

# Memorandum



**Date:** June 5, 2018

**To:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

Agenda Item No. 5(H)

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

**Subject:** Class I permit application by William Harvey for filling of tidal waters and acceptance of a restrictive covenant

## Recommendation

I have reviewed the attached application for a Class I permit by William Harvey 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 3580 Rockerman Road in Coconut Grove, Miami, Florida, 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 and Wetlands Resources Section Manager, Pamela Sweeney, in the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM), will be responsible for monitoring the proposed permit.

## Background

This Class I permit application requests authorization for filling of tidal waters in association with the installation of new seawall in Rockerman Canal. In addition, the scope of work includes a request for after-the-fact authorization for repairs to a cantilevered deck and the installation of a new dock, boatlift, and viewing platform. Furthermore, the attached resolution authorizes the acceptance of a restrictive covenant running with the land in favor of Miami-Dade County which limits the waterward extent of the area adjacent to the property where vessels are authorized to moor in order to preserve the navigable right-of-way through the Rockerman Canal. The proposed project is required to be reviewed and approved by the Board at a public hearing because a portion of the scope of work is specifically referenced in Section 24-48.2 of the Code as work that shall be processed with a standard form application, including a public hearing.

The subject property is the site of an existing single family residence with 114 linear feet of water frontage, where the existing seawall has degraded and the applicant is proposing to install a new seawall. The installation of a new or replacement seawall within tidal waters of Miami-Dade County is generally conducted in a location immediately waterward and within 1.0 foot of the existing seawall. However, existing concrete pilings that are integral to maintaining the structural stability of the upland residence are located immediately waterward of the existing seawall. Therefore, the new seawall will be installed waterward of the existing piles and approximately 2.0 feet waterward of the

existing seawall along a 50 linear foot portion of the property, which will result in the filling of 100 square feet of tidal waters.

Pursuant to Section 24-48.3, DERM's recommendation for a Class I permit application is based on several evaluation factors, including but not limited to the potential impact to navigation. Rockerman Canal is a tidal waterway which is bordered by single-family residences along the north side, and an unconsolidated mangrove shoreline along the south side. The canal provides navigational access to Biscayne Bay through a 25-foot-wide canal right of way as identified on the 1951 plat. Class I permit applications for work along the Rockerman Canal are evaluated by DERM to ensure that both structures and vessels do not extend into the canal right of way in order to maintain navigational clearance for ingress and egress of vessels. Due to the waterward extension of the proposed structures at the subject property, the area available for mooring a vessel adjacent to the dock will be limited to approximately 8 feet wide. In order to ensure that all structures and vessels are maintained within the applicant's property boundaries and outside of the canal right of way, a post-construction survey by a Florida licensed land surveyor which identifies the location of all mooring structures relative to the surveyed location of the 25-foot-wide canal right of way will be submitted to DERM. The applicant has proffered the attached restrictive covenant which will be recorded with the Miami-Dade County Clerk of Courts and will run with the land, thereby ensuring that any future owner of the property is aware of the mooring limitation.

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. Based on the existing site conditions and the information provided by the professional engineer, the proposed seawall will be located the minimum waterward distance necessary. In addition, the area that will be filled does not provide significant benthic habitat, and 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. Mitigation for minor temporary impacts to water quality associated with the project will be satisfied through the placement of riprap along the new seawall to provide shoreline stabilization and create habitat. The portion of the required mitigation that cannot be accommodated onsite will be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund.

The proposed project complies with Section 24-48.3(2) of the Code as related to the criteria for a physical modification necessary to protect public or private property. 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 Project Report attached hereto are incorporated herein by references hereto.

**Attachments**

- Attachment A: Class I Permit Application
- Attachment B: Owner/Agent Letter, Engineer Letter and Project Sketches
- Attachment C: Names and Addresses of Owners of All Riparian or Wetland Property within Three Hundred (300) Feet of the proposed Work.
- Attachment D: Zoning Memorandum
- Attachment E: Restrictive Covenant Running with the Land in Favor of Miami-Dade County
- Attachment F: DERM Project Report

**Attachment A**  
**Class I Permit Application**

# Class I Permit Application

**RECEIVED**

FOR DEPARTMENTAL USE ONLY

<b>Date Received:</b> <p style="text-align: center;">JUN 26 2017</p> <p style="text-align: center;">DERM Coastal Resources Section Natural Resources Regulation &amp; Restoration Division (NRRRD)</p>	<b>Application Number:</b>  <b>Application Fee:</b>
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Application must be filled out in its entirety. Please indicate N/A for non-applicable fields.

<b>1. Applicant Information:</b> <b>Name:</b> <u>William Harvey</u> <b>Address:</b> <u>3566 Rockman Rd</u> <u>Miami, FL</u> Zip Code: <u>33133</u> <b>Phone #:</b> <u>305 794-4049</u> <b>Email:</b> <u>WM.L.HARVEY@GMAIL.COM</u> <small>* This should be the applicant's information for contact purposes.</small>	<b>2. Applicant's Authorized Permit Agent:</b> <small>Agent is allowed to process the application, furnish supplemental information relating to the application and bind the applicant to all requirements of the application.</small> <b>Name:</b> <u>Dock and Marine Construction</u> <b>Address:</b> <u>752 NE 79th St</u> <u>Miami, FL</u> Zip Code: <u>33138</u> <b>Phone #:</b> <u>305-75-9911</u> Fax #: _____ <b>Email:</b> _____
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**3. Location where proposed activity exists or will occur (Latitude and Longitude are only necessary for properties without address or folio #):**

Folio # (s): 01-4115-011-0270 Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

