in the permit, or granting of a distance waiver, which it deems necessary to protect the waterways of the Village in accordance with the public safety and the general welfare. The requirement of approval by the Village Commission shall not include applications for repair of existing structures.
8. A public hearing held pursuant to this Section shall be quasi-judicial.
9. Repair or reconstruction of existing structures shall not require approval of the Village Commission but may be approved administratively. However, the provisions of subsections 4 and 5 above shall be complied with.
10. A safety light shall be placed on the part of the structure (either dock, mooring pile, or boat lift) which is furthest from the seawall. The light shall be illuminated from one half hour prior to sunset to one half hour after sunrise.

Staff Comments

The proposed structure extends 55 feet from the seawall and is located so that the 7.5 foot side setbacks from the property lines are met.

Since the since the proposed structures extend farther than 25 feet from the seawall, the Applicant's plans must be approved by the Village Commission at a public hearing. It is the Commission's decision to grant or deny a waiver for these plans.

Agenda Item 14C

Miami-Dade DERM has provided pre-approval of the current plans.

A village seawall inspection was performed for all waterfront properties in the Village in 2016. Notes from that inspection indicate that the seawall at this property had exposed rebar and spalling concrete. At the time of this report, the applicant has not provided any additional information regarding the state of the seawall.

No letters of consent or letters of objection from adjacent property owners have been submitted with the current application, or submitted separately as of the writing of this report.

Finally, the subject property is governed by two associations, one for the condominiums, and one for the docks. As of the writing of this report, no letter of authorization from either association has been submitted.

Staff Recommendations

Due to the lack of authorization from the dock association and the lack of knowledge regarding the state of the seawall, staff recommends that this request be deferred until such time as both issues are satisfactorily resolved. However, at such time as the Commission chooses to approve the Applicant's request, the approval should be subject to the following conditions being met prior to the issuance of a building permit:

1. A safety light shall be placed on at least one of the boat lift pilings which is furthest from the seawall. The light shall be illuminated from one half hour prior to sunset to one half hour after sunrise.
2. Verification that the current seawall structures are in good repair or completion of any necessary seawall repairs.
3. Authorization from the dock association for this work to be performed.
4. Compliance with all state, federal, and environmental laws including, but not limited to, compliance with a State Programmatic General Permit as may be required by the U.S. Army Corps of Engineers. All applicable state and federal permits must be obtained before commencement of construction.
5. Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
6. Cost recovery charges must be paid pursuant to Section 5.12. Specifically, no new development application shall be accepted and no building permit shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development

Agenda Item 14C

proposal applications on the property), have been paid in full.

7. Authorization or issuance of a building permit by the Village does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for issuance of a building permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that results in a violation of federal or state law.

Submitted by:

James G. LaRue

James G. LaRue, AICP
Planning Consultant
November 6, 2018

Hearing: Village Commission, November 13, 2018

Attachments: Dock Plans Provided by Applicant

Agenda Item 14C

EXISTING MARINA SITE PLAN SCALE: NTS

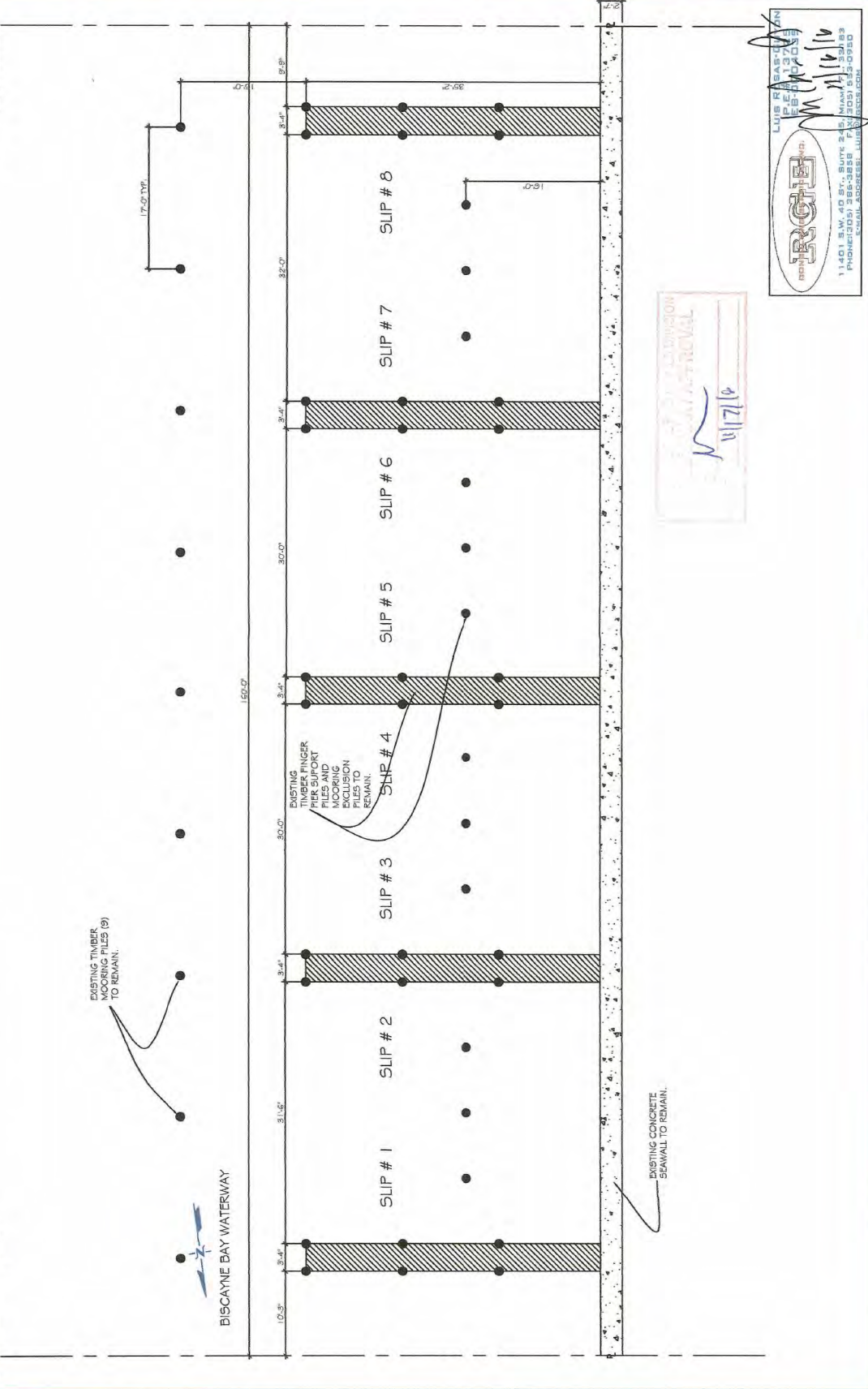
NOV 17 2016
DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)



job name: BLUE BAY MARINA - SLIP # 5
 title: NEW 24,000 LB BOATLIFT AT
 7929 WEST VILLAGE, FL
 FLUPE LATA

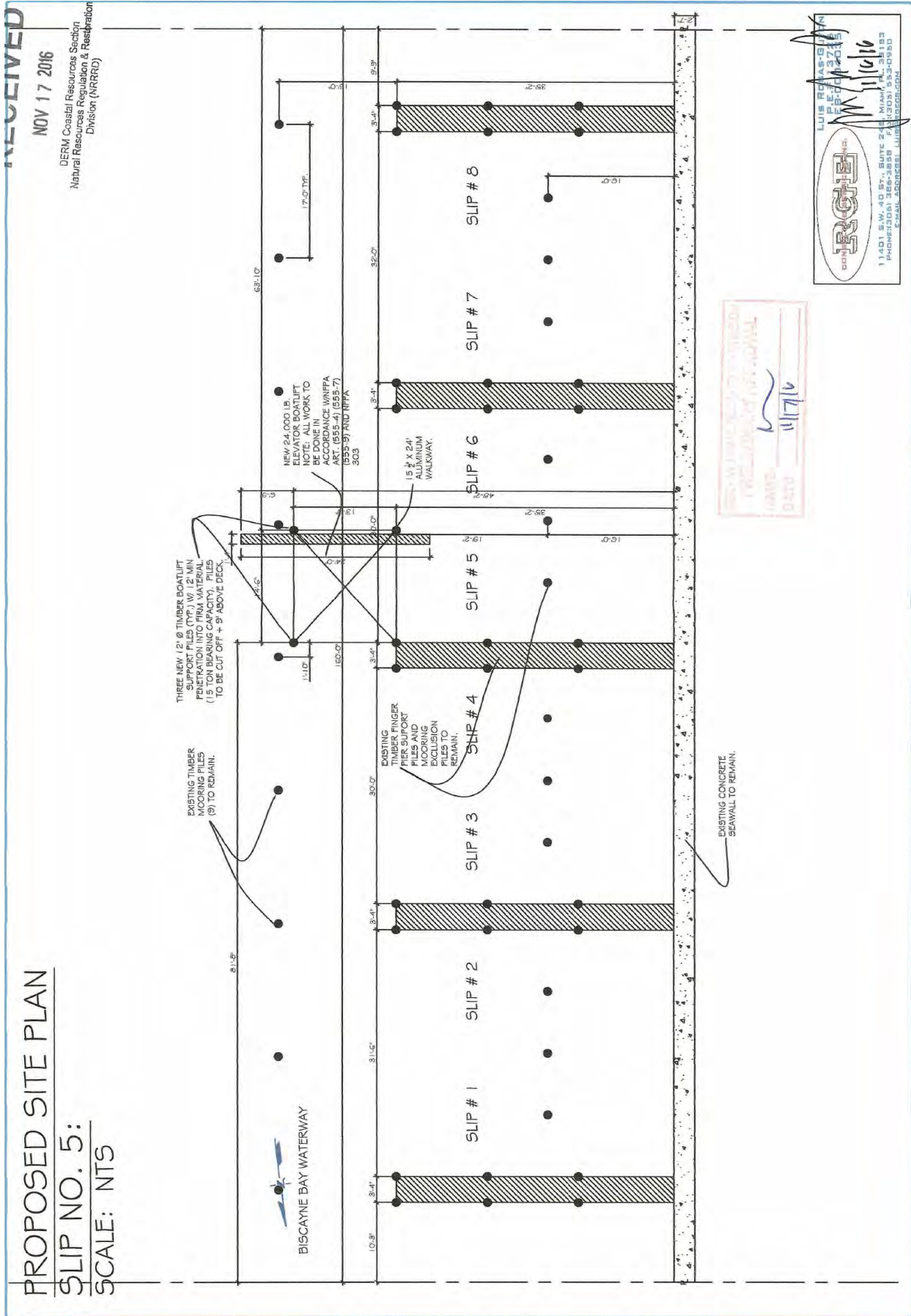
date: _____
 issued: _____
 drawn: B.V.
 checked: _____
 project no.: _____
 revision: _____

