

# Memorandum



**Date:** December 17, 2019

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

Agenda Item No. 5(D)

**From:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**Subject:** Class I Permit Application by Bellaire Holdings, Inc.

## **Recommendation**

I have reviewed the attached application for a Class I permit by Bellaire Holdings, Inc. and based upon the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County (Code), I recommend that the Board of County Commissioners (Board) approve the issuance of a Class I permit for the reasons set forth below.

Pursuant to Ordinance No. 16-73, this quasi-judicial matter may be submitted directly for placement on the Board's meeting agenda by the Director of the Department of Regulatory and Economic Resources.

## **Scope**

The project site is located at 871 Harbor Drive, Key Biscayne, in Commission District 7, which is represented by Commissioner Xavier L. Suarez.

## **Fiscal Impact/Funding Source**

This resolution is a regulatory approval and does not have a fiscal impact.

## **Track Record/Monitor**

The Coastal Resources Manager, McKee Gray, in the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM), will be responsible for monitoring the proposed permit.

## **Background**

The subject Class I permit application requests authorization to install a dock extension and mooring exclusion piles, to expand an existing boat slip through maintenance dredging, and for the after-the-fact authorization for the installation of a mooring pile in a residential canal at 871 Harbor Drive, Key Biscayne, Miami-Dade County, Florida. The scope of work meets the threshold to be processed administratively as a short form application. However, the subject Class I permit application comes before the Board for review pursuant to Section 24-48.2(I)(B)(1) of the Code, which states a public hearing by the Board shall be held for a short form application if a written request is filed with the County prior to the County's issuance of the permit. A request filed in accordance with the above referenced Section of the Code was submitted to DERM.

The subject site is a single family property that borders a residential canal where DERM previously authorized an existing dock and boatlift through an administrative Class I permit in 2011. In addition to the permitted work, the applicant installed an unauthorized dock extension and mooring pile without the required Class I permit between 2012 and 2013 in order to create a boat slip of sufficient length to accommodate a 70-foot long vessel. In order to correct the violation, the applicant submitted a Class I permit application for after-the-fact authorization for the installation of the unpermitted mooring pile; for authorization to remove the unpermitted dock extension and replace it with a smaller dock extension; and for authorization to maintenance dredge the boat slip area to a depth of -8 feet Mean Low Water (MLW). No work is proposed to the existing boatlift.



As part of a Class I permit application review, DERM staff evaluates whether a proposed project has been designed to avoid and/or minimize potential environmental, aesthetic, and navigation impacts. Pursuant to Section 24-48.4 of the Code, potential adverse environmental impacts and cumulative adverse environmental impacts for a proposed project must be avoided and minimized. In response to the submittal of this Class I permit application, DERM conducted an in-water assessment of the property. The submerged bottom consists of accumulated sediment and is not providing significant benthic habitat. Based on the site conditions, adverse environmental impacts are not reasonably expected to occur and mitigation is not being required. The Class I permit will require that turbidity controls be utilized during all phases of construction to ensure compliance with State and County water quality standards.

Potential aesthetic and navigational concerns were assessed in part through an evaluation of Section D-5 of the Miami-Dade County Public Works Manual. Section D-5 provides minimum standards for design and construction of coastal and other waterfront structures. Recommendations for Class I permits are based on several evaluation factors including, but not limited to, a project's consistency with Section D-5.03(2)(a) of the Miami-Dade County Public Works Manual (Section D-5 is attached hereto as Attachment C). The existing and proposed structures do not exceed the boundaries described in Section D-5.03(2)(a). Additionally, the existing and proposed structures are also consistent with Section D-5.03(2)(c), as the projection of said structures do not obstruct navigation and project no greater than 20 percent of the waterway width. Therefore, DERM has concluded that the scope of the project and the existing site conditions are consistent with Section D-5 as they relate to the location and general specifications described therein.

DERM further evaluated potential impacts to navigation through an evaluation of the proposed mooring configuration and the size of the vessels and determined that navigational access to the neighboring properties will be maintained as shown on Attachment D (Aerial Demonstrating Navigational Access). At the narrowest points within the project area, the width of the waterway is approximately 75 and 81 linear feet and all the proposed and existing structures at the subject site are located within 25 percent of the width of the waterway in accordance with the requirements of Section 24-48.2(1)(A)(10) of the Code. Additionally, during instances when the proposed 70 foot vessel is being moored at the subject dock, approximately 26 feet of clearance for navigation within the waterway will be maintained (see Attachment D).

DERM received correspondence from the adjacent property owner to the west requesting a public hearing for the proposed project, having expressed concerns that mooring of the 70 foot vessel at the subject property will affect vessel ingress to and egress from his property. DERM also received a letter objecting to the project from the adjacent property owner to the east. Based on the width of the waterway, the existing and proposed structures at the project site and neighboring properties, and DERM's evaluation of navigability within the waterway, the proposed project is not reasonably expected to adversely affect navigation.

In order to provide additional assurance that access to the docking structures of the adjacent properties will be maintained, DERM is requiring that the applicant install and maintain two mooring exclusion wood pilings to define the western limit of the boat slip. The piles will be installed perpendicular to the existing dock, to prevent vessels from being moored outside of the DERM-approved slip area and will ensure that greater than 45 feet of clearance are maintained between the approved slip area and the seawall of the property to the west. As depicted on the project sketches, the mooring configuration of the vessels will be wholly contained along the shoreline of the subject property.



Pursuant to Section 24-48.2(II)(B)(1) of the Code, a standard form application shall include evidence of ownership or a lease of the upland and submerged land upon which work is proposed. Said evidence of ownership may include, in the discretion of the Department, an affidavit of ownership executed by the owner of the property. The applicant obtained an Environmental Resource Permit issued by the Florida Department of Environmental Protection on December 2, 2015, indicating that the proposed work is not located on sovereign submerged lands owned by the State of Florida. In addition, DERM has previously obtained guidance from the State of Florida indicating that the subject submerged lands are not State owned. Furthermore, a cursory review of the plat information available from the Miami-Dade County Clerk of Courts indicates that the project area and associated waterways were previously dredged and filled in the early to mid-1960s. The applicant has executed and provided a notarized Affidavit of Ownership and Hold Harmless Agreement (Affidavit) for the project, claiming ownership of the submerged lands adjacent to the subject property. DERM has not received any contradictory information regarding the submerged lands; therefore DERM has accepted the Affidavit for consistency with Section 24-48.2(II)(B)(1) as evidence of ownership of the submerged lands upon which the work is proposed. This is only for the purposes of issuing this regulatory permit and is not a determination of property right.

The proposed project is located within an area designated as essential manatee habitat for the West Indian Manatee by the Miami-Dade County Manatee Protection Plan (MPP). The MPP has specific guidelines for projects within essential manatee habitat; however, the guidelines apply to new or expanded marine facilities other than single family residences. The subject project is limited to the residential docking of two recreational vessels and is not reasonably expected to adversely affect manatees. In order to minimize any potential impacts to manatees during construction, the Class I permit will require that all standard manatee conditions be followed during all in-water operations.

The proposed project complies with Section 24-48.3(2) of the Code as related to the criteria for the minimum dredging and filling for the creation and maintenance of marinas, piers, docks and attendant navigational channels. The project has been designed in accordance with all relevant Miami-Dade County coastal and wetland construction criteria and is consistent with all other Miami-Dade County coastal and wetland protection provisions. Please find attached a DERM Project Report which sets forth the reasons the proposed project is recommended for approval by DERM pursuant to the applicable evaluation factors set forth in Section 24-48.3 of the Code. The conditions, limitations, and restrictions set forth in the attached Project Report are incorporated by reference.

**Attachments**

- Attachment A: Class I Permit Application and Affidavit of Ownership
- Attachment B: Owner/Agent Letter, Engineer Letter and Project Sketches
- Attachment C: Miami-Dade County Public Works Manual (Section D-5)
- Attachment D: Aerial Demonstrating Navigational Access
- Attachment E: Zoning Memorandum
- Attachment F: Names and Addresses of Owners of All Riparian or Wetland Property within Three Hundred (300) Feet of the Proposed Work
- Attachment G: DERM Project Report

**Attachment A**

**Class I Permit Application and Affidavit of Ownership**



# Class I Permit Application



|   |  |
|---|--|
| <b>FOR DEPARTMENTAL USE ONLY</b>  |  |
| <b>Date Received:</b><br>APR 15 2019  | <b>Application Number:</b> CLI-2015-0319 |
| <b>NATURAL RESOURCES DIVISION<br/>DEPARTMENT OF REGULATORY<br/>AND ECONOMIC RESOURCES</b> | <b>Application Fee:</b> \$825.00         |

Application must be filled out in its entirety. Please indicate N/A for non-applicable fields.

|   |   |
|---|---|
| <p><b>1. Applicant Information:</b><br/>                 Name: <u>Bellaire Holdings, Inc.</u><br/>                 Address: <u>2 South Biscayne Blvd, 22nd Floor</u><br/> <u>Miami</u> Zip Code: <u>33131</u><br/>                 Phone #: _____ Fax #: _____<br/>                 Email: <u>peggy@pgarcialaw.com</u></p> <p><small>* This should be the applicant's information for contact purposes.</small></p> | <p><b>2. Applicant's Authorized Permit Agent:</b><br/>                 Agent is allowed to process the application, furnish supplemental information relating to the application and bind the applicant to all requirements of the application.<br/>                 Name: <u>Kirk Lofgren, Ocean Consulting, LLC</u><br/>                 Address: <u>340 Minorca Ave, Suite 7</u><br/> <u>Coral Gables, FL</u> Zip Code: <u>33134</u><br/>                 Phone #: <u>305-921-9344</u> Fax #: <u>305-677-3254</u><br/>                 Email: <u>kirk@oceanconsultingfl.com, justina@oceanconsultingfl.com</u></p> |
|---|---|

**3. Location where proposed activity exists or will occur (latitude and longitude are only necessary for properties without address or folio #):**

Folio #(s): 24-5205-010-0560 Latitude: 25.684992° Longitude: -80.168895°  
 Street Address: 871 Harbor Drive Section: 05 Township: 55 Range: 42  
 In City or Town: Key Biscayne Near City or Town: \_\_\_\_\_  
 Name of waterway at location of the activity: Biscayne Bay

**4. Describe the proposed activity (check all that apply):**

|  |   |   |   |  |
|--|---|---|---|--|
| <input type="checkbox"/> Seawall                 | <input checked="" type="checkbox"/> Dock(s) | <input type="checkbox"/> Boatlift                 | <input checked="" type="checkbox"/> Dredging    | <input type="checkbox"/> Mangrove Trimming |
| <input type="checkbox"/> New/Replacement Seawall | <input type="checkbox"/> Pier(s)            | <input checked="" type="checkbox"/> Mooring Piles | <input checked="" type="checkbox"/> Maintenance | <input type="checkbox"/> Mangrove Removal  |
| <input type="checkbox"/> Seawall Cap             | <input type="checkbox"/> Viewing Platform   | <input type="checkbox"/> Fender Piles             | <input type="checkbox"/> New                    |  |
| <input type="checkbox"/> Batter Piles            |   | <input type="checkbox"/> Davits                   | <input type="checkbox"/> Filling                |  |
| <input type="checkbox"/> King Piles              |   |   |   |  |
| <input type="checkbox"/> Footer/Toe Wall         |   |   |   |  |
| <input type="checkbox"/> Riprap                  |   |   |   |  |

Other: Maintenance dredge to -8.0' Mean Low Water.

Estimated project cost = \$ 35,000

Are you seeking an after-the-fact approval (ATF)?  Yes  No If "Yes", describe the ATF work: 1 mooring pile

|  |   |
|--|---|
| <p><b>5. Proposed Use (check all that apply):</b></p> <p><input checked="" type="checkbox"/> Single Family<br/> <input type="checkbox"/> Multi-Family<br/> <input type="checkbox"/> Private<br/> <input type="checkbox"/> Public<br/> <input type="checkbox"/> Commercial<br/> <input type="checkbox"/> Industrial<br/> <input type="checkbox"/> Utility</p> | <p><b>6. If the proposed work relates to the mooring of vessels provide the following information (please also indicate if the applicant does not have a vessel):</b></p> <p>Proposed Vessel Type (s): <u>Center-Console &amp; Sport Fishing Vessel</u><br/>                 Vessel Make/Model (If known): <u>Seahunter &amp; Hatteras</u><br/>                 Draft (s)(range in inches.): <u>2.5' &amp; 5.5'</u> Length (s)(range in feet.): <u>28' &amp; 70'</u><br/>                 Total Number of Slips: <u>2</u></p> |
|--|---|

**7. List all permits or certifications that have been applied for or obtained for the above referenced work:**

| Issuing Agency | Type of Approval | Identification Number | Application Date | Approval Date |
|----------------|------------------|-----------------------|------------------|---------------|
| DEP            | ERP              | TBD                   | TBD              | TBD           |
| US COE         | GP/NWP           | TBD                   | TBD              | TBD           |

**8. Contractor Information (If known):**

Name: TBD License # (County/State): \_\_\_\_\_

Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ E-mail: \_\_\_\_\_

**9. IMPORTANT NOTICE TO APPLICANTS:** The written consent of the property owner is required for all applications to be considered complete. Your application **WILL NOT BE PROCESSED** unless the Applicant and Owner Consent portion of the application is completed below. You have the obligation to apprise the Department of any changes to information provided in this application.