Street Address: 3580 Rockman Rd Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

In City or Town: Miami 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 checked="" type="checkbox"/> Boatlift	<input type="checkbox"/> Dredging	<input type="checkbox"/> Mangrove Transplanting
<input checked="" type="checkbox"/> New/Replacement Seawall	<input type="checkbox"/> Pier(s)	<input type="checkbox"/> Mooring Piles	<input 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"/> Water Piles		<input type="checkbox"/> Davits	<input checked="" type="checkbox"/> Filling	
<input type="checkbox"/> King Piles				
<input type="checkbox"/> Fagien/Toe Wall				
<input type="checkbox"/> Riprap				

Other: \_\_\_\_\_

Estimated project cost = \$ 90,000

Are you seeking an a tier-the-fact approval (ATF)?  Yes  No If "Yes", describe the ATF work: \_\_\_\_\_

<b>5. Proposed Use (check all that apply):</b> <input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Private <input type="checkbox"/> Public <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Utility	<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> <b>Proposed Vessel Type (s):</b> <u>Power</u> <b>Vessel Make/Model (if known):</b> <u>Action 23</u> <b>Drift (s) (range in inches):</b> <u>18"</u> <b>Length (s) (range in feet):</b> <u>23'</u> <b>Total Number of Slips:</b> _____
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**7. List all permits or certifications that have been applied for or obtained for the above referenced work:**

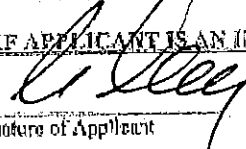
Issuing Agency	Type of Approval	Identification Number	Application Date	Approval Date

**D. Contractor Information (If known):**  
 Name: Dock and Marine Construction / Glen Larson License # (County/State): 8-410  
 Address: 752 NE 79th Miami, FL Zip Code: 32138  
 Phone #: 305-751-9511 Fax #: \_\_\_\_\_ E-mail: glason@dockandmarine.net

**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.

Applicant is hereby made for a Miami-Dade County Class 1 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: WILLIAM L. HARVEY Date: 6-15-17

**B. IF APPLICANT IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON**  
 (Examples: Corporation, Partnership, Trust, LLC, LLP, etc.)  
 Print Name of Applicant (Enter the complete name as registered) \_\_\_\_\_ Type (Corp, LLC, LLP, etc.) \_\_\_\_\_ State of \_\_\_\_\_  
 Registration/Incorporation \_\_\_\_\_

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 \_\_\_\_\_

**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) \_\_\_\_\_ Type (Corp, LLC, LLP, etc.) \_\_\_\_\_ State of \_\_\_\_\_  
 Registration/Incorporation \_\_\_\_\_

Print Name of Applicant (Enter the complete name as registered) \_\_\_\_\_ Type (Corp, LLC, LLP, etc.) \_\_\_\_\_ State of \_\_\_\_\_  
 Registration/Incorporation \_\_\_\_\_

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.\*\*\***

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**JUN 20 2017**

Signature of Authorized Representative \_\_\_\_\_ Print Authorized Representative's Name \_\_\_\_\_ Title \_\_\_\_\_  
 DERM Coastal Resources Section  
 Natural Resources Regulation & Restoration  
 Division (NRRRD)

Signature of Authorized Representative \_\_\_\_\_ Print Authorized Representative's Name \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

5

**10. WRITTEN CONSENT OF THE PROPERTY OWNER OF THE AREA OF THE PROPOSED WORK**

I/We are the fee simple owner(s) of the said property located at 3580 Lockwood Rd Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 01-4115-011-0270. I am aware and familiar with the contents of this application for a Miami-Dade County Class I Permit to perform the work on or adjacent to the subject property, as described in Section 4 of this application. I possess the riparian rights to the area of the proposed work (if applicable) and hereby consent to the work identified in this Class I Permit application.

**A. IF THE OWNER(S) IS AN INDIVIDUAL**

[Signature] WILLIAM L. HARVEY 6.15.17  
 Signature of Owner Print Owner's Name Date

Signature of Owner Print Owner's Name Date

**B. IF THE OWNER IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON**  
 (Examples: Corporation, Partnership, Joint Venture, Trust, LLC, LLP, etc.)

Print Name of Owner (Enter the complete name as registered) Type (Corp, LLC, LLP, etc.) State of Registration/Incorporation

Address of Owner

Under the penalty of perjury, I certify that I have the authority to sign this application on behalf of the Owner, to bind the Owner, and if so required to authorize the issuance of a bond on behalf of the Owner. (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

**Please Review Above**  
 Appropriate signature(s) must be included in:  
 Box 9: either A, B or C  
AND  
 Box 10: either A or B

**RECEIVED**

JUN 26 2017

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

**Attachment B**

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

**PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT**

Date: 6-15-17

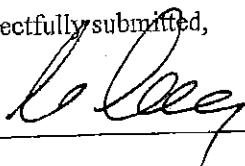
Miami Dade County Department of Regulatory and Economic Resources  
Class I Permitting Program  
701 NW 1<sup>st</sup> Court  
Miami, FL 33136

Re: Class I Standard Form Permit Application Number CLI-2015-0284

By the attached Class I Standard Form permit application with supporting documents, I, William Harvey, am the permit applicant and hereby request permission to perform the work associated with Class I Permit Application CLI-2015-0284. 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,



