

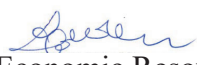
Memorandum



Date: October 6, 2022

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

Agenda Item No. 8(L)(1)

From: Lourdes M. Gomez, Director 
Department of Regulatory and Economic Resources

Resolution No. R-933-22

Subject: Class I Permit Application by Alexander Ayzen

Recommendation

I have reviewed the attached application for a Class I permit by Alexander Ayzen 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 19571 Northeast 37th Avenue, Aventura, Florida, in Commission District 4, which is represented by Commissioner Sally A. Heyman.

Delegation of Authority

This item has no delegation of authority. Upon approval of this item, Section 24-48.2(C)(2) of the Code authorizes the Department to issue the permit, provided that other Code requirements are satisfied, such as submittal of final plans and bonds, and to require additional conditions, limitations, and restrictions if consistent with this Board’s approval.

Fiscal Impact/Funding Source

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

Track Record/Monitor

The Coastal Resources Section 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 for the installation of a marginal dock and boatlift within the City of Aventura, 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. As explained below, a request filed in accordance with the above referenced Section of the Code was submitted to DERM.

The project site contains a waterfront townhome that is part of a larger multi-family development located along the Intracoastal Waterway in the City of Aventura. The subject site has an existing

seawall, seawall cap, and T-piles. The Applicant is proposing to install a marginal dock and a boatlift for the mooring of a vessel in front of the Applicant’s townhome. DERM received correspondence from the adjacent property owner to the north of the subject property which requested a public hearing for the proposed project and expressed concerns that the proposed dock and boatlift would impact their waterfront view.

As part of a Class I permit application review, DERM staff evaluate 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 the 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. Any Class I permit issued would require that turbidity controls be utilized during all phases of construction to ensure compliance with State and County water quality standards. For all the reasons stated herein and in the attached Project Report, DERM is recommending approval of this Class I application.

DERM’s recommendations for Class I permits are based on several evaluation factors, and one such evaluation factor is a project’s consistency with the Miami-Dade County Public Works Manual. Section D-5 of the Miami-Dade County Public Works Manual (Attachment H) provides minimum standards for design and construction of coastal and other waterfront structures and can be used to assess whether proposed structures raise potential navigational or aesthetic concerns. One of the factors that DERM considers is whether a proposed structure would exceed the guidance on boundaries in Section D-5.03(2)(a) of the Miami-Dade County Public Works Manual. If a structure proposed under a Class I permit application would exceed the recommended boundaries, pursuant to Section 24-48.3(1)(j) of the Code, additional factors should be considered, such as the minimum exceedance necessary for the protection of seagrass or other marine resources, or the minimum exceedance necessary to achieve adequate water depth for the mooring of a vessel.

It is important to note that on the north side of the subject property (the side of the property adjacent to the objector’s property), this Class I permit application does **not** propose any structures which would exceed the boundaries described in Section D-5.03(2)(a) (see Attachment B for project sketches including a depiction of the D-5 boundaries). On the south side of the subject property, a portion of the boatlift is proposed to extend past the D-5 boundary on the southern side of the property. With respect to the factors referenced above from Section 24-48.3(1)(j) of the Code, the proposed dock and boatlift have been configured to obtain the Code-required water depth and no benthic resources were documented at the property. In addition, the neighboring property to the south is a common area of the townhouse development, is not reasonably anticipated to be impacted by the proposed dock and boatlift, and moreover, the townhouse homeowners’ association has submitted a signed consent form, as owner of that property, which was submitted to DERM as part of this Class I application.

DERM further evaluated potential impacts to navigation through an evaluation of the proposed mooring configuration and the size of the vessel and determined that navigational access to the neighboring properties would be maintained. As proposed, the vessel would be wholly contained within the Applicant’s property limits. Furthermore, the width of the waterway is approximately 317 linear feet and the proposed structures at the subject site would extend a maximum of 17 feet waterward (0.05

percent the width of the waterway), well within 25 percent of the width of the waterway in accordance with the requirements of Section 24-48.2(I)(A)(10) of the Code.