Application is hereby made for a Miami-Dade County Class I permit to authorize the activities described herein. I agree to or affirm the following:

- I possess the authority to authorize the proposed activities at the subject property, and
- I am familiar with the information, data and plans contained in this application, and
- To the best of my knowledge and belief, the information, data and plans submitted are true, complete and accurate, and
- I will provide any additional information, evidence or data necessary to provide reasonable assurance that the proposed project will comply with the applicable State and County water quality standards both during construction and after the project is completed, and
- I am authorizing the permit agent listed in Section 2 of this application to process the application, furnish supplemental information relating to this application and bind the applicant to all requirements of this application, and
- I agree to provide access and allow entry to the project site to inspectors and authorized representatives of Miami-Dade County for the purpose of making the preliminary analyses of the site and to monitor permitted activities and adherence to all permit conditions.

**A. IF APPLICANT IS AN INDIVIDUAL**

|                        |                        |      |
|------------------------|------------------------|------|
| Signature of Applicant | Print Applicant's Name | Date |
|------------------------|------------------------|------|

**B. IF APPLICANT IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON**

(Examples: Corporation, Partnership, Trust, LLC, LLP, etc.)

|   |                             |          |
|---|-----------------------------|----------|
| Bellalre Holdings   | Inc.                        | State of |
| Print Name of Applicant (Enter the complete name as registered)<br>Registration/Incorporation | Type (Corp, LLC, LLP, etc.) | State of |

Under the penalty of perjury, I certify that I have the authority to sign this application on behalf of the Applicant, to bind the Applicant, and if so required to authorize the issuance of a bond on behalf of the Applicant. (If asked, you must provide proof of such authority to the Department). **\*\*\*Please Note: If additional signatures are required, pursuant to your governing documents, operating agreements, or other applicable agreements or laws, you must attach additional signature pages.\*\*\***

|  |  |                        |
|--|--|------------------------|
| <b>TONYA OLVERA</b>                    | <b>Montgomery S. Moore</b><br>Authorized Representative's Name | <b>7/20/15</b><br>Date |
| Signature of Authorized Representative | Print Authorized Representative's Name                         | Title                  |

**C. IF APPLICANT IS A JOINT VENTURE** Each party must sign below (If more than two members, list on attached page)

|   |                             |          |
|---|-----------------------------|----------|
| Print Name of Applicant (Enter the complete name as registered)<br>Registration/Incorporation | Type (Corp, LLC, LLP, etc.) | State of |
|---|-----------------------------|----------|

|   |                             |          |
|---|-----------------------------|----------|
| Print Name of Applicant (Enter the complete name as registered)<br>Registration/Incorporation | Type (Corp, LLC, LLP, etc.) | State of |
|---|-----------------------------|----------|

Under the penalty of perjury, I certify that I have the authority to sign this application on behalf of the Applicant, to bind the Applicant, and if so required to authorize the issuance of a bond on behalf of the Applicant. (If asked, you must provide proof of such authority to the Department). **\*\*\*Please Note: If additional signatures are required, pursuant to your governing documents, operating agreements, or other applicable agreements or laws, you must attach additional signature pages.\*\*\***

|  |  |       |      |
|--|--|-------|------|
| Signature of Authorized Representative | Print Authorized Representative's Name | Title | Date |
|--|--|-------|------|

|  |  |       |      |
|--|--|-------|------|
| Signature of Authorized Representative | Print Authorized Representative's Name | Title | Date |
|--|--|-------|------|

6





**Affidavit of Ownership  
and Hold Harmless Agreement**

Personally Appeared Before Me, Bellaire Holdings, Inc., that  
(Property owner, lessee or Corporate Officer if owner is a corporation)  
undersigned authority, and hereby swears and affirms under oath as follows:

1. That your affiant is the record owner or lessee of that certain property\* more fully described as:

871 Harbor Drive and submerged lands adjacent to:  
5 55 42  
CAPE FLORIDA SUB SEC 1 PB 68-81  
LOT 24 & PROP INT IN & TO ADJ  
WATER OR WATERWAYS BLK 2

\* may attach legal description from public records or plat book or a copy of the warranty deed

2. That your affiant is also the riparian and/or littoral owner or lessee of that certain property that is the subject matter of Application No. CLI-2015-0319 for a Class I permit under and pursuant to Section 24-48 of the Code of Miami-Dade County to construct or engage in the following activity:

Installation of a new wood access platform, two (2) new wood mooring exclusionary piles, one (1) new mooring pile, and after-the-fact permitting of one (1) mooring piles, as well as dredging of approximately 175 cubic yards to -8.0 MLW.

3. That your affiant hereby swears and affirms its ownership or leasehold in the above noted property necessary for the work noted in Paragraph 2 above, and hereby agrees to: defend same and hold the County harmless from any and all liability, claims and damages of any nature whatsoever occurring, including or arising as a result of your affiant not having the proper title to all lands or proper leasehold to all lands that are the subject matter of this application.

STATE OF FLORIDA  
COUNTY OF DADE

Anthony Kikivarakis  
Anthony Kikivarakis

Owner/Applicant

Baraterre Limited - Director Tarpumbay Limited - Director

Thurl Edwards  
Thurl Edwards

BEFORE ME, the undersigned authority, personally appeared Anthony S. Kikivarakis, Thurl Edwards who, after being duly sworn, deposes and says that he/she has read the foregoing, and that the statements contained therein are true and correct to the best of his/her knowledge and belief.

Sworn to and subscribed before me this 21st of August, 2018  
(day) (month) (year)

Notary Signature

Notary Seal

Stephen McKinney  
Notary Public  
Nassau, Bahamas  
My commission expires December 31, 2018



**Attachment B**

**Owner/Agent Letter, Engineer Letter and Project Sketches**

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

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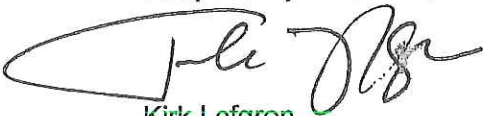
Miami Dade County Department of Regulatory and Economic Resources  
Class I Permitting Program  
701 NW 1<sup>st</sup> Court  
Miami, FL 33136

Re: Class I Standard Form Permit Application Number CLI-2015-0319

By the attached Class I Standard Form permit application with supporting documents, I, Kirk Lofgren, Managing Member, Ocean Consulting, LLC, am the permit applicant's authorized agent, and hereby request permission to perform the work associated with Class I permit Application CLI-2015-0319. I understand that a Miami-Dade County Class I Standard Form permit is required to perform this work.

If approval is granted for the proposed work by the Board of County Commissioners, complete and detailed plans and calculations of the proposed work shall be prepared by an engineer licensed in the State of Florida in accordance with the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. Said plans and calculations shall be subject to the review and approval of the Department. The permit applicant will secure the services of an engineer licensed in the State of Florida to conduct inspections throughout the construction period, and said engineer shall prepare all required drawings of record. In the event that the proposed work which is the subject of this Class I permit application involves the cutting or trimming of a mangrove tree(s), a detailed plan of the proposed cutting or trimming shall be prepared by a licensed landscape architect and submitted to the Department for review and approval, and the permit applicant will secure the services of a licensed landscape architect to supervise the trimming or cutting.

Respectfully submitted,



Kirk Lofgren,  
Managing Member  
Ocean Consulting, LLC

**RECEIVED**

**MAR 28 2018**

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



ENGINEER LETTER OF CERTIFICATION

\_\_\_\_\_  
Miami-Dade County Department of Regulatory and Economic Resources  
Class I Permitting Program  
701 NW 1<sup>st</sup> Court  
Miami, Florida 33136

RE: Class I Permit Application Number CLI-2015-0319

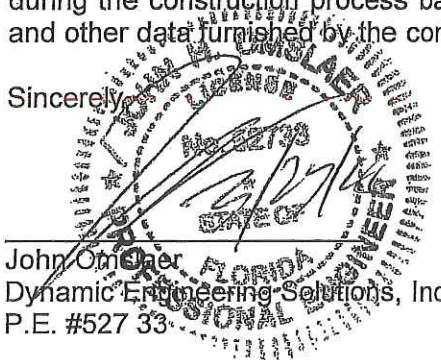
Ladies and Gentlemen:

This letter will certify that I am an engineer licensed in the State of Florida, qualified by education and experience in the area of engineering design and inspection, and that to the best of my knowledge and belief, the proposed work does not violate any laws, rules, or regulations of the State of Florida or any provisions of the Code of Miami-Dade County which may be applicable; that diligence and recognized standard practices of the engineering profession have been exercised in the engineer's design of the proposed work; and in my opinion based upon my knowledge and belief, the following will not occur:

- a. Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- b. Harmful or increased erosion, shoaling of channels or stagnant areas of water. (Not applicable to class IV permits)
- c. Material injury to adjacent property.
- d. Adverse environmental impacts from changes in water quality or quantity. (Applicable to class IV permits only)

Further, I have been retained by the applicant to provide inspections throughout the construction period and to prepare a set of reproducible record prints of drawings showing changes made during the construction process based upon the marked-up prints, certified surveys, drawings, and other data furnished by the contractor to me.

Sincerely,

  
John OmGaer  
Dynamic Engineering Solutions, Inc.  
P.E. #527 33

**RECEIVED**

MAR 28 2018

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



871 HARBOR DRIVE  
 DREDGE AND  
 MOORING  
 PROJECT

CLIENT:  
 Key Biscayne, Florida  
 BELLAIRE HOLDINGS INC.  
 c/o Ms. Peggy Garcia  
 Robert Allen Law  
 1441 Brickell Ave, Suite 1400  
 Miami, FL 33131

ENVIRONMENTAL CONSULTANT:  
 OCEAN  
 CONSULTING, LLC  
 340 Miramar Avenue, Suite 7  
 Coral Gables, Florida 33134  
 Tel: (305) 921-9244  
 Fax: (305) 677-5234

CONTRACTOR:  
 SOUTHEAST MARINE  
 CONSTRUCTION  
 404 NE 38th Street  
 Oakland Park, Florida 33334  
 Tel: (954) 650-2300  
 Fax: (954) 650-2381  
 License # CCG060467  
 PROJECT ENGINEER:

DYNAMIC ENGINEERING  
 SOLUTIONS, INC.  
 950 N. Federal Highway, Suite 212  
 Pompano Beach, FL 33062  
 Tel: (954) 545-1740  
 Fax: (954) 545-1721

SEAL / SIGNATURE / DATE

John Omelager  
 PE 52733, CA 26829

PERMIT DRAWINGS  
 Issue # Issue Date  
 ① June 7, 2018  
 ⑧ June 11, 2018

PROJECT: 15-4825

PROJECT LOCATION &  
 NOTES  
 SCALE: AS SHOWN  
 SHEET NO.

S-1

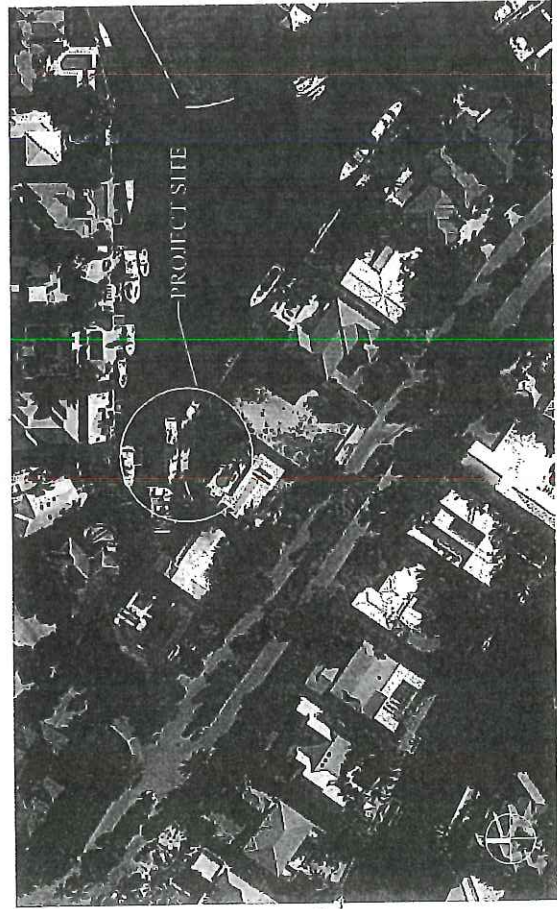
**GENERAL NOTES:**

- 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. CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR ALL LINES, ELEVATIONS, AND MEASUREMENTS IN CONNECTION WITH THEIR 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 OF THESE PERMITS.
- APPLICABLE BUILDING CODE: FLORIDA BUILDING CODE (2012 EDITION) (AND CURRENT ADDENDUMS)
- APPROVED CONTRACTOR TO DETERMINE THE SUITABILITY OF EXISTING STRUCTURES AND VERIFY ALL DIMENSIONS. THE APPROVED CONTRACTOR IS RESPONSIBLE FOR ALL METHODS, MEANS, SEQUENCES AND PROCEDURES OF WORK.
- DO NOT SCALE DRAWINGS FOR DIMENSIONS.
- CONTRACTOR TO VERIFY LOCATION OF EXISTING UTILITIES PRIOR TO COMMENCING WORK.
- CONTRACTOR TO PROPERLY FENCE AND SECURE AREA WITH BARRICADES.
- ANY DEVIATION AND/OR SUBSTITUTION FROM THE INFORMATION PROVIDED HEREIN SHALL BE SUBMITTED TO THE ENGINEER FOR APPROVAL PRIOR TO COMMENCEMENT OF WORK.
- ALL NEW MATERIALS AND/OR PATCHWORK SHALL BE PROVIDED TO MATCH EXISTING MATERIALS AND/OR ADJOINING WORK WHERE PRACTICAL EXCEPT AS SPECIFICALLY NOTED HEREIN.
- LICENSED CONTRACTOR SHALL USE ALL POSSIBLE CARE TO PROTECT ALL EXISTING MATERIALS, SURFACES, AND FURNISHINGS FROM DAMAGE DURING ALL PHASES OF CONSTRUCTION.
- THE LICENSED CONTRACTOR TO INSTALL AND REMOVE ALL SHORING AND BRACING AS REQUIRED FOR THE PROPER EXECUTION OF THE WORK.
- ALL NEW WORK AND/OR MATERIALS SHALL CONFORM TO ALL REQUIREMENTS OF EACH ADMINISTRATIVE BODY HAVING JURISDICTION IN EACH PERTAINING CIRCUMSTANCE.
- THE CONTRACTOR WILL EMPLOY AND MAINTAIN ADEQUATE SEDIMENT AND EROSION CONTROL MEASURES TO PROTECT BISCAYNE BAY FROM SEDIMENT AND CONSTRUCTION DEBRIS.