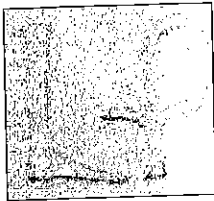
William Harvey, Permit Applicant

**RECEIVED**

**JUN 26 2017**

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





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JUL 05 2017

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

# LEAF ENGINEERING

## ENGINEER LETTER OF CERTIFICATION

Date: 6/23/17

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-2015-0284

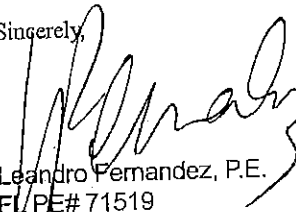
Ladies and Gentlemen:

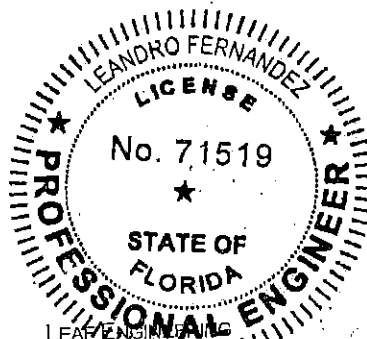
This letter will certify that I am an engineer licensed in the State of Florida, qualified by education and experience in the area of engineering design and inspection, and that to the best of my knowledge and belief, the proposed work does not violate any laws, rules, or regulations of the State of 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.

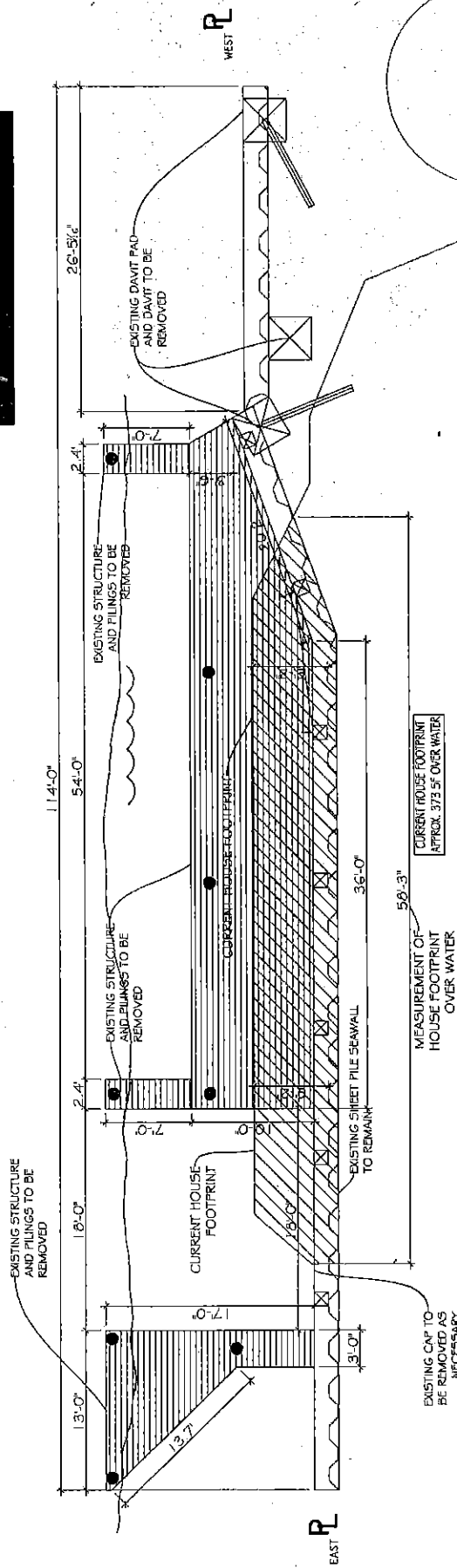
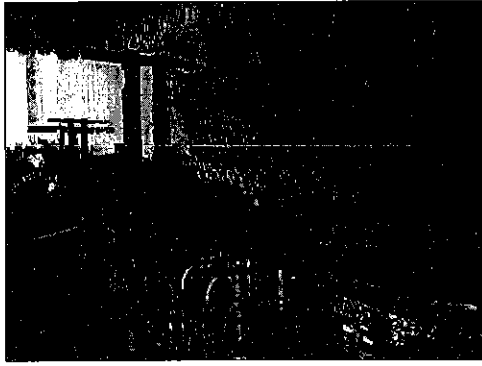
Sincerely,

  
 Leandro Fernandez, P.E.  
 F.U.P.E.# 71519  
 Leaf Engineering  
 CA# 29777



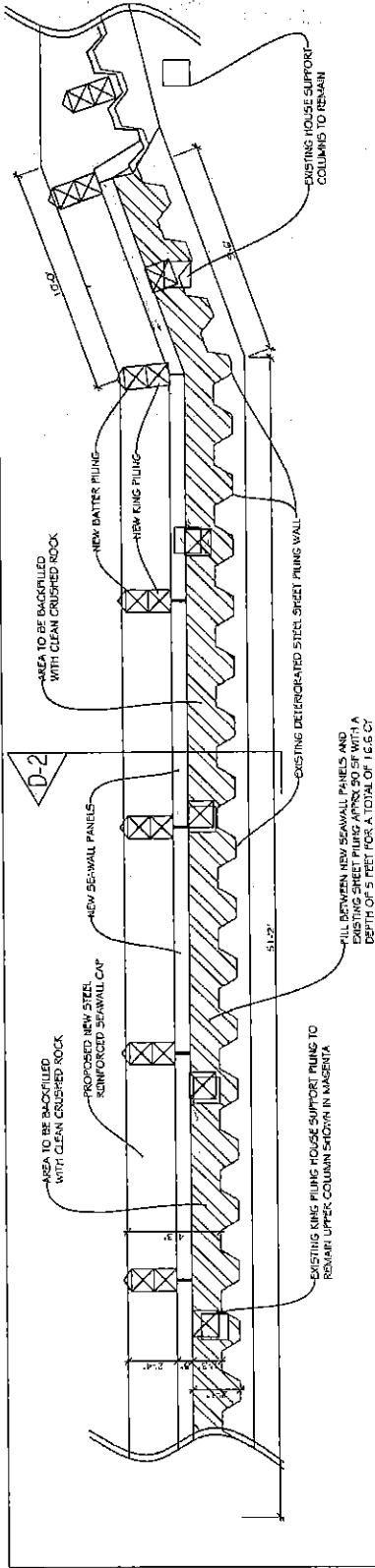
LEAF ENGINEERING, INC.  
 85 NW 86 STREET, MIAMI, FL 33150  
 786.390.7493 - LEAF@LEAFENGINEERING.NET