Based on the width of the waterway and the size and the location of the structures in relation to the D-5 boundary, DERM has determined that the proposed project is not reasonably expected to adversely affect the view or access to the Intracoastal Waterway for the neighboring property owners. Additionally, DERM staff went to the subject property and inspected for, among other things, potential impacts to visibility and aesthetics, and based on that inspection, the proposed work is not reasonably anticipated to result in impacts to visibility and aesthetics, including, but not limited to impacts to neighboring properties. For context and illustrative purposes only, an aerial photograph from the Property Appraiser’s website is attached as Attachment I, and this photograph shows the subject property and surrounding properties.

The project has been designed in accordance with all relevant Miami-Dade County coastal construction criteria and is consistent with all other Miami-Dade County coastal protection provisions. Please find attached a DERM Project Report which also sets forth the reasons the proposed project is recommended for approval by DERM pursuant to the applicable evaluation factors and criteria as 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: DERM Project Report
- Attachment F: Florida Department of Environmental Protection Permit
- Attachment G: US Army Corps of Engineers Permit
- Attachment H: Section D-5 of the Miami-Dade County Public Works Manual
- Attachment I: Aerial of the Property

Attachment A:
Class I Permit Application



Class I Permit Application

RECEIVED	
FOR DEPARTMENTAL USE ONLY	
Date Received: JAN 08 2020	Application Number: CU-2020-0005
NATURAL RESOURCES DIVISION	Application Fee: \$1,020 \$1,020

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

1. Applicant Information:

Name: Alexander Ayzén
Address: 19571 NE 37 Ave
AVENTURA Zip Code: 33180
Phone #: 305 218 0184
Email: AAYZENAC@GMAIL.COM

* This should be the applicant's information for contact purposes.

2. Applicant's Authorized Permit Agent:

Agent is allowed to process the application, furnish supplemental information relating to the application, and attend the applicant's requirements of this application.

Unlimited Permit Services Inc
Bill Thomas
902 NE 1 Street, Suite #2
Pompano Beach, Florida 33060
(954) 532-0129 | williamr@unlimitedps.net

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

Folio #(s): 23-2202-025-0020 Latitude: _____ Longitude: _____
Street Address: 19571 NE 37 Ave Section: _____ Township: _____ Range: _____
In City or Town: Aventura Near City or Town: _____
Name of waterway at location of the activity: LCW

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

- | | | | | |
|--|---|--|--------------------------------------|--|
| ☐ Seawall | ☒ Dock(s) | ☒ Boatlift | ☐ Dredging | ☐ Mangrove Trimming |
| ☐ New/Replacement Seawall | ☐ Pier(s) | ☐ Mooring Piles | ☐ Maintenance | ☐ Mangrove Removal |
| ☐ Seawall Cap | ☐ Viewing Platform | ☐ Fender Piles | ☐ New | |
| ☐ Batter Piles | | ☐ Davits | ☐ Filling | |
| ☐ King Piles | | | | |
| ☐ Footer/Toe Wall | | | | |
| ☐ Riprap | | | | |

☐ Other: _____

Estimated project cost = \$ 32,000

Are you seeking an after-the-fact approval (ATF)? ☐ Yes ☒ No If "Yes", describe the ATF work: _____

5. Proposed Use (check all that apply):

- ☒ Single Family
☐ Multi-Family
☐ Private
☐ Public
☐ Commercial
☐ Industrial
☐ Utility

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):

Proposed Vessel Type (s): Power Boat
Vessel Make/Model (If known): Jupiter
Draft (s)(range in inches): 24" Length (s)(range in feet.): 31
Total Number of Slips: 1

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
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8. Contractor Information (If known):

Name: _____ 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 in 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

Alper - ALEXANDER HYZEN 1/6/20
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.)