**PILE DRIVING NOTES**

- PILE DRIVING OPERATIONS SHALL BE OBSERVED BY A SPECIAL INSPECTOR, INCLUDING TEST PILES SUFFICIENT TO DETERMINE THE APPROXIMATE LENGTH REQUIRED TO MEET DESIGN CAPACITY.
  - PILES SHALL BE DRIVEN USING AN APPROVED CUSHION BLOCK CONSISTING OF MATERIAL SO ARRANGED SO AS TO PROVIDE THE TRANSMISSION OF THE HAMMER ENERGY.
  - PILES SHALL BE DRIVEN TO REQUIRED CAPACITY A MIN 12 INTO BERM.
  - PILES SHALL BE DRIVEN WITH A DROP HAMMER OR GRAVITY HAMMER PROVIDED THE HAMMER SHALL WEIGH NO LESS THAN 3,000 POUNDS, AND THE FALL OF THE HAMMER SHALL NOT EXCEED 6 FT.
  - PILES SHALL BE DRIVEN WITH A VARIATION OF NOT 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 NOT MORE THAN 3".
  - WHERE PILING MUST PENETRATE STRATA OFFERING HIGH RESISTANCE TO DRIVING, THE STRUCTURAL ENGINEER OF RECORD OR SPECIAL INSPECTOR MAY REQUIRE THAT PILES BE SET IN PRE-DRILLED OR PUNCHED HOLES. THE PILES SHALL REACH THEIR FINAL PENETRATION BY DRIVING.
- BOLTS**
- ALL BOLTS SHALL BE STAINLESS STEEL, UNLESS OTHERWISE NOTED.
- WOOD**
- PRIMARY WOOD FRAMING MEMBERS SHALL BE NUMBER 1 PRESSURE TREATED, MARINE GRADE SOUTHERN PINE OR BETTER.
  - ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD.

DOCK: LL 60 PSF



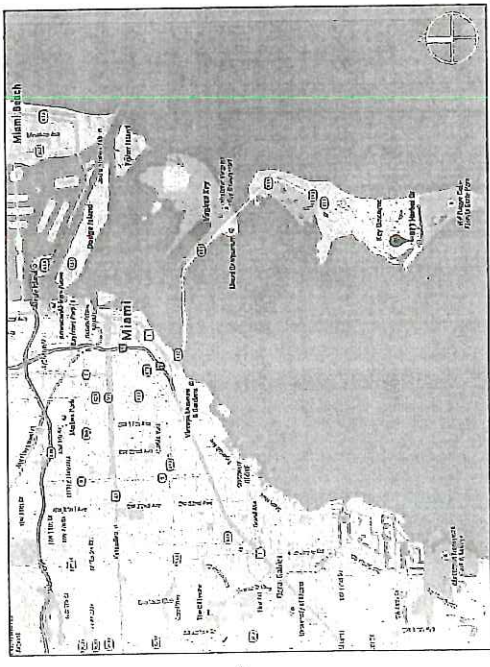
**LOCATION MAP AND LEGAL DESCRIPTION**

**PROJECT SITE LOCATION:**  
 871 Harbor Drive  
 Key Biscayne, FL 33149

**LATITUDE:** 25 DEG 47'55.19"  
**LONGITUDE:** 80 DEG 9'43.98"W

**FOLIO No.:** 02-3232-003-0420

**PROJECT LEGAL DESCRIPTION:**  
 5 55 42  
 CAPE FLORIDA SUB SEC 1 PB 68-81  
 LOT 24 & PROP INT IN & TO ADJ  
 WATER OR WATERWAYS BLK 2  
 LOT SIZE 12629.00 SQ. FT  
 OR 15937-3999 0593 1





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OCT 09 2018

NATURAL RESOURCES DIVISION  
DEPARTMENT OF REGULATORY  
AND ECONOMIC RESOURCES  
BISCAYNE BAY WATER W

871 HARBOR DRIVE  
DREDGE AND  
MOORING  
PROJECT  
Key Biscayne, Florida

CLIENT:  
BELLARE HOLDINGS INC.  
c/o Mr. Peggy Garcia  
Robert Allen Law  
1441 Brickell Ave, Suite 1400  
Miami, FL 33131

ENVIRONMENTAL CONSULTANT:  
OCEAN  
CONSULTING, LLC  
340 Mirra Avenue, Suite 7  
Coral Gables, Florida 33134  
Tel: (305) 921-9344  
Fax: (305) 677-3254

CONTRACTOR:  
SOUTHEAST MARINE  
CONSTRUCTION  
404 NE 48th Street  
Coral Gables, Florida 33334  
Tel: (305) 636-2381  
Fax: (305) 636-2381  
License # CGC060467

PROJECT ENGINEER:  
DYNAMIC ENGINEERING  
SOLUTIONS, INC.  
950 N. Federal Highway, Suite 212  
Pompano Beach, FL 33062  
Tel: (954) 545-1740  
Fax: (954) 545-1721

SEAL: JEROME J. ...  
Professional Engineer  
No. 12345  
State of Florida

PERMIT DRAWINGS  
Issue # Issue Date  
⑦ June 7, 2018  
⑧ June 11, 2018  
⑨ August 3, 2018  
⑩ October 5, 2018  
PROJECT: 15-4825

ATF EXISTING  
CONDITIONS  
SCALE: AS SHOWN  
SHEET NO.

S-2

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NATURAL RESOURCES DIVISION  
DEPARTMENT OF REGULATORY  
AND ECONOMIC RESOURCES  
BISCAYNE BAY WATER W

ENVIRONMENTAL CONSULTANT:  
OCEAN  
CONSULTING, LLC  
340 Mirra Avenue, Suite 7  
Coral Gables, Florida 33134  
Tel: (305) 921-9344  
Fax: (305) 677-3254

CONTRACTOR:  
SOUTHEAST MARINE  
CONSTRUCTION  
404 NE 48th Street  
Coral Gables, Florida 33334  
Tel: (305) 636-2381  
Fax: (305) 636-2381  
License # CGC060467

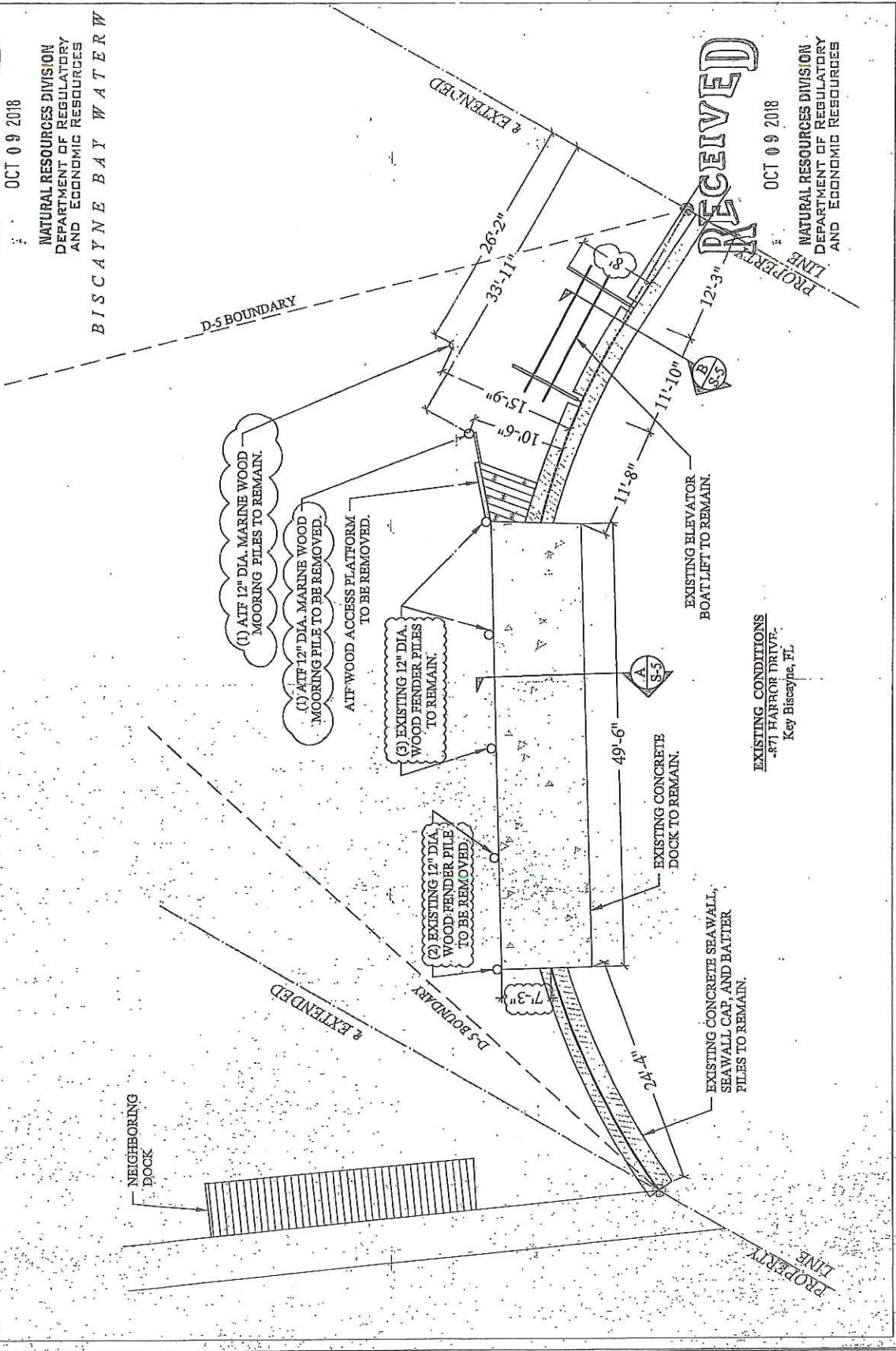
PROJECT ENGINEER:  
DYNAMIC ENGINEERING  
SOLUTIONS, INC.  
950 N. Federal Highway, Suite 212  
Pompano Beach, FL 33062  
Tel: (954) 545-1740  
Fax: (954) 545-1721

SEAL: JEROME J. ...  
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No. 12345  
State of Florida

PERMIT DRAWINGS  
Issue # Issue Date  
⑦ June 7, 2018  
⑧ June 11, 2018  
⑨ August 3, 2018  
⑩ October 5, 2018  
PROJECT: 15-4825

ATF EXISTING  
CONDITIONS  
SCALE: AS SHOWN  
SHEET NO.