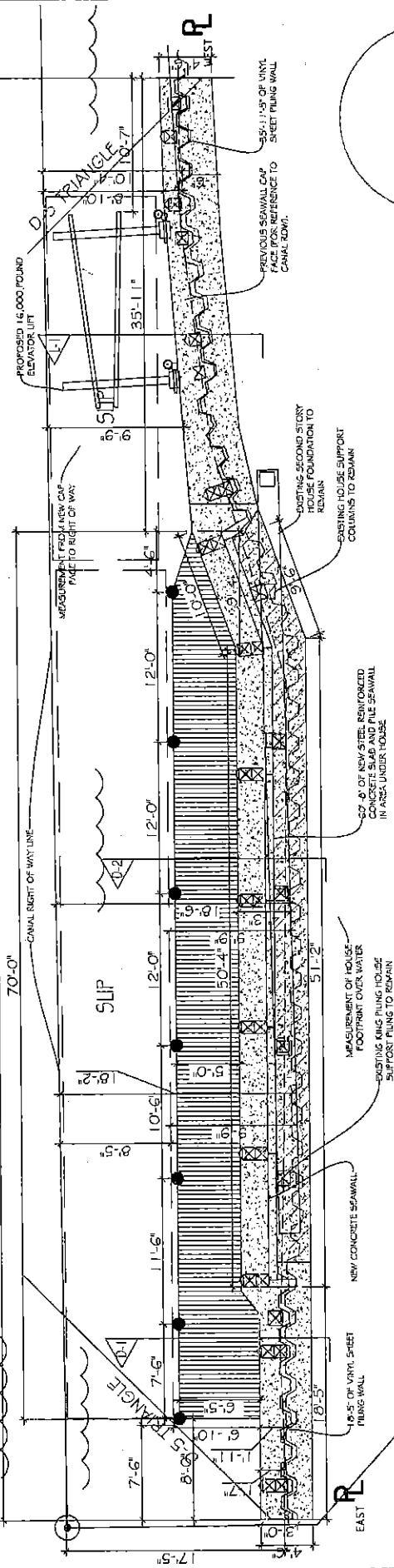


DWG#: 45-15 DRAWN BY: JK	DATE: REVISIONS: 1. _____ 2. _____	PAGE TITLE: EXISTING CONDITIONS	NEW DOCK & SEAWALL AT: HARVEY RESIDENCE 3580 ROCKEMAN RD. MIAMI, FL 33133	<b>DOCK AND MARINE</b> CONSTRUCTION, CORP. 752 NE 79TH STREET MIAMI, FL 33133 305-751-1981 F: 305-751-4825 gjarson@dockandmarine.net www.dockandmarine.net	LEANDRO FERNANDEZ LEAF ENGINEERING C. A. 29777 (786) 390-7493 LEAF@LEAFENGINEERING.NET 85 N.W. 86TH STREET MIAMI, FL 33150
DWG#: 45-15 DRAWN BY: JK		DATE: REVISIONS: 1. _____ 2. _____		PAGE TITLE: EXISTING CONDITIONS	
NEW DOCK & SEAWALL AT: HARVEY RESIDENCE 3580 ROCKEMAN RD. MIAMI, FL 33133		<b>DOCK AND MARINE</b> CONSTRUCTION, CORP. 752 NE 79TH STREET MIAMI, FL 33133 305-751-1981 F: 305-751-4825 gjarson@dockandmarine.net www.dockandmarine.net		LEANDRO FERNANDEZ LEAF ENGINEERING C. A. 29777 (786) 390-7493 LEAF@LEAFENGINEERING.NET 85 N.W. 86TH STREET MIAMI, FL 33150	

LEANDRO FERNANDEZ  
 LICENSE #71519



# ROCKERMAN CANAL 114'-0"



**DOCK AND MARINE**  
 CONSTRUCTION, CORP.  
 752 NE 79TH STREET  
 MIAMI, FL 33138  
 305-751-9911  
 glanson@dockandmarine.net  
 www.dockandmarine.net