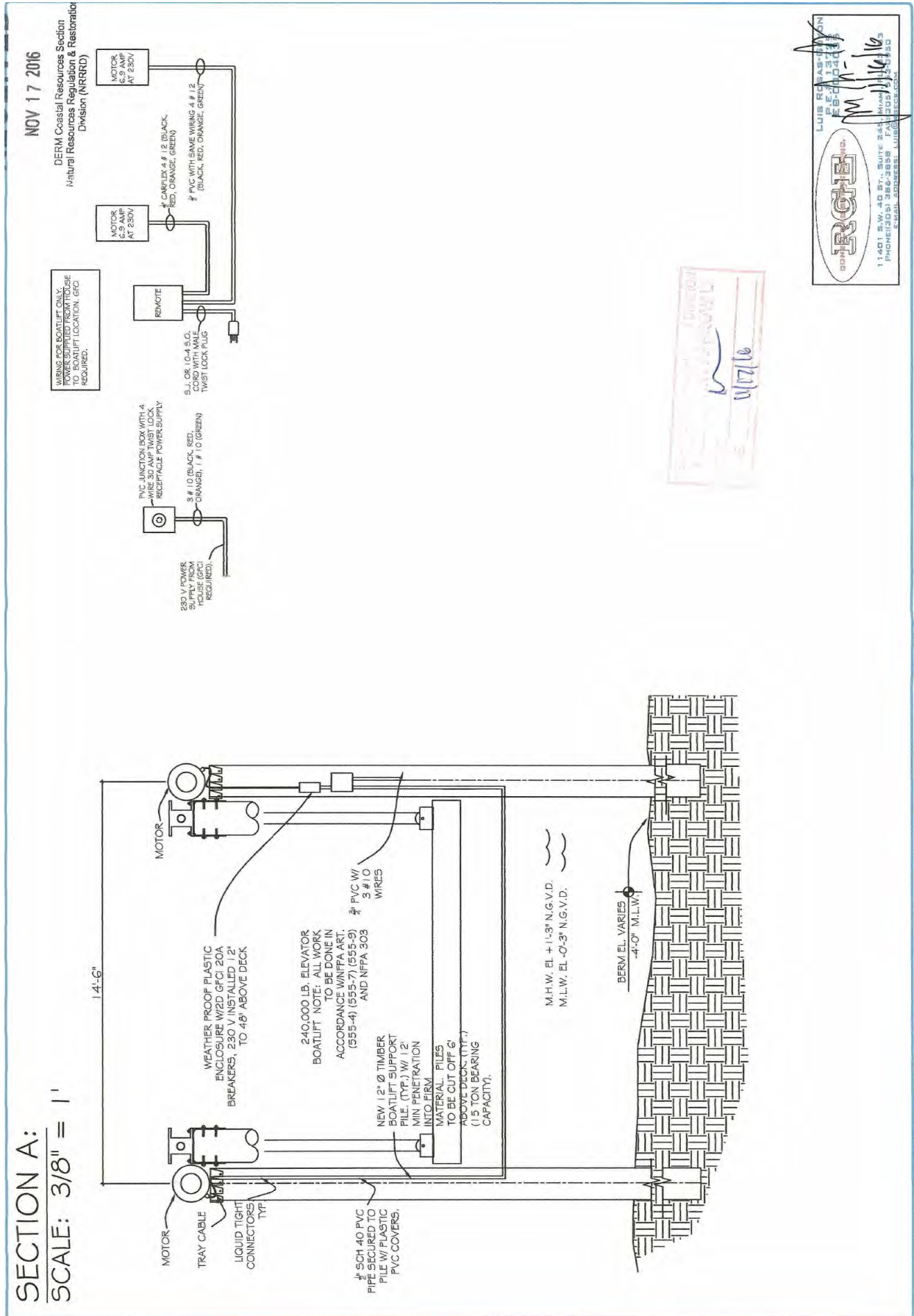
sheet no.
S-2
 2 of 4



11/17/16
 NRRRD

TRIDENT environmental consultants, inc.
 11401 S.W. 40 ST., SUITE 245, MIAMI, FL 33183
 PHONE: 305.386.3888 FAX: 305.352.0950
 WWW.TRIDENTENV.COM





Agenda Item 14C

13061 1 3:57PM



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

APPLICATION FOR PUBLIC HEARINGS:

Hearings and Notices: - All petitions for amendments, changes or supplements to these regulations for variances, special use exceptions, Site Plan Approval, Extension of Approved Site Plans, for Building Height Bonus Approval, or for an amendment, change or supplement to the Comprehensive Plan; district zoning map, or petitions appealing an administrative decision shall be considered at Public Hearings before the Planning & Zoning Board and, thereafter, the Village Commission. Notice of Public Hearings before the Planning & Zoning Board and the Village Commission shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the petition is complete before the hearing is legally advertised.

Applicant's Name: Felipe Iata Phone: 3052440595

Mailing Address: 10001 nw 135 st Hialeah Gardens Fl. 33018

Legal Description of Property: Commercial use

Existing Zoning: _____ Lot Size: _____ Folio: _____

Type of Request: boat lift installation at existing marina

Reason for Request: (Attach additional Pages if necessary) _____

All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

Agenda Item 14C

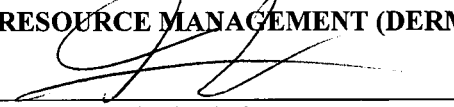
**APPLICATION FOR HEARING
BEFORE THE PLANNING & ZONING BOARD AND
VILLAGE COMMISSION
PAGE 2 OF 2**

Filing Fees - All persons, firms, or corporations petitioning the Planning & Zoning Board and the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such petition, conditional use permit or amendment.

I, (We), the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Planning & Zoning Board and staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held by the Village Commission and the Village Commission has voted favorable on the proposed petition.

I, (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning & Zoning Board and the Village Commission Pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Planning & Zoning Board and the Village Commission revoked.

(NOTE: ALL NEW AND SUBSTANTIAL IMPROVEMENTS MUST COMPLY WITH THE FLORIDA BUILDING CODE, DEPARTMENT OF ENVIRONMENTAL RESOURCE MANAGEMENT (DERM), AND FEMA (FLOOD) REGULATIONS).



Authorized Signature

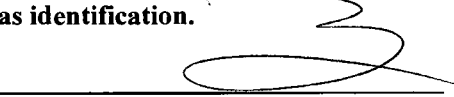
Felipe Lata

Print Name

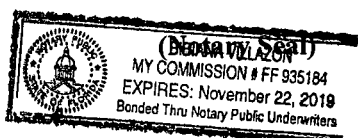
(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Sworn to and subscribed to before me this 28 day of September 2018
by Bibiana Villazon
who is personally known to me or who has produced _____
as identification.

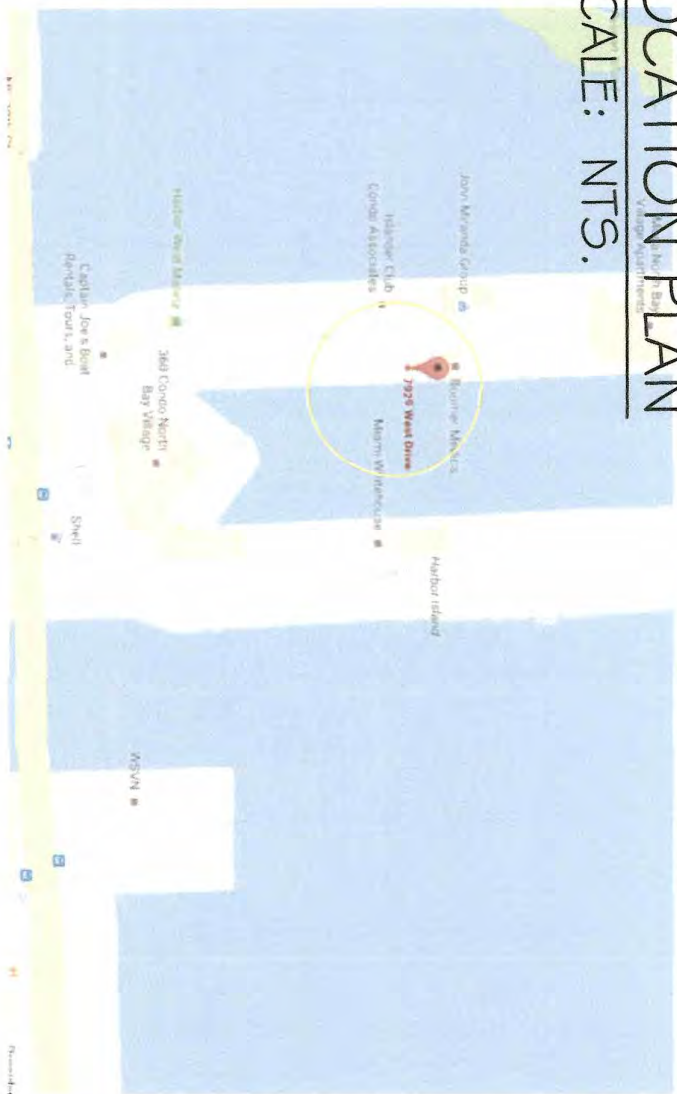


Notary Public



Mayor Vice Mayor Commissioner Commissioner Commissioner
Connie Leon-Kreps Eddie Lim Dr. Richard Chervony Wendy Duvall Jorge Gonzalez

LOCATION PLAN
SCALE: NTS.



RECEIVED
NOV 17 2016

DERM Coastal Resources Section
Department of Environmental Regulation & Restoration
Division of Environmental Regulation (DERM)

GENERAL NOTES

ALL ELEVATIONS SHOWN REFER TO THE NATIONAL GEODETIC VERTICAL DATUM (NGVD) MEAN SEA LEVEL. ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD. IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION, AND DISCREPANCIES BETWEEN THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF ENGINEER BEFORE PROCEEDING WITH WORK.

IT IS THE INTENT OF THESE PLANS AND THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH LOCAL, STATE AND FEDERAL ENVIRONMENTAL PERMITS ISSUED FOR THIS PROJECT. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO FAMILIARIZE AND GOVERN HIMSELF BY ALL PROVISIONS OF THESE PERMITS.