S-2



N  
SCALE: 3/32" = 1"  
70

E.D.M.S.  
DOCUMENT  
DIGITALLY IMAGED




**871 HARBOR DRIVE  
DREDGE AND  
MOORING  
PROJECT**

CLIENT:  
Key Biscayne, Florida  
BELLAIRE HOLDINGS INC.  
60 N.W. Perry Causeway  
Robert Allen Law  
1441 Brickell Ave, Suite 1400  
Miami, FL 33131

ENVIRONMENTAL CONSULTANT:  
**OCEAN  
CONSULTING, LLC**  
340 Minorca Avenue, Suite 7  
Coral Gables, Florida 33134  
Tel: (305) 921-9344  
Fax: (305) 677-3254

CONTRACTOR:  
**SOUTHEAST MARINE  
CONSTRUCTION**  
404 NE 38th Street  
Oakland Park, Florida 33334  
Tel: (954) 630-2300  
Fax: (954) 630-2381  
License # CFC060467

PROJECT ENGINEER:  
**DYNAMIC ENGINEERING  
SOLUTIONS, INC.**  
950 N. Federal Highway, Suite 212  
Pompano Beach, FL 33062  
Tel: (954) 545-1740  
Fax: (954) 545-1721

SEAL / SIGNATURE / DATE:  
  
John Onslager  
PE 52733, CA 26829

**PERMIT DRAWINGS**

- Issue # - Issue Date  
 ⑦ June 7, 2018  
 ⑧ June 11, 2018  
 ⑨ August 3, 2018  
 ⑩ October 5, 2018

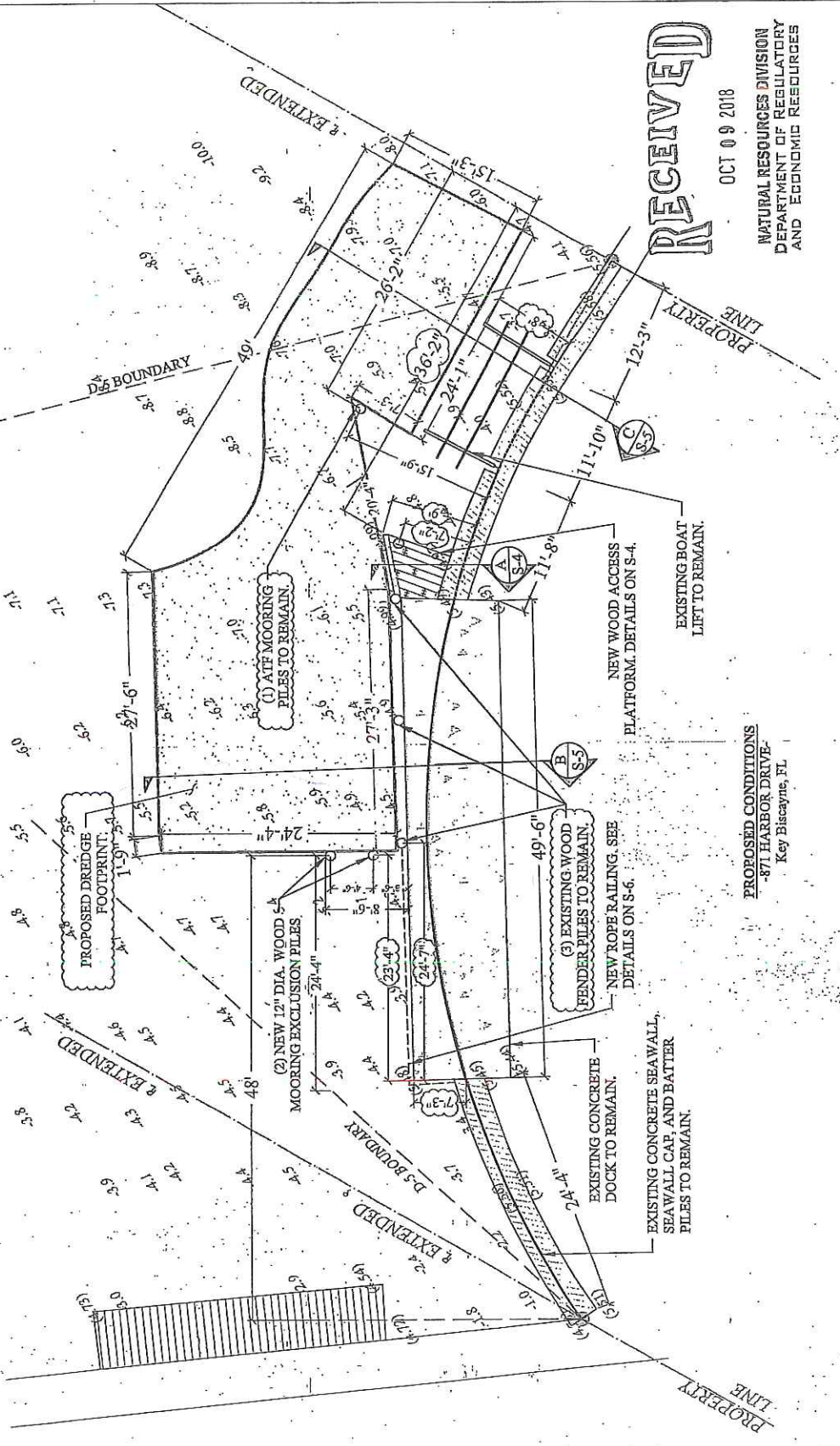
PROJECT: 15-4825

**PROPOSED  
CONDITIONS**

SCALE: AS SHOWN  
SHEET NO.

**S-3**

BISCAYNE BAY WATERWAY



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NATURAL RESOURCES DIVISION  
DEPARTMENT OF REGULATORY  
AND ECONOMIC RESOURCES

PROPOSED CONDITIONS  
-871 HARBOR DRIVE-  
Key Biscayne, FL





871 HARBOR DRIVE  
 DREDGE AND  
 MOORING  
 PROJECT  
 Key Biscayne, Florida

CLIENT:  
 Bellamer Holdings Inc.  
 66 Mc. Peggy Garcia  
 Robert Allen Lew  
 1441 Brickell Ave, Suite 1400  
 Miami, FL 33131

ENVIRONMENTAL CONSULTANT:  
 OCEAN  
 CONSULTING, LLC  
 340 Minerva Avenue, Suite 7  
 Coral Gables, Florida 33134  
 Tel: (305) 921-9344  
 Fax: (305) 877-3254

CONTRACTOR:  
 SOUTHEAST MARINE  
 CONSTRUCTION  
 404 NE 38th Street  
 Oakland Park, Florida 33334  
 Tel: (954) 630-2100  
 Fax: (954) 630-2381  
 License # CGC060467

PROJECT ENGINEER:  
 DYNAMIC ENGINEERING  
 SOLUTIONS, INC.  
 950 N. Federal Highway, Suite 212  
 Pompano Beach, FL 33062  
 Tel: (954) 545-1740  
 Fax: (954) 545-1721

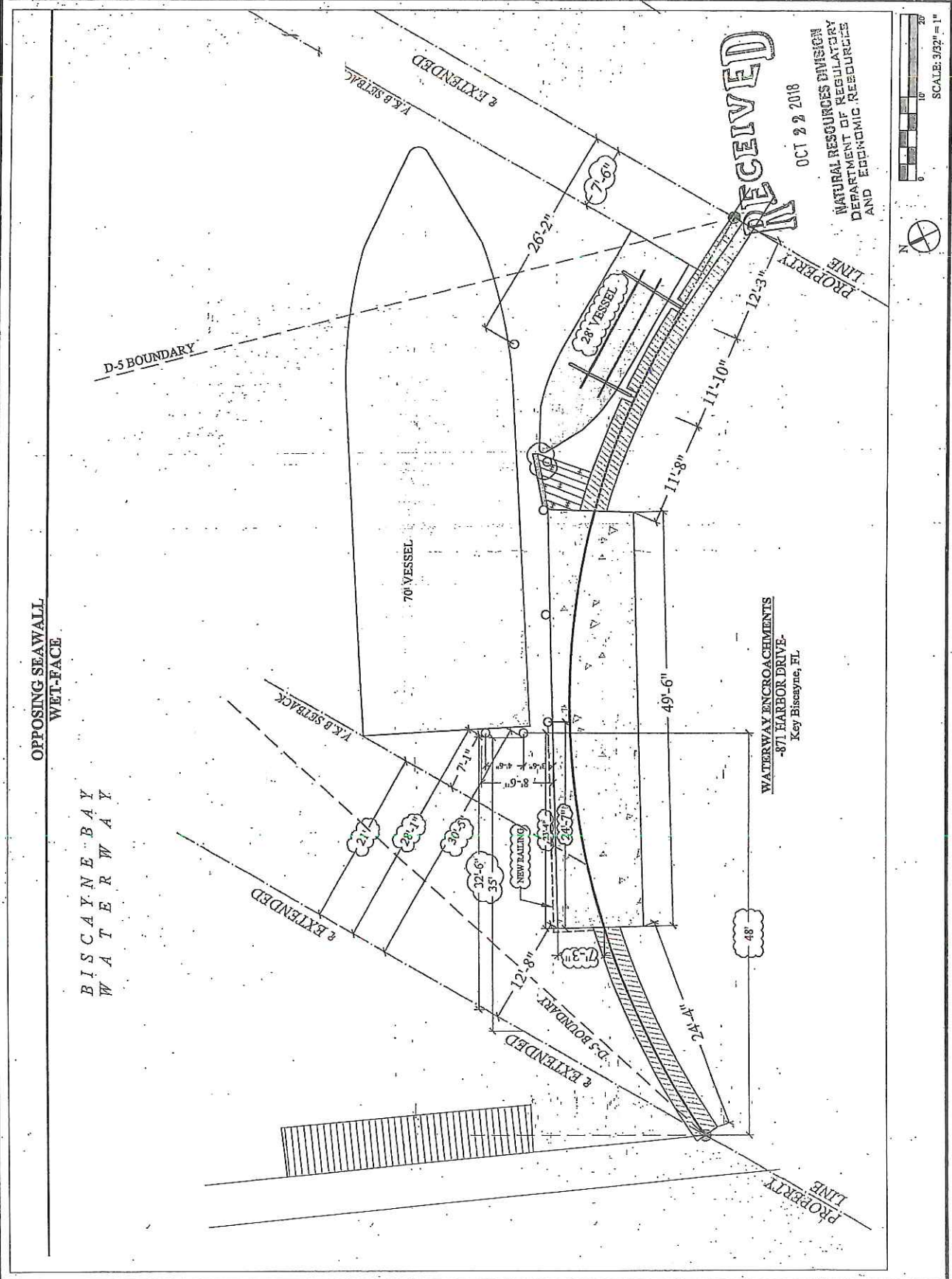
SEAL / SIGNATURE / DATE

John Omsiner  
 PE 52753, CA 26829

PERMIT DRAWINGS  
 Issue # Issue Date  
 ⑦ June 7, 2018  
 ⑧ June 11, 2018  
 ⑨ August 3, 2018  
 ⑩ October 5, 2018  
 PROJECT: 15-4825

MOORING  
 CONFIGURATION  
 SCALE: AS SHOWN  
 SHEET NO.

**S-3B**







**871 HARBOR DRIVE  
DREDGE AND  
MOORING  
PROJECT**

CLIENT:  
Key Biscayne, Florida  
BELLARE HOLDINGS INC.  
c/o Ms. Peggy Garcia  
Robert Allen Law  
1441 Brickell Ave, Suite 1400  
Miami, FL 33131

ENVIRONMENTAL CONSULTANT:  
OCEAN

CONSULTING, LLC  
340 Miracra Avenue, Suite 7  
Coral Gables, Florida 33134  
Tel: (305) 921-9344  
Fax: (305) 677-9254

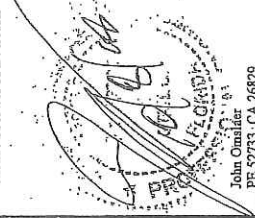
CONTRACTOR:  
SOUTHEAST MARINE  
CONSTRUCTION

404 NE 38th Street  
Oakland Park, Florida 33334  
Tel: (954) 650-2100  
Fax: (954) 650-2381  
License # CCG0606467

PROJECT ENGINEER:  
DYNAMIC ENGINEERING  
SOLUTIONS, INC.