N/A
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.*****

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

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

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

I/We are the fee simple owner(s) of the real property located at 19571 NE 37 Ave Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 28-2202-025-0070.

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 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

JAN 08 2020

NATURAL RESOURCES DIVISION
DEPARTMENT OF REGULATORY
AND ECONOMIC RESOURCES

Class I Permit Application Additional Signatures Page

(Please attach to Class I permit application)

Applicant Name:	<u>Alexander Ayzen</u>
Owner Name:	<u>Alexander Ayzen</u>
Project Location:	<u>19571 NE 37th Ave Aventura FL 33180</u>
Additional signatures for:	☒ Applicant ☒ Owner

1. IF THE APPLICANT/OWNER IS AN INDIVIDUAL

<u>Alex</u>	<u>ALEXANDER AYZEN</u>	
Signature of Applicant/Owner	Print Name of Applicant/Owner	Date

Signature of Applicant/Owner	Print Name of Applicant/Owner	Date

2. IF THE APPLICANT/OWNER IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON
(Examples: Corporation, Partnership, Trust, LLC, LLP, etc.)

Print Name of Applicant/Owner (Enter the complete name as registered)	Type (Corp, LLC, LLP, etc.)	State of Registration/Incorporation
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Under the penalty of perjury, we certify that we have the authority to sign this application on behalf of the Applicant/Owner, to bind the Applicant/Owner, and if so required to authorize the issuance of a bond on behalf of the Applicant/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.***

<u>[Signature]</u>	<u>Turkey Homeowners' Association Inc.</u>	<u>By: Ely H. Levy</u>	<u>President</u>	
Signature	Print Name	Print Name	Title	Date

Signature	Print Name	Title	Date
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Signature	Print Name	Title	Date
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Signature	Print Name	Title	Date
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Signature	Print Name	Title	Date
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RECEIVED

JAN 08 2020

NATURAL RESOURCES DIVISION
DEPARTMENT OF REGULATORY
AND ECONOMIC RESOURCES

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

I/We are the fee simple owner(s) of the real property located at _____, Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. _____.

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 of Owner <u>AK</u>	Print Owner's Name _____	Date _____
Signature of Owner <u>AK</u>	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.)

Turnberry Home Owners' Association, Inc. FL
Print Name of Owner (Enter the complete name as registered) Type (Corp, LLC, LLP, etc.) State of Registration/Incorporation
3692 NE 185 Lane, Aventura, FL 33180
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.***

<u>[Signature]</u>	<u>Ely L. Levy</u>	<u>President</u>	<u>9/13/16</u>
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

Attachment B

Owner/Agent Letter, Engineer Letter, and Project Sketches

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

Date: 10/04/21

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

Re: Class I Standard Form Permit Application Number CLI-2020-0005

By the attached Class I Standard Form permit application with supporting documents, I, Alexander Ayzen, am the permit applicant and hereby request permission to perform the work associated with Class I Permit Application CLI-2020-0005. 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,



Alexander Ayzen, Permit Applicant



ENGINEER LETTER OF CERTIFICATION

Date: 11-18-2021

Miami-Dade County Department of Regulatory and Economic Resources
Class I Permitting Program
701 NW 1st Court
Miami, Florida 33136

RE: Class I Permit Application Number CLI-2020-0005

Ladies and Gentlemen:

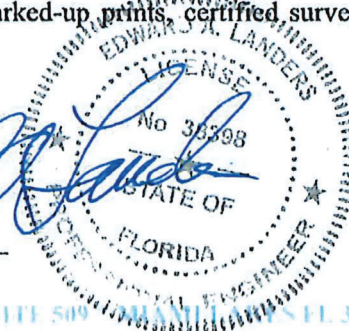
This letter will certify that I am an engineer licensed in the State of Florida, qualified by education and experience in the area of engineering design and inspection, and that to the best of my knowledge and belief, the proposed work does not violate any laws, rules, or regulations of the State of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