**NEW DOCK & SEAWALL**  
 AT:  
 HARVEY RESIDENCE  
 3560 ROCKERMAN RD.  
 MIAMI, FL  
 33183

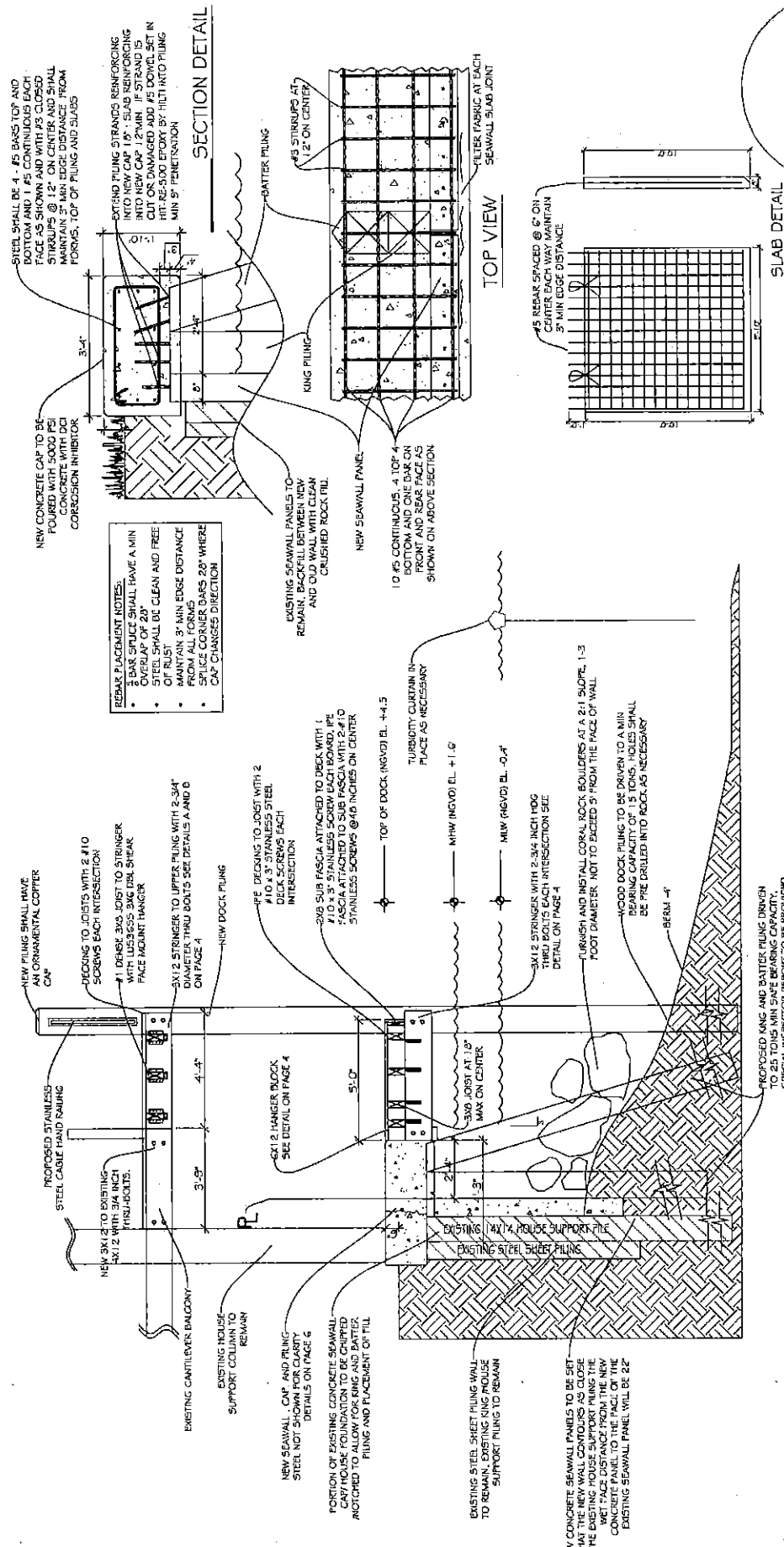
**PAGE TITLE:**  
 PROPOSED LAYOUT

**DATE:**  
**REVISIONS:**


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**DWG#:** 45-15  
**DRAWN BY:** JK  
**PAGE:** 3 of 7

**LEANDRO FERNANDEZ**  
 LICENSE #71519



- REPAIR PLACEMENT NOTES:**
- DARK SPURCE SHALL HAVE A MIN OF 10% REINFORCING
  - STEEL SHALL BE CLEAN AND FREE OF RUST
  - MAINTAIN 3" MIN EDGE DISTANCE FROM ALL FORMS
  - SPICE CORNER BARS 20" WHERE CAP CHANGES DIRECTION

LEANDRO FERNANDEZ LEAF ENGINEERING C.A. 28777 (786)390-7493 LEAF@LEAFENGINEERING.NET 85 N.W. 66TH STREET MIAMI, FL 33150	 DOCK AND MARINE CONSTRUCTION, CORP. 752 NE 79TH STREET MIAMI, FL 33135 305-751-3911 F: 305-751-4625 gjarson@dockandmarine.net www.dockandmarine.net	NEW DOCK # SEAWALL AT: HARVEY RESIDENCE 3580 ROCKFARM RD. MIAMI, FL 33133	PAGE TITLE: SEAWALL DETAILS	DATE: REVISIONS: 1. _____ 2. _____	DWG#-45-15 DRAWN BY: JK PAGE <b>6</b> of 7 LEANDRO FERNANDEZ LICENSE #71519
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**Attachment C**

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

Divardo & Wayne Porter  
3550 Rockerman Road  
Miami, FL 33133

Maria Gutierrez  
3546 Rockerman Road  
Miami, FL 3333

Jean & Laurence Rogliano  
3544 Rockerman Road  
Miami, FL 33133

Rockerman Waterways Condo  
3596 Rockerman Road  
Miami, FL 33133

Hilarie Bass  
3591 Rockerman Rd  
Miami, FL 33133

Nedra Y Oren TRS  
Marc E Oren TRS  
3526 Bayshore Villas Drive  
Miami, FL 33133