950 N. Federal Highway, Suite-212  
Pompano Beach, FL 33062  
Tel: (954) 545-1740  
Fax: (954) 545-1721

SEAL / SIGNATURE / DATE



John Ombra  
PE 52733, CA 26829

PERMIT DRAWINGS

Issue # Issue Date

1 June 7, 2018

2 June 11, 2018

3 August 3, 2018

4 October 5, 2018

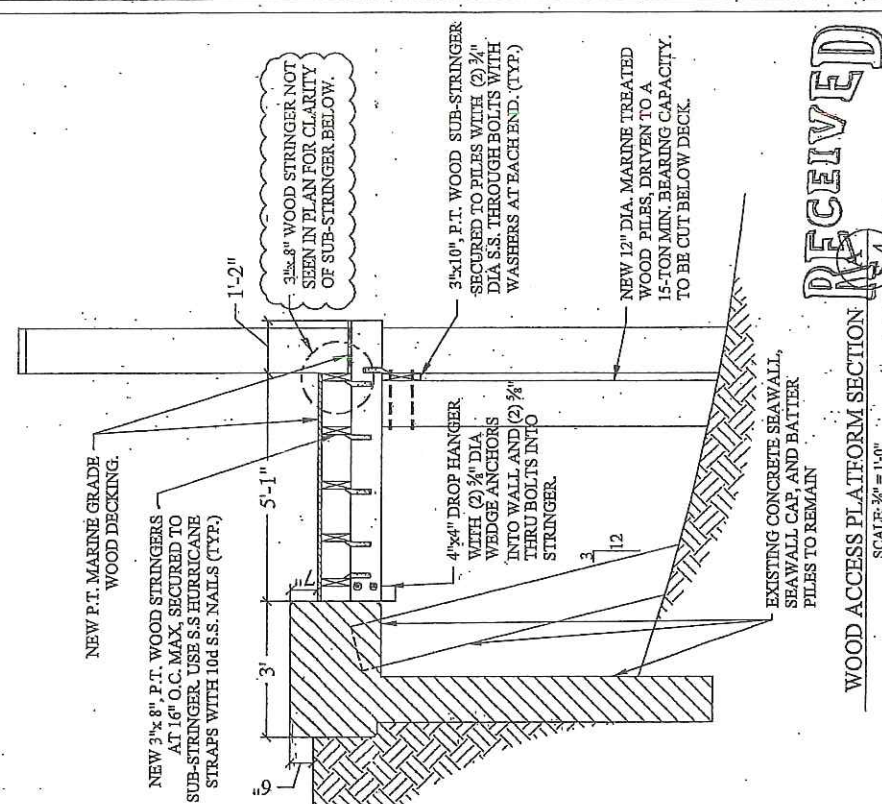
PROJECT: 15-4825

WOOD DOCK

EXTENSIONS DETAILS &  
SECTION

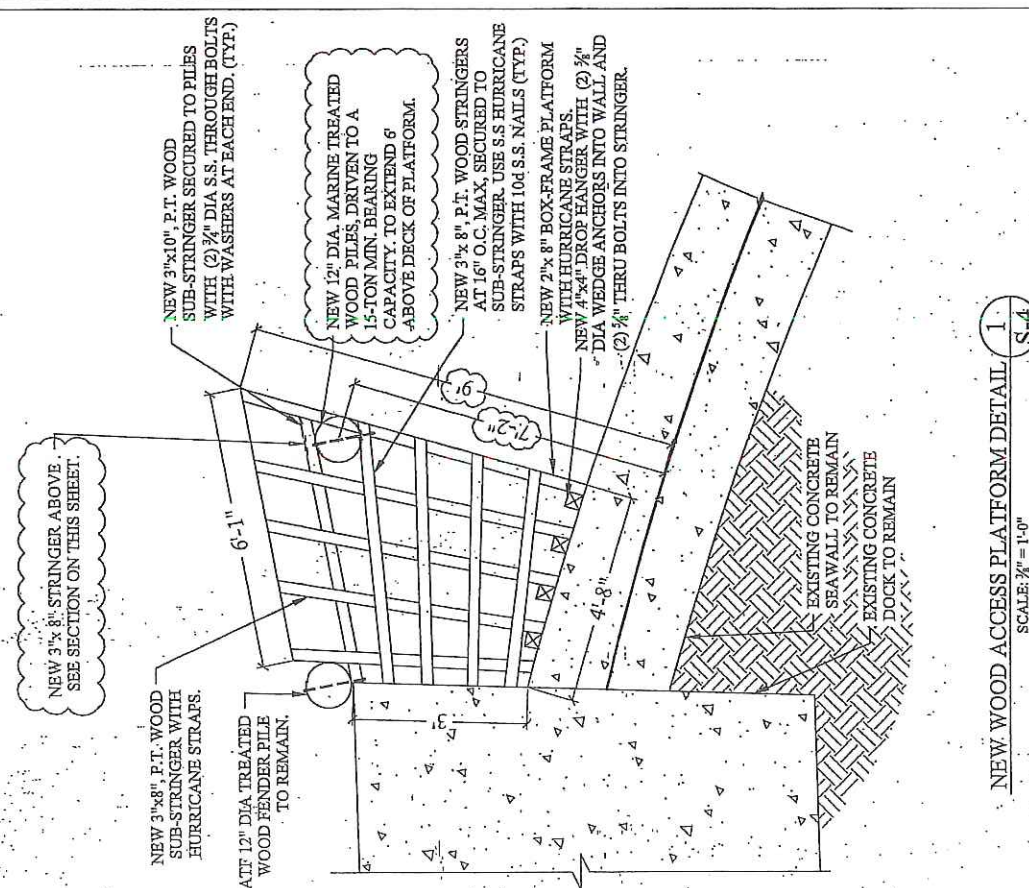
SCALE: AS SHOWN

SHEET NO. S-4



WOOD ACCESS PLATFORM SECTION  
SCALE: 3/8" = 1'-0"

**RECEIVED**  
OCT 09 2018  
NATURAL RESOURCES DIVISION  
DEPARTMENT OF REGULATORY  
AND ECONOMIC RESOURCES



NEW WOOD ACCESS PLATFORM DETAIL 1  
SCALE: 3/8" = 1'-0"








871 HARBOR DRIVE  
 DREDGE AND  
 MOORING  
 PROJECT  
 Key Biscayne, Florida

CLIENT:  
 BELLATRE HOLDINGS INC.  
 c/o Ms. Peggy Garcia  
 Robert Allen Law  
 1441 Brickell Ave., Suite 1400  
 Miami, FL 33131

ENVIRONMENTAL CONSULTANT:  
 OCEAN  
 CONSULTING, LLC  
 340 Minorca Avenue, Suite 7  
 Coral Gables, Florida 33134  
 Tel: (305) 921-9344  
 Fax: (305) 677-3254

CONTRACTOR:  
 SOUTHEAST MARINE  
 CONSTRUCTION  
 404 NE 38th Street  
 Oakland Park, Florida 33334  
 Tel: (954) 630-2300  
 Fax: (954) 630-2381  
 License # CGC0606467

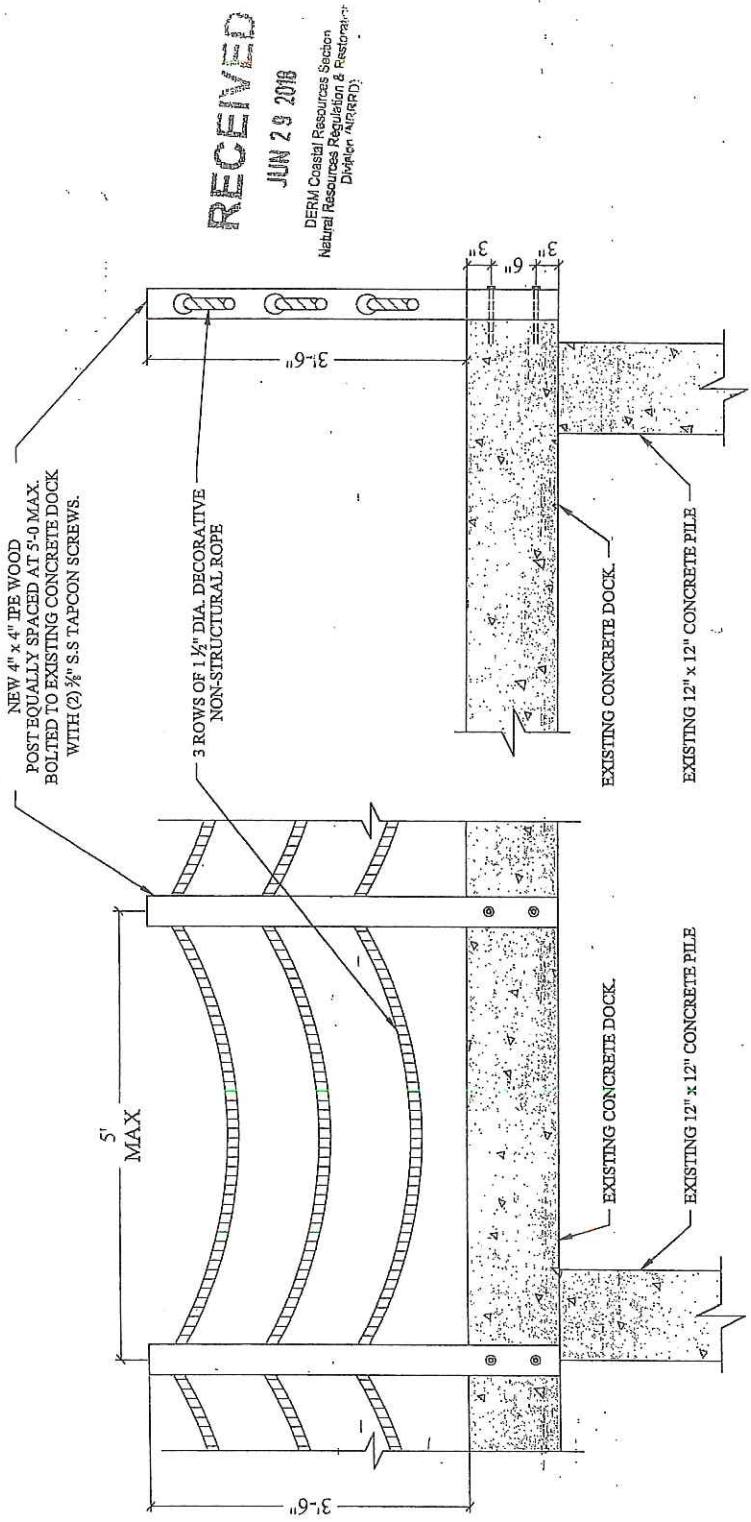
PROJECT ENGINEER:  
 DYNAMIC ENGINEERING  
 SOLUTIONS, INC.  
 930 N. Federal Highway, Suite 212  
 Pompano Beach, FL 33062  
 Tel: (954) 545-1740  
 Fax: (954) 545-1721

SEAL / SIGNATURE / DATE  
  
 John Onatelli  
 PE 27233, CA 26229

PERMIT DRAWINGS  
 Issue # Issue Date  
 ① June 7, 2018  
 ② June 11, 2018

PROJECT: 15-4825  
 ROPE RAILING DETAIL  
 SCALE: AS SHOWN  
 SHEET NO.

S-6



RECEIVED  
 JUN 29 2018  
 DERM Coastal Resources Section  
 Natural Resources Regulation & Restoration  
 Director (MRRRD)

TYP. ROPE RAILING DETAIL ②  
 SCALE: 3/4" = 1'-0"

**Attachment C**

**Miami-Dade County Public Works Manual (Section D-5)**



SECTION D-5

COASTAL AND OTHER WATERFRONT CONSTRUCTION

A PORTION OF

PART 2 - PUBLIC WORKS MANUAL

21

## SECTION D5 - COASTAL AND OTHER WATERFRONT CONSTRUCTION

### D5.01 GENERAL INFORMATION

#### 1. PURPOSE

It is the purpose of this section of the Public Works Manual to prescribe minimum standards for design and construction of coastal and other waterfront structures.

#### 2. SCOPE

Requirements of this section apply to all coastal construction such as excavation, dredging, filling, and waterfront construction in upon, or contiguous to tidal and baybottom lands in the unincorporate areas of Metropolitan Dade County and in, upon, or contiguous to those canals, lakes, bays, rivers, and all waterways under the direct control of Metropolitan Dade County whether or not in the unincorporated areas.

Said coastal construction includes, but is not limited to, excavation, dredging, filling, docks, piers, wharves, bridges, groins, jetties, moles, breakwaters, seawalls, revetments, causeways, artificial nourishment of beaches, quays, slips, moorings, marinas, ports, and related structures.

#### 3. AUTHORITY

The Code of Metropolitan Dade County establishes the requirements and procedure for securing a permit to perform the various types of coastal construction.

#### 4. OTHER REQUIREMENTS

In addition to the requirements set forth in this section, permits may be required from the U.S. Army Corps of Engineers, Trustees of the Internal Improvement Fund, Division of Beaches and Shores of the Florida Board of Conservation, Central and Southern Florida Flood Control District; and also the Dade County Building and Zoning Department, principally for private lands and private water areas not affected in any manner by establishment of the official bulkhead line or by State or Federal permits.

Construction in navigable waters requires a permit from the U.S. Army Corps of Engineers. Work that may affect the water-control system of the Central and Southern Florida Flood Control District will require a permit issued by that agency. Ultimate control of submerged or tidal lands rests with the Trustees of the Internal Improvement Fund.



## Section D5 - Coastal and Other Waterfront Construction

TIIF permits cover tidal and baybottom dredging and filling and construction of open-trestle docks, piers, wharves, bridges, boat slips and houses, concessions, marinas and shipping facilities, and similar structures of permeable or open-type design--as contrasted with solid or highly impermeable structures likely to physically affect existing coastal conditions and the natural shoreline.

The Division of Beaches and Shores of the Florida Board of Conservation require permits covering solid or highly impermeable groins, jetties, moles, breakwaters, seawalls, revetments, causeways, and artificial beach nourishment or other deposition or removal of beach material--structures or activities which are likely to have a material physical effect on coastal conditions and the natural shoreline.

### D5.02 DESIGN CRITERIA

#### 1. GENERAL

All coastal structures shall be designed by an engineer registered in the State of Florida and all plans submitted to the Public Works Department for approval shall bear his signature and seal.

#### 2. LOADS

Coastal structures are to be designed and constructed to resist the erosive and corrosive effects of the elements and where applicable to withstand the horizontal and vertical forces or loads listed below.

- a. Earth (Soil)
- b. Water
- c. Waves
- d. Wind
- e. Currents
- f. Weight of Structure
- g. Weight of Decks, Platforms or other Attachments
- h. Pedestrian Live Load (80 lbs. per square foot minimum).
- i. Vehicular Loading (AASHTO-H-20 minimum where vehicular loads are anticipated).
- j. Impact
- k. Material and Equipment Stored
- l. Anchors or Tiebacks
- m. Boats, Barges, or other Vessels

3. ALLOWABLE STRESSES

Allowable stresses for structural design of steel, concrete, wood, and other materials shall be as specified in the South Florida Building Code.

D5.03 STRUCTURES—LOCATION, TYPE, GENERAL SPECIFICATIONS

Any type of construction not prohibited by the South Florida Building Code may be approved if it is adaptable to the site conditions and to the purpose of the structure.

If the proposed type or method of construction does not have an experience record sufficient to justify approval, the Public Works Department may require special tests or demonstrations to prove the acceptability of the project.