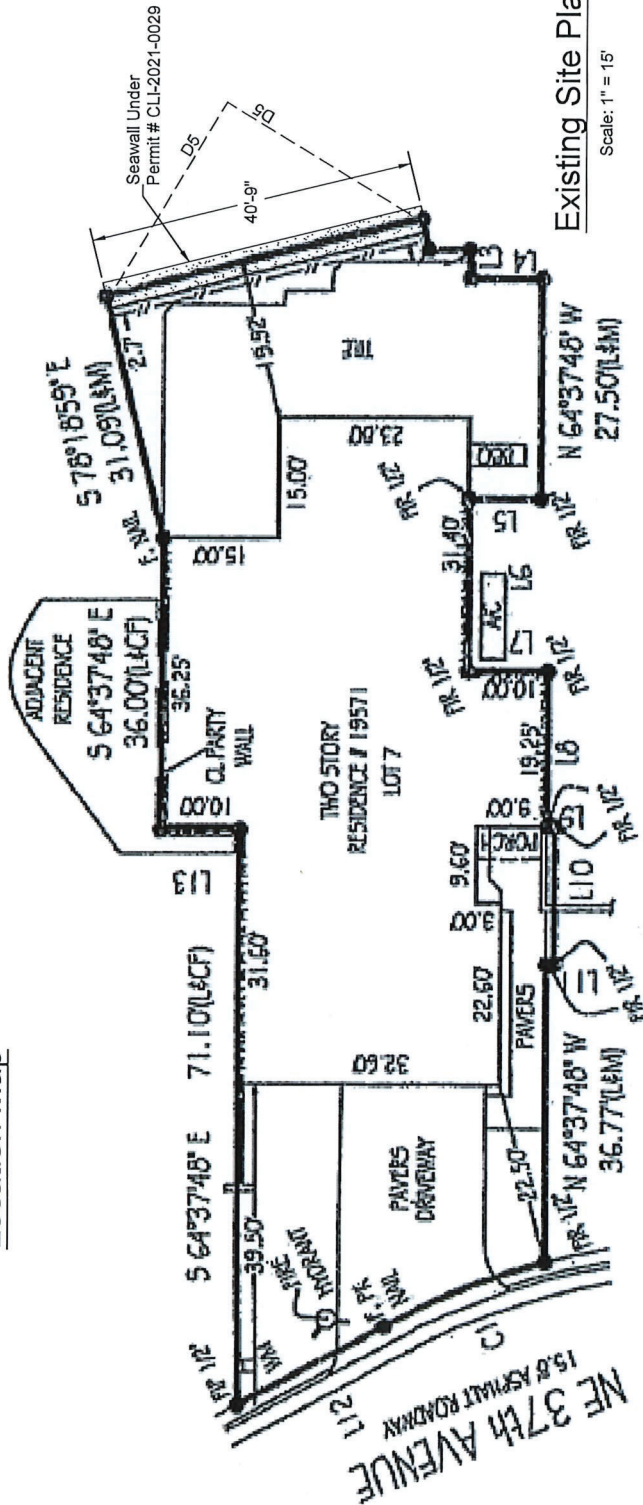
Sincerely,





Edward A
Landers
2021.11.1
8:14:00:05
-05'00'

Location Map



Existing Site Plan

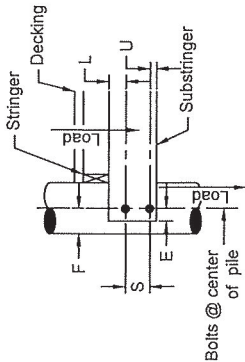
Scale: 1" = 15'