APPLICABLE BUILDING CODE: FLORIDA BUILDING CODE, 2014 EDITION.
CONCRETE AND REINFORCING STEEL

I. WOOD PILING

1. ALL WOOD PILES TO BE 12" DIAMETER SOUTH AMERICAN GREENHEART PILES; OR 12" DIAMETER SOUTHERN PINE AND COMPLY WITH A.S.T.M. D25-79 AND BE PRESSURE TREATED W/ C.C.A. FEDERAL SPECIFICATIONS TT-W-550D (1) OR TT-W-00550E (1) AND AWFA-MP-4.
2. ALL WOOD PILES SHALL BE DRIVEN TO A MINIMUM PENETRATION OF 12' INTO FIRM MATERIAL BELOW SILT LAYER.
3. PILES SHALL BE CUT OFF AT ELEVATIONS AS SHOWN ON PLANS AND SECTIONS.

TURBIDITY BARRIER

I. APPROVED TURBIDITY BARRIERS SHALL REMAIN IN PLACE DURING ALL PHASES OF IN-WATER WORK. PLAN SCALES

I. PLAN SCALES ARE ONLY ACCURATE ON 11" X 17" PRINTED PAPER "LANDSCAPE" ORIENTATION.

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CU-2016-246
PRELIMINARY APPROVAL
NAME: Felipe Lata
DATE: 11/17/16

TRIDENT
environmental consultants, inc.
LUIS RASAS-QUINON
P.E. # 133785
E-8-D-004035
11401 S.W. 40 ST., SUITE 245, MIAMI, FL 33183
PHONE:(305) 386-3858 FAX:(305) 553-0950
EMAIL ADDRESS: LUIS@TRIDENTENV.COM

Sheet no. **S-1**
1 of 4

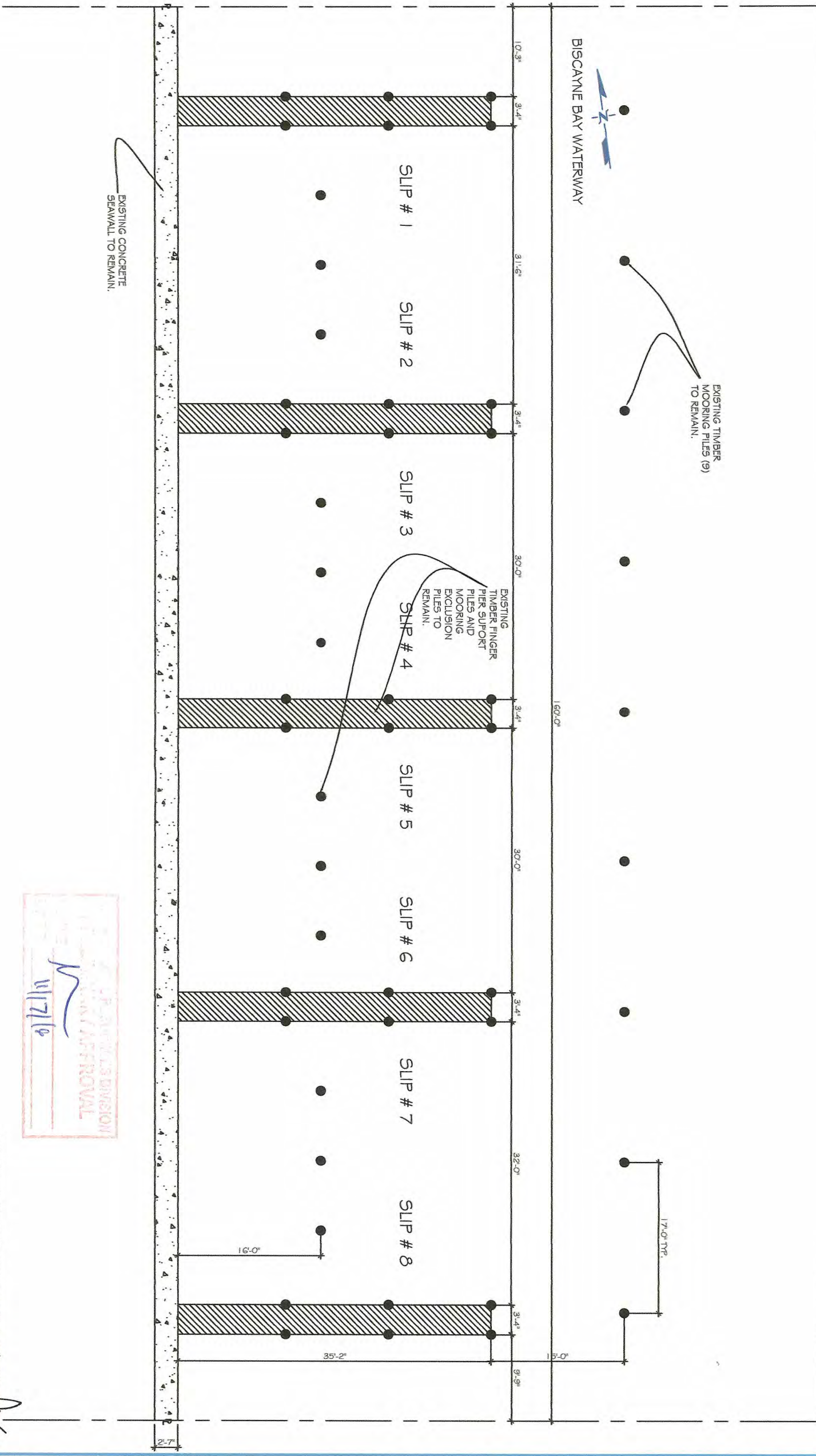
date	_____
issued	_____
drawn	B.V. _____
checked	_____
project no.	_____
revisions:	_____

job name: BLUE BAY MARINA - SLIP # 5
FELIPE LATA
7929 WEST DRIVE
NORTH BAY VILLAGE, FL

title: NEW 24,000 LB BOATLIFT AT
EXISTING SLIP # 5

TRIDENT
environmental consultants, inc.
305-244-0595 (m) bibi@tridentenv.com

EXISTING MARINA SITE PLAN
SCALE: NTS



APPROVAL
11/17/16

TRIDENT
Luis Resarte, P.E.
11401 S.W. 40 ST., SUITE 245, MIAMI, FL 33183
PHONE: (305) 386-3888 FAX: (305) 553-0950
E-MAIL: ADDRESS@TRIDENTCONSULTANTS.COM

NOV 17 2016
DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)

RECEIVED

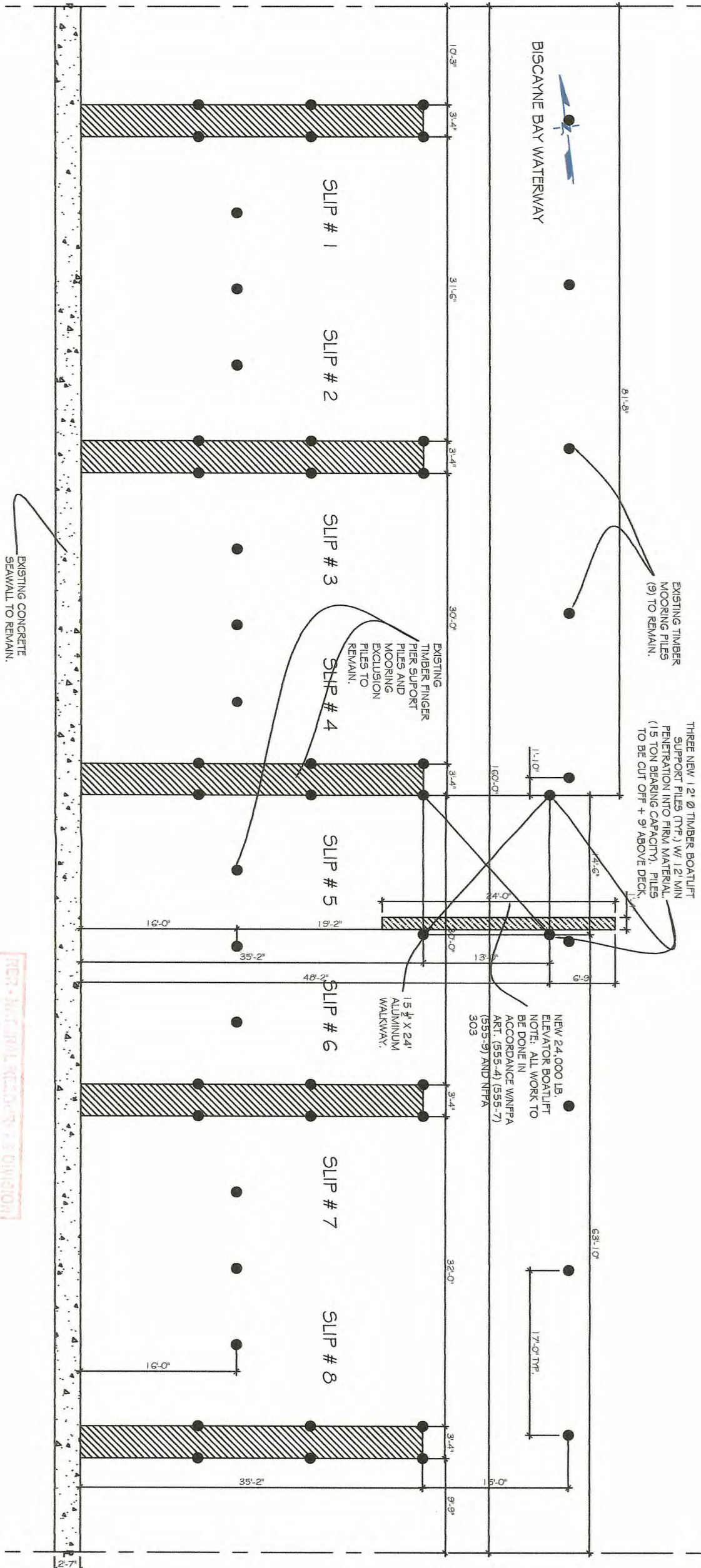
Sheet no.
S-2
2 of 4

date _____
issued _____
drawn B.V. _____
checked _____
project no. _____
revisions: _____

job name: BLUE BAY MARINA - SLIP # 5
FELIPE LATA
7929 WEST DRIVE
NORTH BAY VILLAGE, FL
title: NEW 24,000 LB BOATLIFT AT
EXISTING SLIP # 5