1. BULKHEADS AND SEAWALLS

a. Location

Bulkheads, revetments, and retaining walls shall normally be located to obtain uniformity of alignment and compatibility with the natural shoreline. They shall be placed on or upland of the mean high water line or such other line officially established for this or other set back purposes, and their location including revetments shall comply with local and state regulations for set back of structures along shorelines.

Bulkheads along canals or other waterways that are part of the official Dade County Water Control Plan shall be located to provide the required waterway section of the canal or waterway. They shall be continuous without abrupt change of direction and their location shall not be detrimental to adjacent property.

Bulkheads on lakes or similar water areas under the direct control of Dade County shall be on or landward of the water-fronting property line, or in the absence of such line shall be located on or landward of the ordinary high water line of the lake or water area; and if said lakes and water areas are privately owned, or if the proposed wall is located entirely on private property, then bulkhead and wall location requirements shall be as set forth in required permits from the County Building and Zoning Department. However, approval by the Building and Zoning Department pursuant to its applicable regulatory jurisdiction, shall not preclude or dispense with the necessity for all other permitting procedures required by other local and state regulations regarding such works.

Bulkheads proposed between two properties where bulkheads already exist shall be designed to connect such bulkheads. Bulkheads proposed adjacent to property not bulkheaded shall be designed to return along the side property line a distance sufficient to protect the back fill and prevent damage to adjacent property, but not less than 25 feet along the ocean and bay or 10 feet along canals, rivers, and other water areas. The return wall shall be protected from erosion by riprap or slope pavement.



b. Types of Walls

The use of vertical face bulkheads without a rock revetment will normally be prohibited, although exceptions may be allowed for projects such as canals, and for enclosed marinas, when it can be shown that equal or better conditions of environment or wave action can be attained with a vertical wall, and that such wall is necessary for the contemplated use, and is not within the Biscayne Bay Aquatic Preserve.

On the ocean front, seawalls along sand beaches subject to wave action, shall be an approved sloping high-energy absorbing type, or vertical walls with sloped energy-absorbing rock revetment on the face subject to wave action. The revetments slope shall be one vertical to two horizontal or flatter. Revetment composed of native limestone rock is considered desirable.

In bay areas bulkheads, seawalls, revetments, and retaining walls shall normally be sloped walls, or vertical walls with sloping rubble mound revetment on the water side. Such slopes shall be one vertical to two horizontal or flatter. Native limestone rock is considered desirable as revetment material.

Inside the Biscayne Bay Aquatic Preserve, bulkheads, seawalls, revetments, retaining walls and dikes shall meet all the foregoing requirements for bay areas, and in addition, provisions must be made in the wall, revetment, or dike for seepage and relatively free movement of groundwater from the upland side into the bay in order to maintain, insofar as feasible, natural shoreline conditions of groundwater flow.

Exceptions for bay areas and the Aquatic Preserve may be allowed in reference to the foregoing requirements, if permitted by existing laws, and whenever it can be shown that equal or better conditions of the bay environment can be attained by use of other type of walls, revetments, walls, or dikes, and that such other type structure is essential to the purpose for which it is to be built—for example, to retain the bank of coastal canals, or of enclosed marinas.

Whenever the beach in front of an existing vertical wall has eroded to such extent that water reaches the bottom of the wall at mean high tide, a sloping rock revetment conforming with the foregoing requirements shall be placed in front of the wall. Whenever any existing vertical wall located on the oceanfront or in bay areas is in need of major repairs, it shall not be repaired or replaced unless the foregoing requirements concerning a sloping face or revetment are first met. A proposed repair will be considered major when the total cost of repairs within the previous twelve (12) months, if any, plus the estimated cost of the proposed repair is more than fifty percent (50%) of the current cost of replacement.

c. General Specifications

All bulkheads shall have a concrete cap designed to withstand the various loads placed upon it. The cap shall be large enough to provide no less than four inches of concrete cover between the piles, panels or masonry and nearest exterior face of cap.

The elevation of the top of cap should be above the official flood criteria. (Such criteria provide for a minimum fill elevation, but not for storm wave heights.) Other cap elevations may be approved but only when land useage, proximity of buildings, and effect on adjacent property have been considered.

Safety curbs or guardrails shall be provided for bulkheads adjacent to roadways. Handrails shall be provided for bulkheads adjacent to walkways.

Cables or steel rods used in tiebacks must be protected by at least three inches of concrete encasement if the cable or rod is less than one inch in diameter. Tiebacks not encased in concrete are to be protected by coating and wrapping with bituminous or other corrosive-resistant material.

Anchors for tiebacks, whether piles or other types, shall bear on undisturbed or well compacted soil and shall be designed to provide adequate horizontal support.

Precast concrete panels of tee-pile and panel bulkheads shall have the foot of the panels placed in a manner that will prevent undermining of the backfill material.

Fill material placed on the water side of a bulkhead shall not be considered to offer any passive resistance when such fill is subject to erosion.

Gravity type bulkheads of stone and concrete combination will be permitted, provided they are constructed of no less than 40 percent cast in place concrete by cross sectional area and volume.

2. PIERS AND DOCKS

a. Location

Piers and docks at right angles to the shoreline, or nearly so, shall be located not closer to the side property line, or said line extended, than a distance equal to the length of the pier or dock itself, provided however, no such distance shall be less than 10 feet.



PIERS AND DOCKS (Continued)

Where the zoning is residential or where the area is subdivided into tracts smaller than one acre each, piers and docks are to be located within the middle one-half of the water frontage.

b. Types

Structures such as piers which are to project beyond the bulkhead line, if allowed, shall be of an open type construction.

Wharves, piers, or docks of solid fill construction will be approved only where such construction will not extend seaward of the approved bulkhead line.

c. General Specifications

In areas where the zoning is residential or in areas where no tract is larger than one acre, piers and docks shall be no more than 30 feet wide. In no case shall piers or docks obstruct navigation or interfere with drainage facilities. The projection of a pier or dock into a restricted waterway such as a canal, river, creek or basin shall be no greater than 10 feet or 20% of the waterway width, whichever is smaller. Public Works Department's approval may be given for piers projecting more than 10 feet into open water areas such as bays and sounds provided the projecting pier does not obstruct navigation or encroach upon the rights of adjacent property owners.

3. GROINS

a. Location

Groins are to be located so that the entire system of groins will provide the maximum benefit without adverse effects. Groins shall be anchored sufficiently landward to prevent flanking.

b. Types

Groins shall be either very low impermeable nonadjustable or impermeable adjustable, designed and maintained in adjustable condition for their entire life. The use of permeable groins shall be limited to special conditions.

GROINS (Continued)

c. General Specifications

Groins may be used to stabilize the beach if adjoining beaches are not adversely affected.

Groins should be impermeable, and adjustable to meet variations in natural conditions, and to produce the desired elevation of the beach.

Adjustable groins shall be maintained at elevations in accord with actual beach needs and development of desirable change of the beach profile, and so as to avoid damage to adjacent beaches. In no case shall the top of such groins be set higher than 2 feet above the beach profile. Impermeable, non-adjustable groins shall not extend seaward beyond the mean low water line, and their top elevation shall not be higher than 6 inches above the beach profile.

Groins must be constructed or adjusted low enough to provide pedestrian access between mean high and mean low water, or they must be provided with an adequate stairway for pedestrian access across them.

Consideration of the degree of beach protection to be provided by proposed groins, and the acceptability of such installations, will be based primarily on the following factors:

- Direction and Volume of Littoral Drift
- Wave Force and Direction
- Wind Force and Direction
- Land Useage
- Type of Bulkhead
- Type of Groin
- Spacing and Length of Groins

A complete coastal engineering study may be required before approval is given to the number, type, and location of groins.

4. BEACH NOURISHMENT

Artificial nourishment of sand beaches, or creation of new beach areas are treated as construction projects in the issuance of permits by the County and by the Division of Beaches and Shores of the Florida Board of Conservation. Typical profiles for such projects consist of a 50-foot level berm at elevation 6 ft. MSL; a 1 on 20 slope from there to MLW; and a 1 on 30 slope seaward to existing bottom.



Special agreement between the upland owner proposing such a project and the County (also between the owner and the State) may be required in order to adequately protect and permanently safeguard any public rights existing at the proposed site.

5. JETTIES AND BREAKWATERS

Jetties and breakwaters shall be designed in accordance with the latest issue of the U.S. Army Corps of Engineers' Technical Report No. 4 entitled "Shore Protection, Planning and Design".

6. MOORING PILES AND BUOYS

All mooring piles and buoys shall be placed within the limits of the owner's water frontage, and shall be located in a manner not to interfere with navigation. Outer mooring piles and buoys shall not constrict a navigable waterway except as permitted by the appropriate agency having jurisdiction over the waterway.

7. BOAT SLIPS AND BOATHOUSES

Boat slips and boathouses to be located on private property require approval and permit from the Building and Zoning Department. Bulkheads proposed to be constructed for retaining the banks of the boat slip shall meet the requirements of this section of the manual. The location of boat slips shall conform to the same requirements as for piers and docks.

Boat slip and bank-line excavations proposed downstream of salt dams and inland of the County salt barrier line require approval of the County Commission (after proper certification by the Public Works Department).

Boathouses may be constructed over boat slips or as a separate structure subject to the following conditions:

- a. The boathouse may not be used as a dwelling, guest house or servant's quarters unless specially constructed as such to the requirements of the Building and Zoning Department.
- b. The boathouse does not extend into a water area a distance greater than that permitted for a dock or pier.
- c. The overall size of the boathouse does not exceed 25 feet in width, 45 feet in length, or 18 feet in height, except commercial marinas and drydocks may be permitted larger boathouses constructed in compliance with applicable zoning and building regulations.

8. BRIDGES AND CULVERTS

The design of bridges and culverts shall be in accord with Section D5 of this manual.

## Section D5 - Coastal and Other Waterfront Construction

### D5.04 MATERIALS

#### 1. PILES

##### a. Wood Piles

Wood piles may be used in bulkheads only to support or anchor tiebacks and only when cut off or capped in concrete one foot below mean low water. Wood piles are not to be used in groins.

Wood piles are to comply with Article 2404.3 of the South Florida Building Code.

##### b. Steel Piles

Piles of rolled structural steel shapes shall comply with Article 2404.7 of the South Florida Building Code.

Steel sheet piles shall meet the requirements of ASTM Designation A328 and shall be at least 3/8-inch thick.

Steel pipe, if used as piling, shall be filled with concrete and shall meet the requirements of AASHTO Specifications M94 and shall be at least 3/16-inch thick.

##### c. Concrete Piles

Concrete piles, whether cast in place, precast or prestressed, shall meet the requirements of Articles 2404.4, 2404.5, and 2404.6 of the South Florida Building Code.

##### d. Pile Foundations

When piles are used as foundations for coastal structures, they shall meet the requirements of Articles 2404.1 and 2404.2 of the South Florida Building Code.

#### 2. CONCRETE

Concrete used in coastal structures shall be designed, mixed, transported and placed to meet the requirements of Chapter 25 of the South Florida Building Code.

Concrete to be placed under water shall have a slump between four and eight inches, a minimum cement content of 7.0 bags per cubic yard and a maximum net water cement ratio of 6.0 gallons per bag.

To prevent segregation--concrete to be placed under water shall be placed carefully in a compact mass in its final position by means of a tremie or other approved method.

Concrete shall not be placed in running water.

Concrete seals shall be placed in one continuous operation.



## Section D5 - Canal and Other Waterfront Construction

The tremie used for placing concrete shall consist of a tube at least 10 inches in diameter, constructed in sections and shall have flanged couplings fitted with gaskets.

### 3. STEEL

#### a. Reinforcing Steel

Reinforcing steel shall meet the requirements of Article 25 of the South Florida Building Code. The use of special large bars meeting ASTM Designation A431 and A432 is permitted.

#### b. Steel Wire Fabric

Steel wire fabric shall meet the requirements of ASTM Designation A185.

#### c. Structural Steel

Structural steel shall meet the requirements of ASTM Designation A7.

#### d. Nuts and Bolts

Nuts and bolts shall meet the requirements of ASTM Designation A307.

#### e. Steel Tieback Rods

Steel tieback rods may be either reinforcing steel or stress relieved strands or stress relieved wire, meeting the requirements of ASTM Designation A416 and A421.

#### f. Steel Fasteners for Wood

Steel fasteners for wood shall meet the requirements of the applicable portions of Chapter 29 of the South Florida Building Code.

### 4. WOOD

Timbers and wood structural members shall meet the requirements of AASHTO Specifications M168.

### 5. STONE

Stone used for revetments for bulkheads, or the construction of groins, jetties or breakwaters shall be dense, hard, and durable.

The size, range of sizes, and gradation shall be selected to meet the requirements of the individual situation and site.

### 6. FILL MATERIAL

Material for fills shall comply with Section C3 of this manual.