Pascale Van Kipnis Caplow  
3528 Bayshore Villas Drive  
Miami, FL 33133

Manor Court Investments Corp  
C/O Lott & Levine  
3530 Bayshore Villas Drive  
Miami, FL 33133

Larry & Deborah Hoffman  
3525 Bayshore Villas Drive  
Miami, FL 33133

Capsicum Investments Corp  
3523 Bayshore Villas Drive  
Miami, FL 33133

Juan Carlos & Maria Boyadjian  
3521 Bayshore Villas Drive  
Miami, FL 33133

Daniel & Laura Koffsky  
3519 Bayshore Villas Drive  
Miami, FL 33133

Charles Lipcon  
3522 Bayshore Villas Drive  
Miami, FL 33133

JH & Linda Sokolowicz  
3524 Bayshore Villas Drive  
Miami, FL 33133

Gary Kramer  
3520 Bayshore Villas Drive  
Miami, FL 33133

Laurans Mendelson  
3518 Bayshore Villas Drive  
Miami FL 33133

Anna Guillermina Smith Riviera  
3516 Bayshore Villas Drive  
Miami, FL 33133

16



**Attachment D**  
**Zoning Memorandum**

# Memorandum



**Date:** March 2, 2018

**To:** Pamela Sweeney, Manager *PS*  
Coastal and Wetlands Resources Section  
Department of Regulatory and Economic Resources

**From:** Rockell Alhale, Biologist II *RA*  
Coastal and Wetlands Resources Section  
Department of Regulatory and Economic Resources

**Subject:** Class I Permit Application by William Harvey to Fill Tidal Waters in Association with the Installation of a New Seawall, for After-the-Fact Authorization for Repairs to a Cantilevered Deck, and Installation of a New Dock, Boatlift and Viewing Platform within Rockerman Canal at 3580 Rockerman Road, Miami, Miami-Dade County, Florida and to Authorize the Acceptance of a Restrictive Covenant Running with the Land in Favor of Miami-Dade County

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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 a 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 E:**

**Restrictive Covenant Running with the Land in Favor of Miami-  
Dade County**

This Instrument was prepared by: **DOCK AND MARINE CONSTRUCTION**  
Name: **GLEN LARSON**  
Address: **752 N.E. 79th STREET**  
**MIAMI FLORIDA 33138**

(Space reserved for Clerk)

**RESTRICTIVE COVENANT RUNNING WITH THE LAND IN FAVOR OF**  
**MIAMI-DADE COUNTY**

The undersigned, William L. and Lori L. Harvey, being the present owners of the following real property (hereinafter called "the Property"), lying, being and situated in Miami-Dade County, Florida, to wit:

LOT 12 AND ALL THAT PART OF LOT 13, IN BLOCK 2, OF ROCKERMAN HEIGHTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 53, AT PAGE 27, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGINNING ON THE DIVIDING LINE BETWEEN LOTS 12 AND 13, WHERE THE SAME INTERSECTS THE CANAL SHOWN ON SAID PLAT: THENCE BY A LINE PARALLEL WITH THE DIVIDING LINE BETWEEN LOTS 11 AND 12, NORTHEASTERLY 20 FEET: THENCE BY A LINE PARALLEL WITH THE DIVIDING LINE BETWEEN LOTS 12 AND 13, IN A NORTHERLY DIRECTION TO THE INTERSECTION OF THE NORTHERLY ARC PROPERTY LINE OF LOT 13, DESIGNATED AS ROCKERMAN ROAD, THENCE IN A NORTHWESTERLY DIRECTION ALONG THE SAID ARC TO A DISTANCE OF 21 FEET, MORE OR LESS, TO THE DIVIDING LINE BETWEEN LOTS 12 AND 13 AFORESAID: THENCE IN A SOUTHERLY DIRECTION ALONG SAID DIVIDING LINE 76.63 FEET TO THE PLACE OF BEGINNING.

pursuant to Chapter 24 of the Code of Miami-Dade County, Florida, hereby proffer this executed Restrictive Covenant Running with the Land in Favor of Miami-Dade County, Florida as part of the request to modify Miami-Dade County Department of Regulatory and Economic Resources Division of Environmental Resources Management (DERM) Class I Permit Application Number CLI-2015-0284;

1. For the purposes of this Restrictive Covenant, "vessel" is herein defined as any water craft designed to float or navigate on water, including, but not limited to: sailboats, powerboats, rowboats, ships, boats, skiffs, houseboats, and inflatable boats.
2. For the purposes of this Restrictive Covenant, "docking facility" is herein defined as a place where vessels may be moored or secured to a fixed or floating structure or to the shoreline and includes a place where vessels may be stored on the uplands at the

Property if a means of placing or launching vessels into the water exists at the Property.