TRIDENT
environmental consultants, inc.
305-244-0595 (m) bibi@tridentenv.com

PROPOSED SITE PLAN
 SLIP NO. 5:
 SCALE: NTS



REG. NATURAL RESOURCES DIVISION
 PRELIMINARY APPROVAL
 NAME: FELIPE LATA
 DATE: 11/7/16

TRIDENT
 CONSULTANTS, INC.
 LUIS ROMAS-GONZALEZ
 P.E. # 13725
 F.S.D. # 4035
 11401 S.W. 40 ST., SUITE 245 MIAMI, FL. 33183
 PHONE: (305) 386-3858 FAX: (305) 553-0950
 EMAIL: ADDRESS: LUIGR@TRIDENT.COM

RECEIVED
 NOV 17 2016
 DERM Coastal Resources Section
 Natural Resources Regulation & Respiration
 Division (NRRRD)

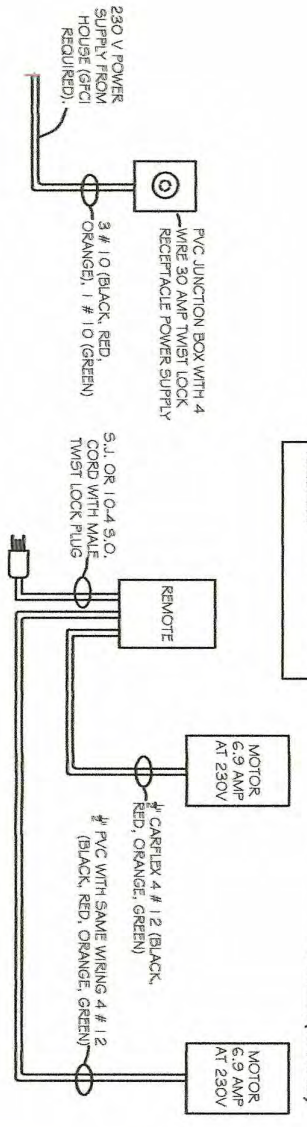
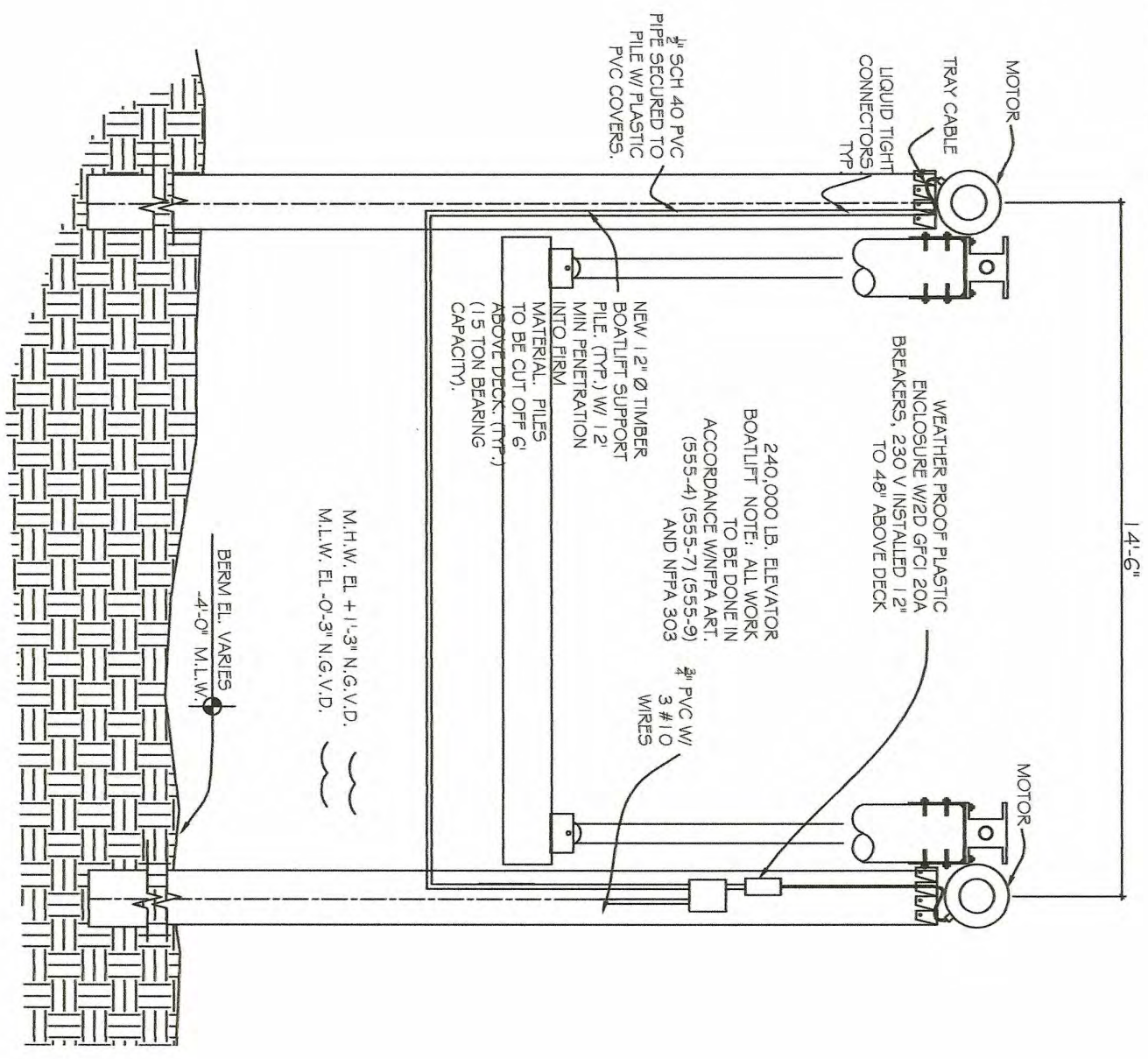
TRIDENT
 environmental consultants, inc.
 305-244-0595 (m) bibi@tridentenv.com

job name: BLUE BAY MARINA - SLIP # 5
 FELIPE LATA
 7929 WEST DRIVE
 NORTH BAY VILLAGE, FL
 title: NEW 24,000 LB BOATLIFT AT
 EXISTING SLIP # 5

date: _____
 issued: _____
 drawn: E.V.
 checked: _____
 project no.: _____
 revisions: _____

Sheet no. **S-3**
 3 of 4

SECTION A:
SCALE: 3/8" = 1'



WIRING FOR BOATLIFT ONLY. POWER SUPPLIED FROM HOUSE TO BOATLIFT LOCATION. GFCI REQUIRED.

DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)

NOV 17 2016

RECEIVED

REGULATORY DIVISION
PERMITTING & APPROVAL
DATE: 11/17/16

TRIDENT
LUIS ROBERTSON
REGISTERED PROFESSIONAL ENGINEER
No. 12345
11401 S.W. 40 ST., SUITE 243 MIAMI, FL 33155
PHONE: (305) 386-3858 FAX: (305) 386-3859
EMAIL: ADDRESS@TRIDENT.COM

job name: BLUE BAY MARINA - SLIP # 5
FELIPE LATA
7929 WEST DRIVE
NORTH BAY VILLAGE, FL
title: NEW 24,000 LB BOATLIFT AT EXISTING SLIP

TRIDENT
environmental consultants, inc.
305-244-0595 (m) bibi@tridentenv.com

date	_____
issued	_____
drawn	B.V. _____
checked	_____
project no.	_____
revisions:	_____

Sheet no.
S-4
4 of 4

Agenda Item 14C



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300, North Bay Village, FL 33141

Tel: (305) 756-7171 | Fax: (305) 756-7722 | Website: www.nbvillage.com

RE: AN APPLICATION BY FELIPE LATA, PROPERTY OWNER OF 7929 WEST DRIVE, UNIT 8, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT REGULATIONS, FOR INSTALLATION OF A NEW BOATLIFT AND AN ACCESS PLATFORM BEYOND THE 25 FOOT LIMIT ON AN EXISTING DOCK IN SLIP #5 AT AN EXISTING MARINA AT 7929 WEST DRIVE, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE UNIFIED LAND DEVELOPMENT CODE.

I, Graciela Mariot, Interim Village Clerk, hereby certify

- The petition filed hereto is correct
- The attached Notice of Public Hearing was mailed to property owners and residents within 300 feet of the property of the subject request on October 29, 2018, pursuant to Section 4.4(4)(b) of the Unified Land Development Code
- The attached Notice of Public Hearing to be held on November 13, 2018 was posted at the above-referenced property on October 29, 2018, pursuant to Section 4.4(A)(6) of the Unified Land Development Code.

Dated this 29th day of October 2018.

Graciela Mariot

Graciela Mariot, Interim Village Clerk

(North Bay Village Commission Meeting – November 13, 2018)

SUNDAY NOVEMBER 4 2018
MIAMIHERALD.COM

NEIGHBORS

13NE



**NORTH BAY VILLAGE
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A REGULAR MEETING ON **TUESDAY, NOVEMBER 13, 2018** AT 6:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING REQUESTS:

1. AN APPLICATION BY SAMER EL FASHNY, PROPERTY OWNER OF 1550 SOUTH TRESURE DRIVE, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT REGULATIONS, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 1550 SOUTH TRESURE DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT AND BEYOND THE D-5 TRIANGLE; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.
2. AN APPLICATION BY OLIVER PFEFFER, PROPERTY OWNER OF 7610 MIAMI VIEW DRIVE, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT REGULATIONS, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 7610 MIAMI VIEW DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT AND BEYOND THE D-5 TRIANGLE; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.
3. AN APPLICATION BY FELIPE LATA, PROPERTY OWNER OF 7929 WEST DRIVE, UNIT 8, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT REGULATIONS, FOR INSTALLATION OF A NEW BOATLIFT AND AN ACCESS PLATFORM BEYOND THE 25 FOOT LIMIT ON AN EXISTING DOCK IN SLIP #5 AT AN EXISTING MARINA AT 7929 WEST DRIVE, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE UNIFIED LAND DEVELOPMENT CODE.

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, NORTH BAY VILLAGE, FL 33141. THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST 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.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE). THIS HEARING MAY BE CONTINUED FROM TIME TO TIME AS NECESSARY, AS DETERMINED BY THE VILLAGE COMMISSION.

GRACIELA MARIOT, INTERIM VILLAGE CLERK
(October 29, 2018)



Agenda Item 14C

NORTH BAY VILLAGE **NOTICE OF PUBLIC HEARING**

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THIS HEARING MAY BE CONTINUED FROM TIME TO TIME AS NECESSARY, AS DETERMINED BY THE VILLAGE COMMISSION.