Section D5 - Coas 1 and Other Waterfront Co nstruction

D5.05 INFORMATION REQUIRED ON AND FOR THE PREPARATION OF CONSTRUCTION

Construction plans must be prepared by an engineer registered in Florida. They shall be on sheet size 22"x36", arranged and numbered as a set and contain all (or applicable portions) of the following:

- (1) Plan, elevation, and sections showing the complete structure.
- (2) Details of structural components including precast members, structural connections, steel reinforcement, and expansion joints.
- (3) Complete description of all materials to be used.
- (4) Design loading and minimum penetration of piles.
- (5) Location control.
  - (a) Horizontal control referred to a section line, road, or permanent landmark, and including property lines and the Official Bulkhead Line.
  - (b) Vertical control referred to U.S. Coast and Geodetic Survey Datum (MSL) including elevations landward, soundings in water areas, and the mean high water line.
- (6) Graphical representation of test borings or soil profile parallel to and within five feet of proposed structures.

D5.06 PRELIMINARY APPROVAL OF CONSTRUCTION PLANS

The design engineer, when requesting preliminary approval of construction plans, shall submit:

1. Three (3) complete sets of construction plans and specifications.
2. Test boring data as may be required to determine the adequacy of the structure's foundation.
3. Design calculations if requested by the Public Works Department.



## Section D5 - Coast and Other Waterfront Construction

If the Public Works Department finds that the design and construction plans are in accord with this section, two sets of the plans will be returned stamped "APPROVED." Such approval does not constitute a construction permit.

### D5.07 CONSTRUCTION PERMIT

A permit for construction may be issued to a certified contractor provided:

1. Four (4) sets of construction plans, identical to the approved plans, are presented.
2. Satisfactory evidence is presented that all other applicable approvals and permits have been obtained.
3. The required permit fee is paid.
4. A performance bond has been provided, in an amount determined by the Director of the County Public Works Department but not to exceed 100% of the estimated cost of the structure.
5. It is certified that a registered civil engineer has been retained to provide engineering supervision throughout the construction period.

### D5.08 INFORMATION REQUIRED DURING CONSTRUCTION

The design engineer may be required to furnish the Public Works Department any portion of the following information during construction:

1. A complete pile driving log.
2. A report on the manufacture of all precast members including the stressing operation of prestressed members.
3. Test reports from a certified laboratory on all concrete used, including precast members.
4. Mill certificates for structural and reinforcing metals used.

### D5.09 INFORMATION REQUIRED BEFORE FINAL ACCEPTANCE

When the structure is complete, and prior to final acceptance, the design engineer shall furnish the County (and other public agencies which may have issued permits) a complete set of As-Built drawings, together with his certification that the structure has been built in accord with the approved plans and specifications as finally revised.

Section D5 - Coastal and Other Waterfront Construction

D5.10 MAINTENANCE

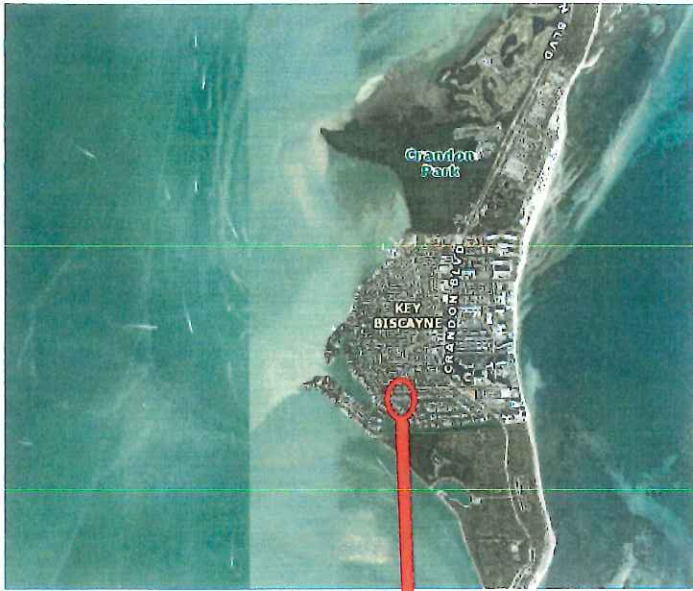
These minimum requirements are not to be construed as an implication that Dade County proposes to maintain these structures when completed. A coastal structure shall be maintained at all times by the owner including any portion thereof that may extend into public property. All structures that are available for public use shall be maintained by the owner in a safe condition. Maintenance of groins will include periodic adjustments of the height to compensate for changes in the beach profile.



**Attachment D**

**Aerial Demonstrating Navigational Access**

Aerial Demonstrating Navigational Access

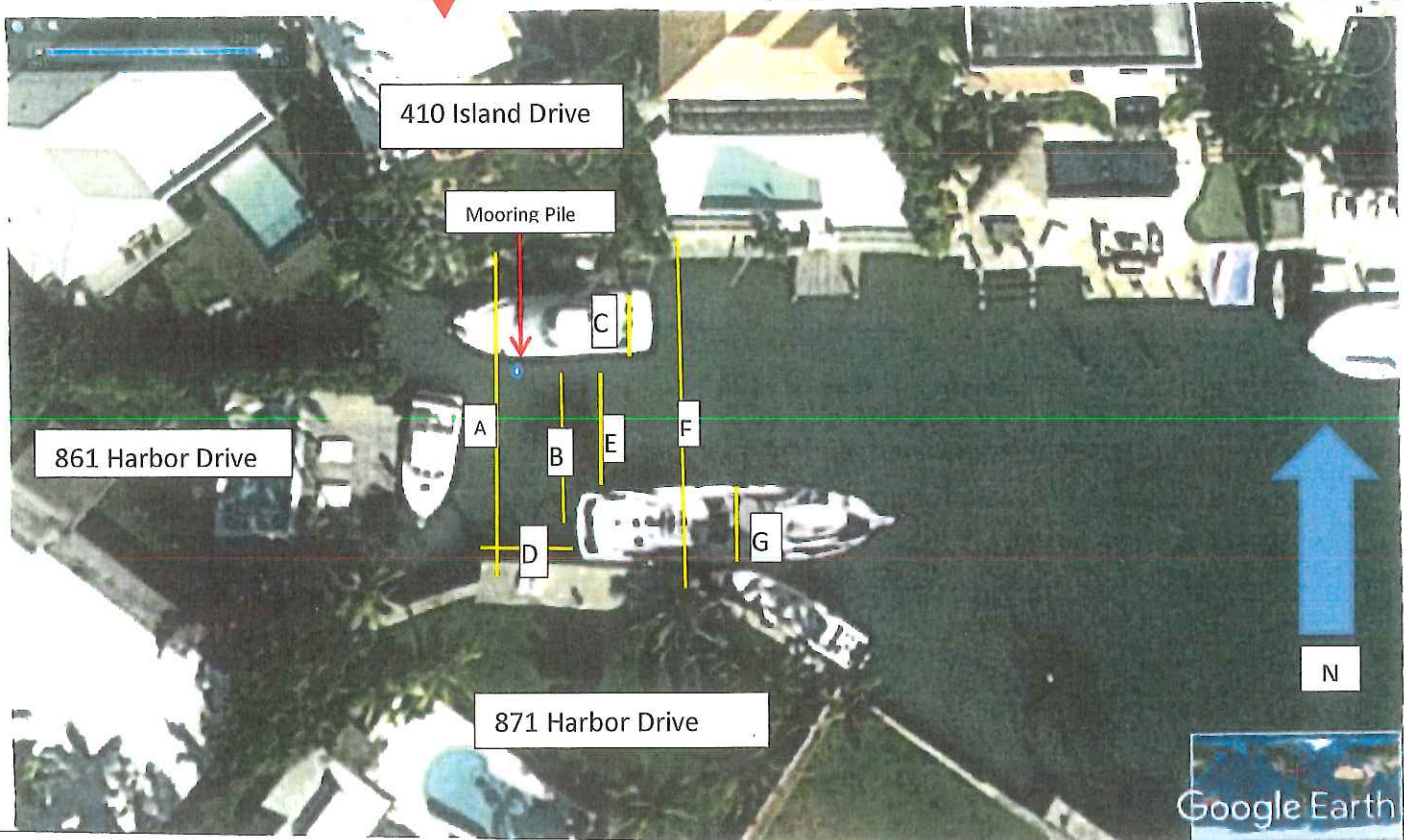


Approximate Setbacks and Measurements:

- A. 75 feet - The width of the waterway as measured from the north seawall of 410 Island Drive to south seawall of 871 Harbor Drive, at the narrowest point of the waterway.
- B. 37 Feet - Distance between the proposed northernmost mooring exclusion pile at 871 Harbor Drive and the existing mooring pile at 410 Island Drive.
- C. 16 feet - Width of vessel as observed consistently in aerials at 410 Island Drive
- D. 23 feet - Distance between the western edge of the dock and the location of the proposed mooring exclusion piles at 871 Harbor Drive.
- E. 26 feet - Distance between the existing mooring pile at 410 Island Drive and the north side of the 70 foot vessel at 871 Harbor Drive
- F. 81 Feet - The width of the waterway as measured from the north seawall of 410 Island Drive to south seawall of 871 Harbor Drive.
- G. 19 Feet - Width of the proposed vessel at 871 Harbor Drive.

Legend:

— Measurements





**Attachment E**  
**Zoning Memorandum**

# Memorandum



**Date:** September 16, 2019

**To:** McKee Gray, Manager *CKG*  
Coastal Resources Section  
Department of Regulatory and Economic Resources

**From:** Samantha Tiffany, Biologist I *ST*  
Coastal Resources Section  
Department of Regulatory and Economic Resources

**Subject:** Class I Permit Application by Bellaire Holdings, Inc. to Install a Dock Extension and Mooring Exclusion Piles, to Maintenance Dredge a Boat Slip, and for the After-the-Fact Authorization for the Installation of a Mooring Pile at 871 Harbor Drive, Key Biscayne, Miami-Dade County, Florida

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Pursuant to Section 24-48.2(II)(B)(7), of the Code of Miami-Dade County, Florida, a substantiating letter or plan approval shall be submitted by the applicant stating that the proposed project does not violate any zoning laws. Said letter or plan approval will be submitted after approval by the Miami-Dade County Board of County Commissioners and prior to issuance of the Class I permit.



**Attachment F**

**Names and Addresses of Owners of All Riparian or Wetland  
Property within Three Hundred (300) Feet of the Proposed  
Work**

Rene Teran  
400 Island Drive  
Key Biscayne, FL 33149

Ignasi Puig  
861 Harbor Drive  
Key Biscayne, FL 33149

420 KB Holding, LLC  
420 Island Drive  
Key Biscayne, FL 33149

Jose Sanchez  
390 Island Drive  
Key Biscayne, FL 33149

Kim Bickley  
881 Harbor Drive  
Key Biscayne, FL 33149

Alan Ojeda  
410 Island Drive  
Key Biscayne, FL 33149

Rushbrooke Intl Holdings, Inc.  
232 Andalusia Ave, Ste 202  
Coral Gables, FL 33134

Miguel Andres Ballestes  
891 Harbor Drive  
Key Biscayne, FL 33149

Ernest Garcia  
320 Island Drive  
Key Biscayne, FL 33149

Joseph Downs  
901 Harbor Drive  
Key Biscayne, FL 33149



**Attachment G**  
**DERM Project Report**

**CLASS I PERMIT APPLICATION NO. CLI-2015-0319**

Class I Permit Application by Bellaire Holdings, Inc. to Install a Dock Extension and Mooring Exclusion Piles, to Maintenance Dredge a Boat Slip, and for the After-the Fact Authorization for the Installation of a Mooring Pile at 871 Harbor Drive, Key Biscayne, Miami-Dade County, Florida

**DATE: June 21, 2019**



Staff's recommendation of approval for the above-referenced permit application is based on the applicable evaluation factors under Section 24-48.3 of the Code of Miami-Dade County, Florida (Code). The following is a summary of the proposed project with respect to each applicable evaluation factor:

1. **Potential Adverse Environmental Impact** – The proposed project is not reasonably expected to result in adverse environmental impacts. DERM conducted an in-water assessment of the property. The submerged bottom consists of accumulated sediment and is not providing significant benthic habitat; therefore, adverse environmental impacts are not reasonably expected to occur. The Class I permit will require that turbidity controls be utilized during all phases of construction to ensure compliance with State and County water quality standards.

The proposed project is located within an area designated as essential manatee habitat for the West Indian Manatee (*Trichechis manatus*) by the Miami-Dade County Manatee Protection Plan (MPP). The MPP has specific guidelines for projects within essential manatee habitat; however, the guidelines apply to new or expanded marine facilities other than single family residences. The subject project is limited to the residential docking of two recreational vessels and is not reasonably expected to adversely affect manatees. In order to minimize any potential impacts to manatees during construction, the Class I permit will require that all standard manatee conditions be followed during all in-water operations.