3. The Owners agree and covenant that all structures associated with the docking facility, expanded docking facility or future docking facility, and all vessels moored, secured, or stored at the docking facility, expanded docking facility or future docking facility located at or adjacent to the Property shall be wholly contained within the limits of the Property, and shall not encroach into the 25 foot wide Rockerman Canal right of way as described according to the plat thereof, as recorded in Plat Book 53, page 27, of the public records of Miami-Dade County, Florida.
4. The Owners acknowledge and agree that approval of this Restrictive Covenant neither authorizes nor constitutes a permit of any kind for the construction of a seawall or any docking facilities at the Property or adjacent to the Property.
5. The Owners covenant and represent that any and all persons holding a security interest of any kind whatsoever in the Property has been advised of, and has agreed to, the execution of this Restrictive Covenant.
6. The Owners shall notify Miami-Dade County in writing not later than thirty (30) days after any conveyance, sale, grant or transfer of the Property or any portion thereof, to any heirs, successors, assigns or grantees.
7. The term Owners shall include the owners, and their heirs, successors and assigns.
8. This Restrictive Covenant shall run with the land and shall be recorded in the Public Records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned, and their heirs, successors, grantees and assigns, until such time as same is modified or released in writing by Miami-Dade County, pursuant to the provisions of Section 24-48.2 of the Code of Miami-Dade County.
9. The Restrictive Covenant and the provisions contained herein may be enforced against any person permitting, allowing, letting, causing or suffering any violation of the terms of this Restrictive Covenant by DERM, or its successor, by temporary, permanent, prohibitory, and mandatory injunctive relief as well as otherwise provided by law or ordinance and also may include an action for and to recover civil penalties, damages, costs and expenses, and attorney's fees in favor of Miami-Dade County against said person(s) as authorized by law or ordinance. All of the remedies provided herein shall be deemed to be independent and cumulative and shall be deemed to be supplemental to any remedies provided by law or ordinance.
10. No cancellation, revision, alteration or amendment of the Restrictive Covenant shall be effective without prior written approval from Miami-Dade County pursuant to the provisions of Section 24-48.2 of the Code of Miami-Dade County.
11. This Restrictive Covenant is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years after the date this Restrictive Covenant is recorded, after which time it shall be extended automatically

for successive periods of ten (10) years each, unless the Restrictive Covenant is modified or released by Miami-Dade County.

IN WITNESS WHEREOF, the undersigned have caused this Restrictive Covenant to be executed this 24 day of APRIL, 2018

Witnesses:

Sign [Signature]  
Print JOHN A. GALGA  
Sign [Signature]  
Print DAVID MARRERT

William L. Harvey

Sign [Signature]  
Print WILLIAM L HARVEY  
Title  
Address 3566 ROCKELMAN RD  
COCONUT GROVE FL 33133

Witnesses:

Sign [Signature]  
Print JOHN A. GALGA  
Sign [Signature]  
Print DAVID MARRERT

Lori L. Harvey

Sign [Signature]  
Print Lori L. Harvey  
Title  
Address 3566 ROCKELMAN RD  
COCONUT GROVE FL 33133

STATE OF FLORIDA, COUNTY OF DADE

The foregoing instrument was acknowledged before me this 24 day of April, 2018, by William Harvey & Lori Harvey as owners, who is personally known to me or who has produced as identification and who did take an oath.

NOTARY PUBLIC

Sign [Signature]  
Print Tatiana G. Porras  
State of Florida at Large (Seal)  
My Commission Expires: 12/30/2019



Tatiana G. Porras  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF947094  
Expires 12/30/2019

(Space reserved for Clerk)

JOINDER BY POTENTIAL LIENHOLDER

The undersigned DOCK AND MARINE CONSTRUCTION, a FLORIDA (state) corporation potential lienholder from that certain Notice of Commencement dated the 26 day of July, 2017, and recorded in Official Records Book 30628, Page 2921, of the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing agreement, does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this 24 day of APRIL, 2018.

Witnesses: [Signature]

Signature WILLIAM L HARVEY  
Print Name

Signature [Signature]  
Print Name MAURICIO BANCAS

DOCK AND MARINE CONSTRUCTION  
Name of Corporation

Address: 752 N.E 79. STREET  
MIAMI FL 33138

By [Signature]  
(President, Vice-President or CEO\*)

Print Name: GLEN LARSON

[\*Note: All others require attachment of original corporate resolution of authorization]

STATE OF FLORIDA

COUNTY OF DADE

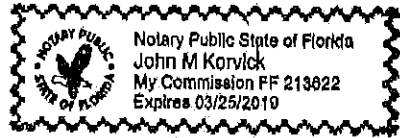
The foregoing instrument was acknowledged before me by GLEN LARSON the PRESIDENT of DOCK & MARINE (Name) corporation, on behalf of the corporation. He/She is personally known to me (Title) (Name) or has produced \_\_\_\_\_, as identification.

Witness my signature and official seal this 24 day of APRIL 2018 In the County and State aforesaid.

[Signature]  
(Signature)  
Notary Public-State of \_\_\_\_\_

\_\_\_\_\_  
(Print Name)

My Commission Expires: \_\_\_\_\_



**Attachment F**  
**DERM Project Report**



**CLASS I PERMIT APPLICATION NO. CLI-2015-0284**

Class I Permit Application by William Harvey to Fill Tidal Waters in Association with the Installation of a New Seawall, for After-the-Fact Authorization for Repairs to a Cantilevered Deck, and Installation of a New Dock, Boatlift and Viewing Platform within Rockerman Canal at 3580 Rockerman Road, Miami, Miami-Dade County, Florida and to Authorize the Acceptance of a Restrictive Covenant Running with the Land in Favor of Miami-Dade County

**DATE: February 21, 2018**

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** – Potential adverse environmental impacts associated with the proposed project are minimal. The scope of work includes installation of 114 linear feet of new seawall, a new wood dock and viewing platform, and a new boatlift. The applicant is also requesting after-the-fact authorization for repairs to a cantilevered deck. Concrete pilings integral to the structural stability of the upland residence are located immediately waterward of the existing seawall along a portion of the property. Therefore, the new seawall will extend approximately 2.0 feet waterward of the existing seawall along 50 linear feet of the property, which will result in the filling of tidal waters.