GRACIELA MARIOT, INTERIM VILLAGE CLERK
(October 29, 2018)

Agenda Item 140

CITY OF NORTH BAY VILLAGE
1666 KENNEDY CAUSEWAY STE 700
NORTH BAY VILLAGE, FL
33141

BARBARA G QUINTANA DE
GONZALEZ
6820 INDIAN CREEK DR APT 401
MIAMI BEACH, FL
33141

GERBIL HOLDINGS LLC
4770 BISCAYNE BLVD STE 970
MIAMI, FL
33137

7940 WEST DR LLC
1548 BRICKELL AVE 2 DR
MIAMI, FL
33128

JOSHUA FURMAN
1590 TREASURE DR
N BAY VILLAGE, FL
33141

JUAN C MERAS
PO BOX 611763
MIAMI, FL
33261

NAFDOF NBVMF LLC
2316 PINE RIDGE RD #453
NAPLES, FL
34109

AUGUSTO R MARTINEZ
7933 WEST DR 505
NORTH BAY VILLAGE, FL
33141

RMELY LLC
849 TANGLEWOOD CIR
WESTON, FL
33327

VALLEYVIEW REIT LLC
7925 WEST DR
MIAMI, FL
33142

NELSON VELOZ JR
7933 WEST DR #506
N BAY VILLAGE, FL
33141

RACHEL LAPIDOT TRS
3500 MYSTIC POINTE DR 405
AVENTURA, FL
33180

AZURE USA LLC
6355 NW 36 ST #401
MIAMI, FL
33166

JEANNETTE FURMAN TR
1590 S TREASURE DR
NO BAY VILLAGE, FL
33141-4127

SRINIVASAN RAVICHANRAN
7933 WEST DR #716
NORTH BAY VILLAGE, FL
33141

CORAL USA LLC
6355 NW 36 ST #401
MIAMI, FL
33166

JEANETTE FURMAN TR
1590 S TREASURE DR
NO BAY VILLAGE, FL
33141-4127

BAMBI BETTS
7933 WEST DRIVE #817
NORTH BAY VILLAGE, FL
33141

MARITZA LOO DE ZISOPULOS
PO BOX 646
PANAMA 1
-

LUIS L RODRIGUEZ
7933 WEST DR 609
MIAMI, FL
33141

JEANETTE S FURMAN (TR)
1590 SOUTH TREASURE DR
NORTH BAY VILLAGE, FL
33141-4127

ROLANDO ZAGALES &W NARDY
JIMENEZ
5367 SW 150 TERR
MIRAMAR, FL
33027

MARCELO MONTESINOS
13986 GREENTREE TRAIL
WELLINGTON, FL
33414

TANGIE C WHITE
14561 SW 38TH ST
MIRAMAR, FL
33027

GERBIL HOLDINGS LLC
4770 BISCAYNE BLVD STE 970
MIAMI, FL
33137

YARJOUR INVESTMENTS LLC
1184 98 ST
BAL HARBOUR, FL
33154

ALEYDA SARRIA
7933 WEST DR UNIT 921
NORTH BAY VILLAGE, FL
33141

NATALIA GIRALDO LLC
15700 NE 2 AVE
MIAMI, FL
33162

BAMBI BETTS
7933 WEST DR #923
MIAMI, FL
33141

ANTONIO G DEL CAMPO &W
MARYVONNE
981 NE 82 TER
MIAMI, FL
33138

RONALD G VAN EVERY &W ZENIA L
7933 WEST DR #1025
NO BAY VILLAGE, FL
33141-5579

PAOLA FORNARI
VIA SARDEGNA 48
ROMA
00187

JAMES E DAVIS
7933 WEST DR UNIT 1027
NO BAY VILLAGE, FL
33141-5579

A N E INVESTMENT GROUP CORP
1414 NW 107 AVE 102
DORAL, FL
33172

MARIE PAULE GONTHIER LE
1060 MICHEL MOREAU
BOUCHERVILLE, QC
J4B 4A1

GWONDA WASHINGTON
7933 WEST DRIVE # 1130
NORTH BAY VILLAGE, FL
33141

LUISA FORNARI
VIA RICCARDO ZANDONAI 91
ROMA, 00135
-

AUSTIN J KERKER
850 N MIAMI AVE W310
MIAMI, FL
33136

JUSTINE PARRY
7933 WEST DR PH A
MIAMI, FL
33141

BLANCA M WESTGATE
7933 WEST DR PHB
N BAY VILLAGE, FL
33141-5580

JEAN JACQUES COSSETTE &W
MARIE
1060 MICHEL MOREAU
QUEBEC J4B 4A1
-

BLANCA WESTGATE
7933 WEST DR PH-B
NORTH BAY VILLAGE, FL
33141

LILLIAN MENENDEZ MARTINEZ
7933 WEST DR #402
NORTH BAY VILLAGE, FL
33141

EVELYN RUTH PROENZA
16786 SW 51 ST
MIRAMAR, FL
33027

EVELYN RUTH PROENZA
6786 SW 51 ST
MIRAMAR, FL
33027

RONALD GLENN VAN EVERY &W
ZENIA L
7933 WEST DR #1025
NO BAY VILLAGE, FL
33141-5579

CARLOS A ZUNIGA
7928 WEST DR #301
MIAMI BEACH, FL
33141-5566

JAVIER G ROBAYO &W LAURA
7928 WEST DR #401
MIAMI BEACH, FL
33141-5566

DANIEL DIEZ &W GADELAY
6794 SW 94 ST
PINECREST, FL
33156-1735

ALTEA GROUP LLC
1549 NE 123 ST
NORTH MIAMI, FL
33161

7928 LLC
700 NE 90 ST
MIAMI, FL
33138

YOLANDA LEE
7928 WEST DR #801
NORTH BAY VILLAGE, FL
33141-5553

GERMAN LIUBITCH
7928 WEST DR #901
NORTH BAY VILLAGE, FL
33141

Agenda Item 14C

Agenda Item 14C

CESAR MACEDO REIS &W TERESA C
7928 WEST DR UNIT PH-1
NO BAY VILLAGE, FL
33141-5552

RICHARD VELAZQUEZ
12240 SW 2 ST
MIAMI, FL
33184-1502

HERNAN CERVETTO
928 WEST DR #400
MIAMI, FL
33141

JOSE MANUEL GORIS
201 CRANDON BLVD #420
KEY BISCAYNE, FL
33149

LEA KERNITZKY &H
11715 SW 142 PL
MIAMI, FL
33186-8604

KARINA B GONZALEZ
540 BRICKELL KEY DR APT 1504
MIAMI, FL
33131-3534

JEAN CLAUDE BREDON
7928 WEST DR 402
NORTH BAY VILLAGE, FL
33141

ODALYS BECERRA
7928 WEST DR #503
MIAMI, FL
33141-5566

MERCI LUCIE CORP
1305 SW 21 ST
MIAMI, FL
33145

ISAIAS CRUZ
7928 WEST DR UNIT 502
NO BAY VILLAGE, FL
33141-5566

GAETANO S MIGLIACCIO
7928 WEST DR 603
NORTH BAY VILLAGE, FL
33141

DORA L ECHEVERRY
7928 WEST DR #704
NO BAY VILLAGE, FL
33141-5567

MARLENE D FERNANDEZ
5556 GREENWOOD CIR
NAPLES, FL
34112

HARBOR ISLAND INTERNATIONAL
LLC
7975 SW 162 ST
PALMETTO BAY, FL
33157

TODD BRUBAKER
245 PERKINS ST #68
OAKLAND, CA
94610

GEORGE TRYPIS
1763 PHARMACY AVENUE
ONTARIO TORONTO M1T 1H4
-

QUANG VINH PROPERTIES LLC
2100 PONCE DE LEON BLVD 730
CORAL GABLES, FL
33143

ARMANDO GUERRA
7928 WEST DR # 904
NORTH BAY VILLAGE, FL
33141

7928 W DR 802 LLC
501 GRAND CONCOURSE
MIAMI SHORES, FL
33138

CARNELTON LLC
2690 WESTON RD #200
WESTON, FL
33331

NBV PROPERTIES LLC
PO BOX 268525
WESTON, FL
33326

GERMAS LLC
20900 NE 30 AVE STE 210
AVENTURA, FL
33180

CLAUDIA J ALVAREZ
7928 WEST DR UNIT PH3
NORTH BAY VILLAGE, FL
33141

FRANCISCO & ROSA GUZHNAV
7928 WEST DR UNIT 305
MIAMI BEACH, FL
33141-5566

MAUREEN THERESE RUBADIRI TRS
303 PARK AVE SOUTH #1032
NEW YORK, NY
10010

ROBERTO COLLANTES &W NATALIA
7928 WEST DR #304
NORTH BAY VILLAGE, FL
33141-5566

LORRAINE GUEVARA
419 PALMERSTON BLVD
TORONTO ONTARIO M6G 2N9
-

Agenda Item 14C

DAVID FRIEDMAN
PO BOX 19595
FORT LAUDERDALE, FL
33318-0595

DANIEL L HERNANDEZ
7928 W DR #606
N BAY VILLAGE, FL
33141

JOHN J WOODS
5533 COLLIER AVE #44
MIAMI BEACH, FL
33141

MYRIAM AMBRIOSE LOHR
7928 WEST DR 605
NORTH BAY VILLAGE, FL
33141

OLGA PALERMO TRS
32 FOREST RIDGE RD
NYACK, NY
10960

SUZANNE RENEE MOTOLA
7928 W DR #807
NORTH BAY VILLAGE, FL
33141

CLAUDIA ESTRADA
5600 NE 4 AVE 603
MIAMI, FL
33137

RUFINO REINALDO SANCHEZ TRS
1867 SW 11 TER
MIAMI, FL
33135

SACHIN BHANDARI
7928 WEST DR 907
N BAY VILLAGE, FL
33141

DELIA I GOMEZ
7928 WEST DRIVE #805
NO BAY VILLAGE, FL
33141-5553

7928 WEST 906 LLC
7928 WEST DRIVE #906
NORTH BAY VILLAGE, FL
33141

BALL CAT LLC
2315 NW 107 AVE BOX 110
MIAMI, FL
33172

ERIC KELLER
7928 WEST DR 905
NORTH BAY VILLAGE, FL
33141

KRISZTINA SZILAGYI
7928 WEST DR # PH6
NORTH BAY VILLAGE, FL
33141

JESENIA CARNERO
7928 WEST DR 308
NORTH BAY VILLAGE, FL
33141

ADRIANA M DIAZ
7928 WEST DR # PH5
MIAMI BEACH, FL
33141

LISA HALLORAN
7935 E DR #404
N BAY VILLAGE, FL
33141

KARIMA HUDSON
7928 W DR 408
NORTH BAY VILLAGE, FL
33141

MICHAEL P CLOMEGAH
7928 WEST DR UNIT 306
MIAMI BEACH, FL
33141

WILLIAM GLICHRIST
800 WEST AVE #724
MIAMI BEACH, FL
33139

ALEXANDRA SUAREZ &
7928 WEST DR #508
N BAY VILLAGE, FL
33141-5566

DAVID IRIZARRY
7928 WEST DR # 406
NORTH BAY VILLAGE, FL
33141

MARIO SANABRIA
7928 WEST DR 507
NORTH BAY VILLAGE, FL
33141

VIVIAN HAYDAR
5905 SAN VICENTE ST
CORAL GABLES, FL
33146-2728

ANA JULIA FONSECA
7928 WEST DR APT 506
NO BAY VILLAGE, FL
33141-5566

ADRIAN R SOSA
7928 WEST DR 607
NORTH BAY VILLAGE, FL
33141

MOSHE MALKI & W VIRGINIA
333 NORTH SHORE DR
MIAMI BEACH, FL
33141-2427

Agenda Item 14C

SILVIA M VARELA
7928 WEST DR #808
NO BAY VILLAGE, FL
33141-5553

MAXIME A POPA
8248 SW 1 MANOR
CORAL SPRINGS, FL
33071

ALVIE GENTRY
7928 WEST DR #311
NORTH BAY VILLAGE, FL
33141

GENAKER CORP
8603 S DIXIE HIGHWAY STE 218
MIAMI, FL
33143

CAROLE A GIANQUITTO LE
236 SWAIN POND AVE
MELROSE, MA
02176

MARIA LUISA MAGANA
7928 WEST DR #311
NORTH BAY VILLAGE, FL
33141-5566

NEW FUTURE WORLD
INVESTMENTS LLC
14221 SW 120 ST STE 203
MIAMI, FL
33186

ADA V ALLEGUE
7928 WEST DR UNIT 310
MIAMI BEACH, FL
33141-5566

ZVONIMIR ZIMBREK
7928 WEST DRIVE #411
NORTH BAY VILLAGE, FL
33141

BIS CONCEPTS LLC
7525 ADVENTURE AVE
N BAY VILLAGE, FL
33141

EWA SAMULSKA
25 RUE VICTOR HUGO
COURBEVOIE, 92400
-

BARBARA ANN NABATOFF
7928 WEST DR #511
NORTH BAY VILLAGE, FL
33141-5566

YVES G & YVAN MARONIER
7928 WEST DR #409
MIAMI, FL
33141-5566

LEE T ANDERSON
7928 WEST DR 510
NORTH BAY VILLAGE, FL
33141

GABRIEL PASZTOR
19995 NE 5 CT # 2B
MIAMI, FL
33179

MICHAEL MEYER
PO BOX 531262
MIAMI, FL
33153

VIVIAN GONZALEZ
1635 NW 15 ST
MIAMI, FL
33125-2463

YASMINE KOTB
7928 WEST DR 711
NORTH BAY VILLAGE, FL
33141

PATRICK GEVAS
7928 WEST DR 609
NORTH BAY VILLAGE, FL
33141

THOMAS J PARKER
570 GRAND ST #H 1105
NEW YORK, NY
10002

HOLGER LUTZ
10826 SW 89 LN
MIAMI, FL
33176

FREEDOM RC LLC
1500 BAY ROAD # 610
MIAMI BEACH, FL
33139

LISA S MEOLI
7928 WEST DR #810
NORTH BAY VILLAGE, FL
33141-5553

DINA JACK KHAYYAT LE
7928 WEST DR #911
NORTH BAY VILLAGE, FL
33141

JOHN WARD
PO BOX 374
WINCHESTER, MA
01890

ELIZABETH ANN O SHEA
ONE TOMS POINT LN BLDG ONE 2H
PORT WASHINGTON, NY
11050

ALVIE W GENTRY & JOYCE W
7928 WEST DR #PH11
NO BAY VILLAGE, FL
33141-5552

Agenda Item 14C

NICOLA F BRISUELA
7935 WEST DR #1
NORTH BAY VILLAGE, FL
33141

RONALD T LIBBY TRS
7329 WEST DR UNIT 501
NORTH BAY VILLAGE, FL
33141

KENNETH JOHN DE LORETO JTRS
7929 WEST DR #100
MIAMI, FL