2. **Potential Cumulative Adverse Environmental Impact** – The proposed project is not reasonably expected to result in cumulative adverse environmental impacts as set forth in Number 1 above.
3. **Hydrology** – The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater.
4. **Water Quality** – The proposed project is not reasonable expected to adversely affect water quality. Although the proposed project may result in minor temporary impacts to surface water quality during construction operations, potential impacts will be minimized as set forth in Number 1 above.
5. **Wellfields** – The proposed project is not reasonably expected to adversely affect wellfields.
6. **Water Supply** – The proposed project is not reasonably expected to adversely affect water supply.
7. **Aquifer Recharge** – The proposed project is not reasonably expected to adversely affect aquifer recharge.
8. **Aesthetics** – The proposed project is not reasonably expected to result in negative aesthetic impacts.
9. **Navigation** – The proposed project is not reasonably expected to adversely affect navigation. DERM has evaluated potential impacts to navigation through an evaluation of the proposed mooring configuration and the size of the vessels and determined that navigational access to the neighboring properties will be maintained. At the narrowest points within the project area, the width of the waterway is approximately 75 and 81 linear feet and all the proposed and existing structures at the subject site are located within 25 percent of the width of the waterway. Additionally, during instances when the proposed 70 foot vessel is being moored at the subject dock, approximately 26 feet of clearance for navigation within the waterway will be maintained. In order to provide additional assurance that access to the docking structures of the adjacent properties will be maintained, DERM is requiring that the applicant install and maintain two mooring exclusion wood pilings to define the western limit of the boat slip. The piles will be installed perpendicular to

the existing dock, to prevent vessels from being moored outside of the DERM approved slip area and will ensure that greater than 45 feet of clearance are maintained between the approved slip area and the seawall of the property to the west. Based on the width of the waterway, the existing structures at the project site and neighboring properties, and DERM's evaluation of navigability within the waterway, the proposed project is not reasonably expected to adversely affect navigation.

10. **Public Health** - The proposed project is not reasonably expected to adversely affect public health.
11. **Historic Values** - The proposed project is not reasonably expected to adversely affect historic values.
12. **Archaeological Values** - The proposed project is not reasonably expected to adversely affect archaeological values.
13. **Air Quality** – The proposed project is not reasonably expected to adversely affect air quality.
14. **Marine and Wildlife Habitats** – The proposed project is not reasonably expected to adversely affect marine and wildlife habitats, as set forth in Number 1 above.
15. **Wetland Soils Suitable for Habitat** – The proposed project does not involve any work in wetland soils.
16. **Floral Values** – The proposed project is not reasonably expected to adversely affect floral values as set forth in Number 1 above.
17. **Fauna Values** – The proposed project is not reasonably expected to adversely affect fauna values as set forth in Number 1 above.
18. **Rare, Threatened and Endangered Species** – The proposed project is not reasonably expected to adversely affect rare, threatened and endangered species as set forth in Number 1 above.
19. **Natural Flood Damage Protection** - The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater.
20. **Wetland Values** – The proposed project is not reasonably expected to adversely affect wetland values.
21. **Land Use Classification** – Pursuant to Section 24-48.2(II)(B)(7) of the Code of Miami-Dade County, Florida, a substantiating letter or plan approval shall be submitted stating that the proposed project does not violate any zoning laws. Said letter or plan approval will be submitted after the approval by the Board of County Commissioners and prior to the issuance of a Class I permit.
22. **Recreation** - The proposed project does not conflict with the recreation element of the Miami-Dade County Comprehensive Development Master Plan.
23. **Other Environmental Values Affecting the Public Interest** – The proposed project is not reasonably expected to adversely affect other environmental values affecting the public interest. The proposed project will occur on lands owned by the applicant.



24. **Conformance with Standard Construction Procedures and Practices and Design and Performance Standards** – The project complies with the standard construction procedures and practices and design and performance standards of the applicable portions of Chapter 33B of the Code of Miami-Dade County and the Miami-Dade County Public Works Manual.
25. **Comprehensive Environmental Impact Statement (CEIS)** - In the opinion of the Director, the proposed project is not reasonably expected to result in significant adverse environmental impacts or cumulative adverse environmental impacts. Therefore, a CEIS was not required by DERM to evaluate the proposed project.
26. **Conformance with All Applicable Federal, State and Local Laws and Regulations** - The proposed project is in conformance with applicable State, Federal and local laws and regulations:  
a) Chapter 24 of the Code of Miami-Dade County  
b) Florida Department of Environmental Protection (FDEP regulatory authorization or exemption is required)  
c) United States Clean Water Act (US Army Corps of Engineers permit or exemption is required)
27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of the Director, the proposed project is in conformance with the CDMP. The following is a summary of the proposed project as it relates to the CDMP:

**LAND USE ELEMENT I:**

**Objective 3/Policies 3A, 3B, 3C** - Protection of natural resources and systems. – The proposed project is consistent with all applicable environmental regulations, is compatible with surrounding land uses in Biscayne Bay and does not involve development in the Big Cypress area of Critical State Concern or the East Everglades.

**TRANSPORTATION ELEMENT II**

**Aviation Subelement/Objective AV-5A** - Aviation System Expansion - There is no aviation element to the proposed project.

**Port of Miami River Subelement/Objective 3** - Minimization of impacts to estuarine water quality and marine resources. The project is not located within the Miami River.

**CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:**

**Objective 3/Policies 3A, 3B, 3D** - Wellfield protection area protection. - The proposed project is not located within a wellfield protection area.

**Objective 3/Policy 3E** - Limestone mining within the area bounded by the Florida Turnpike, the Miami-Dade/ Broward Levee, N.W. 12 Street and Okeechobee Road. - The proposed project is not located within this area.

**Objective 4/Policies 4A, 4B, 4C** - Water storage, aquifer recharge potential and maintenance of natural surface water drainage. - The proposed project is not reasonably expected to adversely affect water storage, aquifer recharge potential or natural surface water drainage.



**Objective 5/Policies 5A, 5B, 5F** - Flood protection and cut and fill criteria – The proposed project will not compromise flood protection.

**Objective 6/Policy 6A** - Areas of highest suitability for mineral extraction. - The proposed project is not located in an area proposed or suitable for mineral extraction.

**Objective 6/Policy 6B** - Guidelines for rock quarries for the re-establishment of native flora and fauna. - The proposed project is not located in a rock quarry.

**Objective 7/Policy 7A, 7C, 7D, 7J** - Wetland protection and restoration. – The proposed project is not located within a wetland.

**Objective 9/Policies 9A, 9B, 9C** - Protection of habitat critical to Federal or State-designated threatened or endangered species. – The project is not reasonably expected to adversely affect habitat critical to Federal or State-designated threatened or endangered species as set forth in Number 1 above.

#### **COASTAL MANAGEMENT ELEMENT VII:**

**Objective 1/Policy 1A** – Mangrove wetlands within Mangrove Protection Areas – The proposed project is not located within a designated “Mangrove Protection Area.”

**Objective 1/ Policy 1B** - Natural surface flow into and through coastal wetlands. – The proposed project will not affect natural surface flow into and through coastal wetlands.

**Objective 1/ Policy 1C** - Elevated boardwalk access through mangroves. – The proposed project does not involve the construction of an elevated walkway through mangroves.

**Objective 1/Policy 1D** - Protection and maintenance of mangrove forests and related natural vegetational communities. - The proposed project will not adversely affect mangrove forests and related natural vegetational communities.

**Objective 1/Policy 1E** - Mitigation for the degradation and destruction of coastal wetlands. Monitoring and maintenance of mitigation areas. – The proposed project is not located within coastal wetlands.

**Objective 1/Policy 1G** - Prohibition on dredging or filling of grass/algal flats, hard bottom or other viable benthic communities, except as provided for in Chapter 24 of the Code of Miami-Dade County, Florida. – The proposed project will not result in dredging or filling of grass/algal flats, hard bottom or other viable benthic communities.

**Objective 2/Policies 2A, 2B** - Beach restoration and renourishment objectives. - The proposed project does not involve beach restoration or renourishment.

**Objective 3/Policies 3E, 3F** - Location of new cut and spoil areas for proper stabilization and minimization of damages. - The proposed project does not involve the development or identification of new cut or spoil areas.

**Objective 4/Policy 4A, 4C, 4E, 4F** – Protection of endangered or threatened animal species. – The proposed project is not reasonably expected to result in impacts to endangered or threatened species as set forth in Number 1 above.

**Objective 5/Policy 5B** - Existing and new areas for water-dependent uses. - The proposed project will enhance the existing water-dependent use.

**Objective 5/Policy 5D** - Consistency with Chapter 33D, Miami-Dade County Code (shoreline access, environmental compatibility of shoreline development) – The thresholds for review under the Shoreline Ordinance do not apply and the proposed project is not subject to shoreline development review.

**Objective 5/Policy 5F** - The siting of water dependent facilities. - The proposed project does not involve the creation of new water dependent facilities.

28. **Conformance with Chapter 33B, Code of Miami-Dade County** (East Everglades Zoning Overlay Ordinance) – The proposed project is not located within the East Everglades Area.
29. **Conformance with Miami-Dade County Ordinance 81-19** (Biscayne Bay Management Plan Sections 33D-1 through 33D-4 of the Code of Miami-Dade County) - The proposed project is in conformance with the recommendations of the Biscayne Bay Management Plan.
30. **Conformance with the Miami-Dade County Manatee Protection Plan** – The proposed project is in conformance with the MPP as set forth in Number 1 above.
31. **Consistency with Miami-Dade County Criteria for Lake Excavation** – The proposed project does not involve lake excavation.
32. **Zoning Recommendation** – Pursuant to Section 24-48.2(II)(B)(7) of the Code of Miami-Dade County, Florida, a substantiating letter or plan approval shall be submitted stating that the proposed project does not violate any zoning laws. Said letter or plan approval will be submitted after the approval by the Board of County Commissioners and prior to the issuance of the Class I permit.
33. **Coastal Resources Management Line** - A coastal resources management line was not required for the proposed project, pursuant to Section 24-48.2(II)(B)(10)(b) of the Code of Miami-Dade County.
34. **Maximum Protection of a Wetland's Hydrological and Biological Functions** – The proposed project is not located within a wetland.

**Class I Permit Applications Proposing to Exceed the Boundaries Described in Section D-5.03(2)(a) of the Miami-Dade County Public Works Manual** – The existing and proposed structures do not exceed the boundaries described in Section D-5.03(2)(a) of the Miami-Dade County Public Works Manual; DERM has concluded that the existing and proposed site conditions are consistent with Section D-5 as they relate to the location and general specifications described therein.

The proposed project was also evaluated for compliance with the standards contained in Sections 24-48.3(2),(3), and (4) of the Code of Miami-Dade County, Florida. The following is a summary of how the standards relate to the proposed project:



**24-48.3 (2) Dredging and Filling for Class I Permit** – The project complies with the following criterion:


(c) Minimum dredging and filling for the creation and maintenance of marinas, piers, docks and attendant navigational channels.

**24-48.3 (3) Minimum Water Depth Required for Boat Slips Created by the Construction or Placement of Fixed or Floating Docks and Piers, Piles and Other Structures Requiring a Permit Under Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County** – The proposed project complies with the Code-required water depth criteria.

**24-48.3 (4) Clean Fill in Wetlands** – Not Applicable.

BASED ON THE FOREGOING, IT IS RECOMMENDED THAT A CLASS I PERMIT BE APPROVED.

  
\_\_\_\_\_  
McKee Gray, Manager  
Coastal Resources Section

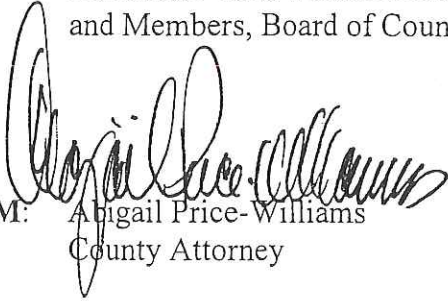
  
\_\_\_\_\_  
Samantha Tiffany, Biologist I  
Coastal Resources Section



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** December 17, 2019

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 5(D)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required



Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 5(D)  
12-17-19

RESOLUTION NO. \_\_\_\_\_

RESOLUTION TAKING ACTION ON A CLASS I PERMIT APPLICATION BY BELLAIRE HOLDINGS, INC. TO INSTALL A DOCK EXTENSION AND MOORING EXCLUSION PILES, TO EXPAND AN EXISTING BOAT SLIP THROUGH MAINTENANCE DREDGING, AND FOR THE AFTER-THE-FACT AUTHORIZATION FOR THE INSTALLATION OF A MOORING PILE AT 871 HARBOR DRIVE, KEY BISCAYNE, MIAMI-DADE COUNTY, FLORIDA

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is Incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board having considered all the applicable factors contained within Section 24-48.3 of the Code of Miami-Dade County, hereby approves the application by Bellaire Holdings, Inc. to install a dock extension and mooring exclusion piles, to expand an existing boat slip through maintenance dredging, and for the after-the-fact authorization for the installation of a mooring pile in a residential canal at 871 Harbor Drive, Key Biscayne, Miami-Dade County, Florida, subject to the conditions set forth in the memorandum from the Miami-Dade County Department of Regulatory and Economic Resources, a copy of which is attached hereto and made a part hereof. The issuance of this approval does not relieve the applicant from obtaining all applicable Federal, State, and local permits.

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

- |                                |                      |
|--------------------------------|----------------------|
| Audrey M. Edmonson, Chairwoman |                      |
| Rebeca Sosa, Vice Chairwoman   |                      |
| Esteban L. Bovo, Jr.           | Daniella Levine Cava |
| Jose "Pepe" Diaz               | Sally A. Heyman      |
| Eileen Higgins                 | Barbara J. Jordan    |
| Joe A. Martinez                | Jean Monestime       |
| Dennis C. Moss                 | Sen. Javier D. Souto |
| Xavier L. Suarez               |                      |

The Chairperson thereupon declared this resolution duly passed and adopted this 17<sup>th</sup> day of December, 2019. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Abbie Schwaderer-Raurell