Sheet 1 of 5

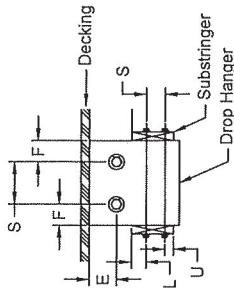
Edward A Landers PE Inc
PE License # 038398
7850 NW 146 Street #509
Miami Lakes, Florida 33016
(305) 823-3938

Project:
Proposed Dock &
Alex & Alla A
19571 NE 37
Aventura, Florida

PREPARED FOR:
MAX MARINE CONSTRUCTION INC
1323 N 31st ROAD
HOLLYWOOD, FL 33021
(305) 785-8682



Pile Connection Detail



Drop Hanger Detail

Bolt Diameter	1/2"	5/8"	3/4"	1"
E = End Dist = 4D	2	2 1/2"	3	4
L = Edge Dist, Loaded = 4D	2	2 1/2"	3	4
S = Spacing = 4D	2	2 1/2"	3	4
U = Edge Dist, Unloaded = 1.5D	3/4	15/16	1 1/8	1 1/2

Load Perpendicular To Grain (Substringers)

Bolt Diameter	1/2"	5/8"	3/4"	1"
E = End Dist = 4D	2	2 1/2"	3	4
F = Edge Dist, Loaded = 4D	2	2 1/2"	3	4
S = Spacing = 4D	2	2 1/2"	3	4

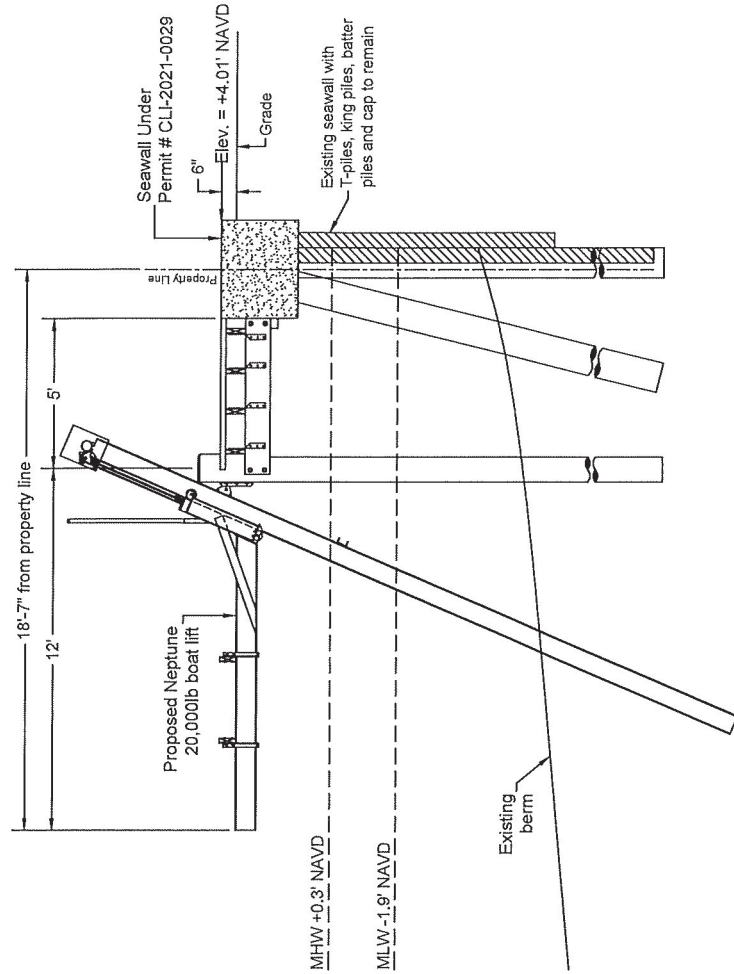
Load Parallel To Grain (Piles)

Bolt Diameter	1/2"	5/8"	3/4"	1"
E = End Dist = 7D	3 1/2	4 3/8	5 1/4	7
F = Edge Dist, Loaded = 4D	2	2 1/2"	3	4
S = Spacing = 4D	2	2 1/2"	3	4