33141

PEDRO LINARES ZELAYA
7935 WEST DRIVE #2
N BAY VILLAGE, FL
33141-5586

DALE PETER APPLGREEN
260 MAIN STREET
DANBURY, CT
06810

JAMES SCHREIBER &
3611 RUGBY RD
DURHAM, NC
27707-5456

GLORIA E BAILEN
7935 WEST DR #3
NORTH BAY VILLAGE, FL
33141-5586

DEUTSCHE BANK NA TRS
300 S GRAND AVE 3950
LOS ANGELES, CA
90071

MARIA J VIEIRA
7929 WEST DR #502
NORTH BAY VILLAGE, FL
33141

LORENZO BRITO &W MERCEDES
7935 WEST DR #4
NO BAY VILLAGE, FL
33141-5586

ANDREW ANDRAS
7929 WEST DR 801
NORTH BAY VILLAGE, FL
33141

DINELIA CASTILLO
7929 WEST DR 602
NORTH BAY VILLAGE, FL
33141

7935 W DR UNIT 5 LLC
1825 BAY DR
MIAMI BEACH, FL
33141

TONY S ZHANG
7929 W DR #901
NORTH BAY VILLAGE, FL
33141

MAR MIO ENTERP L L C
7929 WEST DR #702
NO BAY VILLAGE, FL
33141-5564

LILIAM BRITO
7935 WEST DR #6
NO BAY VILLAGE, FL
33141-5590

ANA SYRKIN
5706 CATHERWOOD DR
LA CANADA, CA
91011

G2 GROUP LLC
1620 WEST 21 ST
MIAMI BEACH, FL
33140

7935 WEST DRIVE UNIT 7 LLC
1825 BAY DR
MIAMI BEACH, FL
33141

KRAM CAPITAL CORPORATION
7929 WEST DR #1101
NORTH BAY VILLAGE, FL
33141

ALEXANDRA WARTER
PARAGUAY 3788 PISO 1 DEPT 5
BUENOS AIRES
-

MELISA BRITO
7935 WEST DR #8
NO BAY VILLAGE, FL
33141-5590

ZACHARY FELTER
7929 WEST DR 1201
NORTH BAY VILLAGE, FL
33141

CANDACE BROWN
7929 WEST DR 1002
NORTH BAY VILLAGE, FL
33141

JUSTIN FUHRMANN
9655 E BAY DR #7N
BAY HARBOR, FL
33154

BLACKWELL ESTATES LLC
2425 N CENTER ST #348
HICKORY, NC
28601

ALEXANDRA GLOC
7929 WEST DR #1102
NO BAY VILLAGES, FL
33141-3354

Agenda Item 14C

BLUE BAY 1202 LLC
7929 WEST DR #1202
NORTH BAY VILLAGE, FL
33141

TAKAYUKI KASHIWAGI
7929 WEST DR #1003
NORTH BAY VILLAGE, FL
33141

BARBARA S DIAMOND
7934 WEST DR #1001
N BAY VILLAGE, FL
33141

B & G REAL ESTATE INVEST INC
465 BRICKELL AVE 1503
MIAMI, FL
33131

LINE WEIL
4828 LOOP CENTRAL DR
HOUSTON, TX
77081

ENRIQUE ESCOBAR &W CLARA
SUSANA
10600 NW 37 TERR
DORAL, FL
33178-4207

GENNARO PHILIPPE MEOLI JTRS
7929 WEST DR # 1502
NORTH BAY VILLAGE, FL
33141

BLUE BAY 1203 LLC
5161 NW 79 AVE #12
MIAMI, FL
33166

ERIKA KULCSAR
3199 O OCEAN DE #206E
HALLANDALE, FL
33009

B & G REAL ESTATE INC
465 BRICKELL AVE 1503
MIAMI, FL
33131

JEAN C MURAT
7929 W DR #1403
N BAY VILLAGE, FL
33141

STACEY M MEACHAM
7934 WEST DR #1001
NORTH BAY VILLAGE, FL
33141

JOSE M VALDIVIA JR
7929 WEST DR 503
NORTH BAY VILLAGE, FL
33141

LORIE FALE MCDONALD
7929 WEST DR 1503
NORTH BAY VILLAGE, FL
33141

STEVEN E KRUEGER
200 N MAPLE AVE #314
FALLS CHURCH, VA
22046

PEDRO GALDAMEZ
7929 WEST DR 603
NORTH BAY VILLAGE, FL
33141

VINCENT J DICCE &
7929 WEST DR #1601
NORTH BAY VILLAGE, FL
33141-5565

SVETLANA KOSTIC
7934 WEST DR 1201
NORTH BAY VILLAGE, FL
33141

GUSTAVO BIAGGI
7929 WEST DR UNIT 703
NORTH BAY VILLAGE, FL
33141

CORNELIS KUYPER
7929 W DR UNIT 1602
NORTH BAY VILLAGE, FL
33141

GIOVANNA GORI JTRS
7934 W DR #1401
MIAMI BEACH, FL
33139

ROBERT TILLEY LE
23 PARKCREST DR
SCARBOROUGH M1M 2Y9, ON
-

CHRISTIAN RASSINOX
7934 WEST DR 501
NORTH BAY VILLAGE, FL
33141

PETER J ANCONA
7934 WEST DR 1501
NORTH BAY VILLAGE, FL
33141

JORGE FERNANDEZ
7929 WEST DR 903
NORTH BAY VILLAGE, FL
33141

DOREEN LIMA
7934 WEST DR 601
MIAMI BEACH, FL
33141

JED R FRIEDMAN
7934 WEST DR 1601
NORTH BAY VILLAGE, FL
33141

Agenda Item 14C

CHRISTIAN RASSINOX
7934 WEST DR 501
NORTH BAY VILLAGE, FL
33141

SPACE1502 LLC
4045 SHERIDAN AVE #422
MIAMI BEACH, FL
33140

STANLEY NIEBERG
313 E 135 STREET
BROOKLYN, NY
11234

WILLIAM GULLOUARD
11402 NW 41 ST
MIAMI, FL
33178

LONGUE ECHEANCE LLP
1701 HERMAN DR #1502
HOUSTON, TX
77004

WYNN DAN
7934 WEST DRIVE #1503
N BAY VILLAGE, FL
33141

DAVID M CROWDER &
7934 WEST DR #702
NORTH BAY VILLAGE, FL
33141-5574

SERGIO FLEITES
1777 DAYTONA RD
MIAMI BEACH, FL
33141

JAVIER DESENTIS
8640 LEWIS RIVER RD
DELRAY BEACH, FL
33446

STELLA BARBA
7934 WEST DR # 802
NORTH BAY VILLAGE, FL
33141

SCMIAMI LLC
1900 N BAYSHORE DR 1 A
MIAMI, FL
33132

DIEGO A ACOSTA
7934 WEST DR # 504
NORTH BAY VILLAGE, FL
33141

PAUL J KEMPINSKI
7934 WEST DR #902
NORTH BAY VILLAGE, FL
33141

WALTER MAKAULA
7934 WEST DR 803
NORTH BAY VILLAGE, FL
33141

BLAS MINARRO
7934 WEST DR 604
NORTH BAY VILLAGE, FL
33141

ANTHONY DESANTIS
7934 WEST DR # 1002
NORTH BAY VILLAGE, FL
33141

KEITH LUDWIGSEN
7934 WEST DR 903
NORTH BAY VILLAGE, FL
33141

MOIRA GALIN &W
7934 W AVE #704
N BAY VILLAGE, FL
33141

MARTIN ESEVERRI
7934 WEST DR 1102
MIAMI, FL
33141

MARK HOWARD LOWELL
7934 WEST DR 1003
NORTH BAY VILLAGE, FL
33141-5593

CHRISTINE WILHITE
7934 WEST DR #1001
NORTH BAY VILLAGE, FL
33141

TARIK ADIL
7934 WEST DR #1202
NORTH BAY VILLAGE, FL
33141

ANGEL DERUVO
47 CEDAR TER
STATEN ISLAND, NY
10304

SHAHRAM TAMAMI
8815 VICTORY LN
POTOMAC, MD
20854

JORGE COLON
7934 WEST DR #1402
MIAMI BEACH, FL
33141-3359

H C C REAL ESTATE CORP
PO BOX 147
OYSTER BAY, NY
11771

MAGENTA LIMITED GROUP LLC
1 COCONUT LN
KEY BISCAYNE, FL
33149-1913

Agenda Item 14C

ILISSA WHITEHEAD
7934 WEST DR # 1104
NORTH BAY VILLAGE, FL
33141

MARC ILLOUZ
7934 WEST DR #905
NORTH BAY VILLAGE, FL
33141

TROPICAL DEVELOPERS GROUP
INC
5752 SW 77 TERR
S MIAMI, FL
33143

LUPO LEONE LLC
9100 S DADELAND BLVD #912
MIAMI, FL
33156

MARK L JOSEPH
7394 WEST DR #1005
MIAMI BEACH, FL
33141

TROPICAL DEVELOPERS GROUP
INC
5752 SW 77 TERR
S MIAMI, FL
33143

LUBOMIR DVONC
7934 WEST DR 1404
NORTH BAY VILLAGE, FL
33141

PUNTA HERMOSA INC
10600 NW 37 TER
DORAL, FL
33178

FELIPE LATA
10001 NW 135 ST
HIALEAH GARDENS, FL
33018

WYNN DAN
6815 BISCAYNE BLVD #103-198
MIAMI, FL
33138

PETER NEIBERG
1764 E 19TH ST #1-C
BROOKLYN, NY
11229

TROPICAL DEVELOPERS GROUP
INC
5752 SW 77 TERR
S MIAMI, FL
33143

5 CORAZONES LLC
187 N SHORE DR STE 187-4
MIAMI BEACH, FL
33141

CARIATIDE LLC
PO BOX 414377
MIAMI BEACH, FL
33141

TROPICAL DEVELOPERS GROUP
INC
5752 SW 77 TERR
S MIAMI, FL
33143

MOYEN TERM LLC
1701 HERMANN DR #1502
HOUSTON, TX
77004

5060 NBR LLC
5060 N BAY RD
MIAMI BEACH, FL
33140

FELIPE LATA
10001 NW 135 ST
HIALEAH GARDENS, FL
33018

KATIA P IOLE
7934 W DRIVE #605
NORTH BAY VILLAGE, FL
33141

CENK SENGUN
7934 WEST DR #1605
NORTH BAY VILLAGE, FL
33141

CHRISTINA KAY KOPPES
7918 HARBOR ISLAND DR #210
NORTH BAY VILLAGE, FL
33141-3374

VERY LUCKY SPACE LLC
1400 LINCOLN RD #504
MIAMI BEACH, FL
33139

TROPICAL DEVELOPERS GROUP
INC
5752 SW 77 TERR
S MIAMI, FL
33143

E & V HOLDINGS LLC
1185 BRITTMORE RD
HOUSTON, TX
77043

AIRES BALIEIRO
7934 WEST DR 805
NORTH BAY VILLAGE, FL
33141

TROPICAL DEVELOPERS GROUP
INC
5752 SW 77 TERR
S MIAMI, FL
33143

OCTAGON REAL EST INVEST LLC
PO BOX 145396
CORAL GABLES, FL
33114-5396

Agenda Item 14C

SUTARIA FAMILY REALTY LLC
2 SHADY LN
SYOSSET, NY
11791

MARIA RITA GUZMAN PORTELA
7918 HARBOR ISLAND DR
NORTH BAY VILLAGE, FL
33141

CARLOS BORGES
900 BISCAYNE BLVD #2008
MIAMI, FL
33132

MILHUA LLC
12550 BISCAYNE BLVD #311
NORTH MIAMI, FL
33181

E AND V HOLDINGS LLC
7918 HARBOR ISLAND DR 312
NORTH BAY VILLAGE, FL
33141

ENRIQUE SUAREZ
12359 SW 132 CT
MIAMI, FL
33186

SOLEX INVESTMENTS LLC
2646 NW 97 AVE
DORAL, FL
33172

E&V HOLDINGS LLC
1185 BRITMOORE RD
HOUSTON, TX
77043

MILHUA LLC
12550 BISCAYNE BLVD 311
NORTH MIAMI, FL
33181

L & L 360 LLC
2333 BRICKELL AVE SUITE D1
MIAMI, FL
33129

SOLEX INVESTMENTS LLC
2646 NW 97 AVE
DORAL, FL
33172

Agenda Item 14C

CURRENT OCCUPANT
7920 WEST DR
North Bay Village FL
33141-5553

CURRENT OCCUPANT
7933 WEST DR 403
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 611
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7938 WEST DR
North Bay Village FL
33141-5551

CURRENT OCCUPANT
7933 WEST DR 404
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 612
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7937 WEST DR
North Bay Village FL
33141-3361

CURRENT OCCUPANT
7933 WEST DR 505
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 713
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7925 WEST DR
North Bay Village FL
33141-5547

CURRENT OCCUPANT
7933 WEST DR 506
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 714
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7921 WEST DR
North Bay Village FL
33141-5546

CURRENT OCCUPANT
7933 WEST DR 507
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 715
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7917 WEST DR
North Bay Village FL
33141-5545

CURRENT OCCUPANT
7933 WEST DR 508
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 716
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 401
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 609
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 817
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 402
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 610
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 818