Pursuant to Section 24-48.3, DERM's recommendation for a Class I permit application is based on several evaluation factors, including but not limited to the potential impact to navigation. Rockerman Canal is a tidal waterway which is bordered by single-family residences along the north side, and an unconsolidated mangrove shoreline along the south side; and provides navigational access to Biscayne Bay through a 25-foot-wide canal right of way as identified on the 1951 plat. Class I permit applications for work along the Rockerman Canal are evaluated by DERM to ensure that both structures and vessels do not extend into the canal right of way in order to maintain navigational clearance for ingress and egress of vessels. Due to the waterward extension of the proposed structures at the subject property, the area available for mooring a vessel adjacent to the dock will be limited to approximately 8 feet wide. In order to ensure that all structures and vessels are maintained within the applicant's property boundaries and outside of the canal right of way, a post-construction survey by a Florida licensed land surveyor which identifies the location of all mooring structures relative to the surveyed location of the 25-foot-wide canal right of way will be submitted to DERM. The applicant has proffered the attached restrictive covenant which will be recorded with the Miami-Dade County Clerk of Courts and will run with the land, thereby ensuring that any future owner of the property is aware of the mooring limitation.

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. Based on the existing site conditions and the information provided by the professional engineer, the proposed seawall will be located the minimum waterward distance necessary. In addition, the area that will be filled does not provide significant benthic habitat, and 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. Mitigation for minor temporary impacts to water quality associated with the project will be satisfied through the placement of riprap along the new seawall to provide shoreline stabilization and create habitat. The portion of the required mitigation that cannot be accommodated onsite will be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund.

The proposed project is consistent with the recommendations of the Miami-Dade County Manatee Protection Plan (MPP). The project location is not within an area identified by the MPP as essential manatee habitat; however, the Class I permit will require that all standard construction permit conditions regarding manatees be followed during all in-water operations. The project site is located within an area that has the potential to be utilized by the *Crocodylus acutus* (American Crocodile), but is not located within an area designated as critical habitat for the species, and is not reasonably expected to adversely affect the American Crocodile provided that best management practices are followed during all in-water construction operations.

2. **Potential Cumulative Adverse Environmental Impact** – The proposed project is not reasonably expected to result in cumulative adverse environmental impacts.

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 reasonably expected to result in adverse impacts to water quality. Although the proposed project may result in minor temporary impacts to surface water quality during construction operations, potential impacts will be minimized and mitigated 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 adversely affect aesthetics.
9. **Navigation** – The proposed project is not reasonably expected to adversely affect navigation provided the restrictive covenant is accepted as set forth in Number 1 above.
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 is not reasonably expected to adversely affect wetland soils suitable for habitat.
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 stating that the proposed project does not violate any zoning laws, or a plan approval, will be submitted prior to permit issuance. 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 proposed 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 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) United States Clean Water Act (US Army Corps of Engineers permit is required)
  - c) Florida Department of Environmental Protection (authorization 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 proposed 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 proposed project is not reasonably expected to adversely affect habitat critical to Federal or State-designated threatened or endangered species.

#### **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 is not located within 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 is not located within a mangrove forest or related natural vegetational community.

**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 does not involve 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 Biscayne Bay Management Plan.

30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The proposed project is consistent with the MPP.

31. **Consistency with Miami-Dade County Criteria for Lake Excavation** - The proposed project does not involve lake excavation.

32. **Municipality Recommendation** - Pursuant to Section 24-48.2(II)(B)(7) of the Code of Miami-Dade County, Florida, a substantiating letter stating that the proposed project does not violate any zoning laws, or a plan approval, will be submitted prior to permit issuance. 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.

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.

35. **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** - Not applicable.

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 proposed project complies with the following criteria:

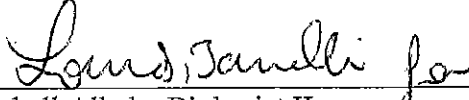
(f) A physical modification necessary to protect public or private property.

**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.

  
\_\_\_\_\_  
Pamela Sweeney, Manager  
Coastal and Wetlands Resources Section

  
\_\_\_\_\_  
Rockell Alhale, Biologist II  
Coastal and Wetlands Resources Section

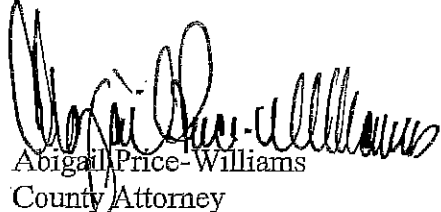


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** June 5, 2018

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

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

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 \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) 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(H)  
6-5-18

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

RESOLUTION TAKING ACTION ON A CLASS I PERMIT APPLICATION BY WILLIAM HARVEY TO FILL TIDAL WATERS IN ASSOCIATION WITH THE INSTALLATION OF A NEW SEAWALL, FOR AFTER-THE-FACT AUTHORIZATION FOR REPAIRS TO A CANTILEVERED DECK, AND INSTALLATION OF A NEW DOCK, BOATLIFT AND VIEWING PLATFORM WITHIN ROCKERMAN CANAL AT 3580 ROCKERMAN ROAD, MIAMI, MIAMI-DADE COUNTY, FLORIDA; AND TO AUTHORIZE THE ACCEPTANCE OF A RESTRICTIVE COVENANT RUNNING WITH THE LAND IN FAVOR OF MIAMI-DADE COUNTY

**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 William Harvey to fill tidal waters in association with the installation of a new seawall, for after-the-fact authorization for repairs to a cantilevered deck, and installation of a new dock, boatlift and viewing platform within Rockerman Canal at 3580 Rockerman Road, Miami, Miami-Dade County, Florida and authorizes the acceptance of a restrictive covenant running with the land in favor of Miami-Dade County, 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 5<sup>th</sup> day of June, 2018. 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