Load Parallel To Grain (Drop Hanger)

NDS Bolt Spacing Requirements

(Tables 12.5.1A, 12.5.1B, 12.5.1C)



Boat Lift Section

Scale 1/4" = 1'-0"

Sheet 4 of 5

Edward A. Landers, P.E. Inc.
PE License # 038398
7850 NW 146 Street #509
Miami Lakes, Florida 33016
(305) 823-3938

Project:
Proposed Dock & Boat Lift
Alex & Alla Ayzen
19571 NE 37 Ave
Aventura, Florida 33180

PREPARED FOR:
MAX MARINE CONSTRUCTION INC
1323 N 31st ROAD
HOLLYWOOD, FL 33021
(305) 785-8682

GENERAL NOTES:

1. Construction to follow the Florida Building Code 7th Edition (2020) and amendments as applicable and all Local, State and Federal Laws.
2. Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
3. Do not scale drawings for dimensions.
4. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
5. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
6. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
9. Licensed Contractor to verify location of existing utilities prior to commencing work.
10. The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

PILE DRIVING:

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

PILE NOTES:

1. Wood piles to be 2.5 lb. CCA treated in accordance with AWPA standard C18.
2. Wood piles shall be a minimum diameter of 10", Miami Dade County requires minimum diameter of 12".

WOOD DOCK NOTES:

1. All materials to be pressure treated pine unless otherwise noted.
2. All frame work materials to be Southern Pine Grade #1
3. All Decking materials to be grade #1 unless otherwise noted.
4. All hardware to be Stainless Steel or Galvanized unless otherwise noted.

Edward A Landers P.E. Inc
PE License # 038398
7850 NW 146 Street #509
Miami Lakes, Florida 33016
(305) 923-3938

Sheet 5 of 5

Project:
Proposed Dock & Boat Lift
Alex & Alla Ayzen
19571 NE 37 Ave
Aventura, Florida 33180

PREPARED FOR:
MAX MARINE CONSTRUCTION INC
1323 N 31st ROAD
HOLLYWOOD, FL 33021
(305) 785-8682

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

Riparian owners within 300' for CLI-2020-0005

Ely & Sara Levy
19565 NE 37 Ave
Aventura, FL 33180

Alan Rosenthal
19557 NE 37 Ave
Aventura, FL 33180

Mr. & Mrs. Jack Kessler
19573 NE 37 Ave
Aventura, FL 33180

Paul & Barbara Zimmerman
19575 NE 37 Ave
Aventura, FL 33180

Syd & Mariam Silverman
19577 NE 37 Ave
Aventura, FL 33180

Turnberry Homeowner's Association Inc.
c/o Ely Levy
3685 NE 195 Terrace
Miami, Florida 33180

Attachment D

Zoning Memorandum

Memorandum



Date: May 23, 2022

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

From: Rockell Alhale, ERPS *R. Alhale*
Coastal Resources Section
Department of Regulatory and Economic Resources

Subject: Class I Permit Application by Alexander Ayzen for the Installation of a Marginal Dock and Boatlift located at 19571 Northeast 37th Avenue, in the City of Aventura, Miami-Dade County, Florida

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 E
DERM Project Report

CLASS I PERMIT APPLICATION NO. CLI-2020-0005

Class I Permit Application by Alexander Ayzen for the Installation of a Marginal Dock located at 19571 Northeast 37th Avenue, in the City of Aventura, Miami-Dade County, Florida

DATE: June 17, 2022

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 and staff's opinion to its conformance with respect to each applicable evaluation factor:

1. **Potential Adverse Environmental Impact** – 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 the 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. Any Class I permit issued would require that turbidity controls be utilized during all phases of construction to ensure compliance with State and County water quality standards.