North Bay Village FL
33141-5549

Agenda Item 14C

CURRENT OCCUPANT
7933 WEST DR 819
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 1027
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR D1
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 820
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 1028
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR D2
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 921
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 1129
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR D3
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 922
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 1130
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR D4
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 923
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 1131
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR D5
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 924
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 1132
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR D6
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR 1025
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR PHA
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7928 WEST DR 301
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7933 WEST DR 1026
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7933 WEST DR PHB
North Bay Village FL
33141-5549

CURRENT OCCUPANT
7928 WEST DR 401
North Bay Village FL
33141-5552

Agenda Item 14C

CURRENT OCCUPANT
7928 WEST DR 501
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 502
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 503
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 601
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 602
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 603
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 701
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 702
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 703
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 801
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 802
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 803
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 901
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 902
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 903
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR PH1
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR PH2
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR PH3
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 302
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 303
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 304
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 402
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 403
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 404
North Bay Village FL
33141-5552

Agenda Item 14C

CURRENT OCCUPANT
7928 WEST DR 504
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 505
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 506
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 604
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 605
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 606
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 704
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 705
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 706
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 804
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 805
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 806
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 904
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 905
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 906
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR PH4
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR PH5
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR PH6
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 305
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 306
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 307
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 405
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 406
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 407
North Bay Village FL
33141-5552

Agenda Item 14C

CURRENT OCCUPANT
7928 WEST DR 507
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 508
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 509
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 607
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 608
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 609
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 707
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 708
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 709
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 807
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 808
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 809
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 907
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 908
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 909
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR PH7
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR PH8
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR PH9
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 308
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 309
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 310
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 408
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 409
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 410
North Bay Village FL
33141-5552

Agenda Item 14C

CURRENT OCCUPANT
7928 WEST DR 510
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7928 WEST DR 511
North Bay Village FL
33141-5552

CURRENT OCCUPANT
7935 WEST DR 3
North Bay Village FL
33141-5586

CURRENT OCCUPANT
7928 WEST DR 610
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Agenda Item 14C

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Agenda Item 14C



North Bay Village

Administrative Offices
1666 Kennedy Causeway, Suite 300, North Bay Village, FL 33141
Tel: (305) 756-7171 | Fax: (305) 756-7722 | Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: November 6, 2018

TO: Graciela Mariot
Interim Village Clerk

FROM: Lewis Velken, *Lewis Velken*
Interim Village Manager

SUBJECT: Introduction of Resolution

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Resolution:

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, GRANTING A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT CODE, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 7929 WEST DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

LV:gm

Mayor
Connie Leon-Kreps

Vice Mayor
Andreana Jackson

Commissioner
Jose R. Alvarez

Commissioner
Laura Cattabriga

Commissioner
Eddie Lim

Agenda Item 14C

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, GRANTING A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT CODE, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 7929 WEST DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY INTERIM VILLAGE MANAGER LEWIS VELKEN)*

WHEREAS, Felipe Lata has requested a Building Permit to construct a new dock and boatlift at 1700 South Treasure Drive, Treasure Island, in the RS-2, Medium Density Single-Family Zoning District, North Bay Village, Florida; and

WHEREAS, Pursuant to Section 9.12 of the Village Code, docks are to be constructed no more than 25 feet perpendicular from the seawall or shoreline into any waterway within the corporate limits of the Village, unless such construction is necessary based on federal, state, or local laws; and

WHEREAS, the structures will extend 30 feet from the existing seawall into Biscayne Bay; and

WHEREAS, the Department of Regulatory and Economic Resources (DERM) has granted preliminary approval of the dock and boatlift; and

WHEREAS, Section 9.12(B) authorizes the Village Commission to consider the approval of docks greater than 25 feet upon the following determination:

1. If Miami-Dade Department of Environmental Management has required specific depth or location criteria; and
2. If the applicant has provided to the Village notarized letter(s) of consent from adjoining riparian property owners; and
3. If the Village has received any letter(s) of objection from adjoining riparian property owners; and
4. Any other factors relevant to the specific site.

WHEREAS, Sections 9.12 of the North Bay Village Code of Ordinances require all applications for construction of docks and boatlifts to be approved by the Village Commission; and

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44
45 **WHEREAS**, in accordance with Section 9.12 of the Village Code, a public hearing by the
46 Village Commission was noticed for November 13, at 6:30 p.m. at Village Hall, 1666 Kennedy
47 Causeway, Suite 101, North Bay Village, Florida 33141 and all interested parties have had the
48 opportunity to address their comments to the Village Commission.
49

50 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH**
51 **BAY VILLAGE, FLORIDA, AS FOLLOWS:**
52

53 **Section 1.** **Recitals.**
54

55 The above recitals are true and correct and incorporated into this Resolution by this reference.
56

57 **Section 2.** **Findings.**
58

59 In accordance with Section 5.4 of the Village Code, the Village Commission, having considered
60 the testimony and evidence in the record presented by all parties, finds that the dock and the
61 boatlift are safe and environmentally compatible.
62

63 **Section 3.** **Grant.**
64

65 In accordance with Section 9.12(B) of the North Bay Village Code of Ordinances, a waiver is
66 granted to construct a dock and a boatlift, which structures will extend 30 feet from the existing
67 seawall into Biscayne Bay as requested by Felipe Lata for the property situated at 7929 West
68 Drive.
69

70 **Section 4.** **Conditions.**
71

72 Approval is granted with the condition that the following items are met prior to issuance of a
73 Building Permit:
74

- 75 1. A safety light shall be placed on at least one of the boatlift pilings which is
76 furthest from the seawall. The light shall be illuminated from one half hour prior
77 to sunset to one half hour after sunrise.
78
- 79 2. Compliance with all state, federal, and environmental laws including, but not
80 limited to, compliance with a State Programmatic General Permit as may be
81 required by the U.S. Army Corps of Engineers. All applicable state and
82 federal permits must be obtained before commencement of construction.
83
- 84 3. Building permits and related approvals must be obtained from the Building
85 Official prior to commencement of construction.
86
- 87 4. Cost recovery charges must be paid pursuant to Section 5.12. Specifically, no
88 new development application shall be accepted and no building permit shall be
89 issued for the property until all application fees, cost recovery deposits and

Agenda Item 14C

90 outstanding fees and fines related to the property (including fees related to any
91 previous development proposal applications on the property), have been paid in
92 full.
93

- 94 5. Authorization or issuance of a building permit by the Village does not in any
95 way create a right on the part of the applicant to obtain a permit from a state or
96 federal agency, and does not create liability on the part of the Village for
97 issuance of a building permit, if the applicant fails to obtain requisite approvals
98 or fulfill the obligations imposed by a state or federal agency or undertakes action
99 that results in a violation of federal or state law.

100
101 **Section 5. Appeal.**
102

103 In accordance with Section 4.6 of the Village Code, the Applicant, or any aggrieved property
104 owner, may appeal the decision of the Village Commission by filing a Writ of Certiorari to the
105 Circuit Court of Miami-Dade County, Florida, in accordance with the Florida Rules of Appellate
106 Procedure.
107

108 **Section 6. Violation of Terms and Conditions.**
109

110 Failure to adhere to the terms and conditions contained in this Resolution in Section 4 shall be
111 considered a violation of this Resolution, and persons found violating the conditions shall be
112 subject to the penalties prescribed by the Village Code, including but not limited to the revocation
113 of any of the approval(s) granted in this Resolution.
114

115 The Applicant understands and acknowledges that it must comply with all other applicable
116 requirements of the Village Code before it may commence construction or operation, and that the
117 foregoing approval in this Resolution may be revoked by the Village at any time upon a
118 determination that the Applicant is in non-compliance with the Village Code.
119

120 **Section 7. Effective Date.**
121

122 This Resolution shall become effective upon its adoption.
123

124 The motion to adopt the foregoing Resolution was offered by _____, seconded by
125 _____.
126
127

128 **FINAL VOTE AT ADOPTION:**
129

130 Mayor Connie Leon-Kreps _____
131 Vice Mayor Andreana Jackson _____
132 Commissioner Jose R. Alvarez _____
133 Commissioner Laura Cattabriga _____
134 Commissioner Eddie Lim _____

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PASSED and ADOPTED this 13th day of November 2018.

MAYOR CONNIE LEON-KREPS

ATTEST:

Graciela Mariot
Interim Village Clerk

APPROVED AS TO FORM:

Norman C. Powell, Esq.
Village Attorney

North Bay Village Resolution: Construction of New Dock and Boatlift- 7929 West Drive

Agenda Item 17A



North Bay Village

1666 Kennedy Causeway, North Bay Village, FL 33141
Tel: (305) 756-7171 | Fax: (305) 756-7722 | www.nbvillage.com

**OFFICIAL AGENDA
REGULAR VILLAGE COMMISSION MEETING
VILLAGE HALL
TUESDAY, NOVEMBER 13, 2018
6:30 P.M.**

NOTICE IS HEREWITH GIVEN TO ALL INTERESTED PARTIES THAT IF ANY PERSON SHOULD DECIDE TO APPEAL ANY DECISION MADE AT THE FORTHCOMING MEETING OF THE VILLAGE COMMISSION, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, HE OR SHE WILL 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. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

1. CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

2.

A. PROCLAMATIONS AND AWARDS

1. Veterans Day Tribute
2. Treasure Island Elementary Head Custodian, Eustace Maulseed
3. Treasure Island Elementary Art Teacher, Daphne Conner

B. CITIZEN PRESENTATIONS TO THE COMMISSION

C. ADDITIONS AND DELETIONS

3. GOOD & WELFARE

4. VILLAGE COMMISSION'S REPORT

5. GRANT WRITER'S REPORT

6. ADVISORY BOARD REPORTS

A. ARTS, CULTURAL & SPECIAL EVENTS BOARD

B. ANIMAL CONTROL ADVISORY BOARD

C. BUSINESS DEVELOPMENT ADVISORY BOARD

D. CITIZENS BUDGET & OVERSIGHT BOARD

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Regular Village Commission Meeting
November 13, 2018

E. COMMUNITY ENHANCEMENT BOARD

F. PLANNING & ZONING BOARD

7. VILLAGE ATTORNEY'S REPORT

8. VILLAGE MANAGER'S REPORT

9. VILLAGE CLERK'S REPORT

10. **CONSENT AGENDA:** (Matters on the Consent Agenda are self-explanatory and are not expected to require discussion or review. Items will be adopted by one motion. If discussion is desired by any member of the Commission, that item must be removed from the Consent Agenda and will be considered separately.)

None

11. **ORDINANCES FOR FIRST READING:** Please be advised that if you wish to comment upon any of these quasi-judicial items, please inform the Mayor when she requests public comments. An opportunity for persons to speak on each item will be made available after the applicant and staffs have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Commission to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Further, details of the quasi-judicial procedures may be obtained from the Village Clerk.

None

12. RESOLUTION(S)

- A. **RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE FISCAL YEAR 2018 BUDGET; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE BUDGET AMENDMENTS; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER LEWIS VELKEN)**

The proposed Resolution will approve adjustment to the FY 2018 Budget to account for the departments that are over or under budget.

- **Commission**

- B. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, RELATING TO THE PUBLIC WELFARE, AUTHORIZING THE INTERIM VILLAGE MANAGER, ON BEHALF OF THE NORTH BAY VILLAGE POLICE DEPARTMENT, TO ENTER INTO LAW ENFORCEMENT MUTUAL AID AGREEMENTS WITH THE CITY SUNNY ISLES BEACH, SETTING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER LEWIS VELKEN)**

Agenda Item 17A

Regular Village Commission Meeting
November 13, 2018

The proposed Resolution will allow for the sharing of law enforcement resources and expertise between City of Sunny Isles Beach and North Bay Village.

- **Commission**

QUASI-JUDICIAL ZONING HEARINGS/JENNINGS DISCLOSURES (INCLUDING ORDINANCES FOR SECOND HEARING):

Please be advised that if you wish to comment upon any of these quasi-judicial items, please inform the Mayor when she requests public comments. An opportunity for persons to speak on each item will be made available after the applicant and staffs have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Commission to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Further, details of the quasi-judicial procedures may be obtained from the Village Clerk.

13. ORDINANCES FOR FIRST READING/PUBLIC HEARING(S)

None

14. RESOLUTION (S)/PUBLIC HEARING(S)

- A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, GRANTING A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT CODE, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 1550 SOUTH TREASURE DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM MANAGER LEWIS VELKEN)**

The proposed Resolution will approve the construction of a dock and boatlift which will extend 30 feet beyond the seawall, where a minimum of 25 feet is required.

- **Commission Action**

- B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, GRANTING A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT CODE, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 7610 MIAMI VIEW DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER LEWIS VELKEN)**

The proposed Resolution will approve the construction of a dock and boatlift which will extend 30 feet beyond the seawall, where a minimum of 25 feet is required.

- **Commission Action**

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Regular Village Commission Meeting
November 13, 2018

- C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, GRANTING A WAIVER, PURSUANT TO SECTION 9.12(B) OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT CODE, FOR THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 7929 WEST DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LIMIT; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

The proposed Resolution will approve the construction of a dock and boatlift which will extend 30 feet beyond the seawall, where a minimum of 25 feet is required.

- **Commission Action**

15. UNFINISHED BUSINESS

16. NEW BUSINESS

17. APPROVAL OF MINUTES – COMMISSION MEETING

A. REGULAR COMMISSION MEETING – OCTOBER 9, 2018

- **Commission Action**

18. ADJOURNMENT