The proposed project has been evaluated for consistency with the Miami-Dade County Manatee Protection Plan (MPP). The proposed project site is located in an area designated by the Miami-Dade County MPP as Essential Manatee Habitat and recommended for Residential Docking: 1 motorboat per 100 feet of developable shoreline. Based on the recommendations of the MPP, a Restrictive Covenant Running with the Land in Favor of Miami-Dade County was previously placed on the townhome community restricting the total number of motorboat slips to four. If approved, the subject application would result in the creation of one of the four motorboat slips. Furthermore, the Class I permit will require that all standard construction permit conditions regarding manatee protection 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 may affect surface water quality on a temporary basis during construction operations; however, temporary water quality 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 adversely affect aesthetics.
9. **Navigation** – The proposed project is not reasonably expected to adversely affect navigation. 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. It is important to note that on the north side of the subject property (the side of the property adjacent to the objector's property), this Class I permit application does not propose any structures which would exceed the boundaries described in Section D-5.03(2)(a). On the south side of the subject property, a portion of the boatlift is proposed to extend past the D-5 boundary on the southern side of the property. The neighboring property to the south is a common area of the townhouse development, is not reasonably anticipated to be impacted by the proposed dock and boatlift, and moreover, the townhouse homeowners'

association has submitted a signed consent form, as owner of that property, which was submitted to DERM as part of this Class I application. In addition, as proposed, the vessel would be wholly contained within the Applicant's property limits. Furthermore, the width of the waterway is approximately 317 linear feet and the proposed structures at the subject site would extend a maximum of 17 feet waterward (0.05 percent the width of the waterway), well within 25 percent of the width of the waterway in accordance with the requirements of Section 24-48.2(I)(A)(10) of the Code.

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.
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, would be submitted prior to permit issuance. Said letter or plan approval would 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 over submerged 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 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 and must be obtained prior to performing work)
 - c) Florida Department of Environmental Protection (regulatory permit is required and must be obtained prior to performing work)
27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of the Director, the proposed project is consistent, as required by CDMP policy LU-3A, with the goals, objectives and policies contained in the Conservation, Aquifer Recharge and Drainage and Coastal Management Elements of this Plan, and with all applicable environmental regulations, as well as other elements of 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 would 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.

Objective 5/Policy 5B - Existing and new areas for water-dependent uses. - The proposed project will facilitate a new water-dependent use.

Objective 5/Policy 5D - Consistency with Chapter 33D, Miami-Dade County Code. (shoreline access, environmental compatibility of shoreline development) – The Shoreline Development Review Committee has evaluated the proposed project and determined that 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 is consistent with the criteria used to determine appropriateness of the project.

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 not located within the Biscayne Bay Aquatic Preserve.
30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The proposed project is consistent with the Miami-Dade County Manatee Protection Plan. The subject property is located within an area designated as essential habitat for the West Indian Manatee and recommended for Residential Docking: 1 motorboat per 100 feet of developable shoreline. The Class I permit will require that all standard manatee construction conditions be followed during all in water operations.
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 stating that the proposed project does not violate any zoning laws, or a plan approval, would be submitted prior to permit issuance. Said letter or plan approval would 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** – 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. As mentioned above, on the north side of the subject property (the side of the property adjacent to the objector's property), this Class I permit application does not propose any structures which would exceed the boundaries described in Section D-5.03(2)(a) (see Attachment B for project sketches including a depiction of the D-5 boundaries). On the south side of the subject property, a portion of the boatlift is

proposed to extend past the D-5 boundary on the southern side of the property. With respect to the factors referenced above from Section 24-48.3(1)(j) of the Code, the proposed dock and boatlift have been configured to obtain the Code-required water depth and no benthic resources were documented at the property. In addition, the neighboring property to the south is a common area of the townhouse development, is not reasonably anticipated to be impacted by the proposed dock and boatlift, and moreover, the townhouse homeowners' association has submitted a signed consent form, as owner of that property, which was submitted to DERM as part of this Class I application.

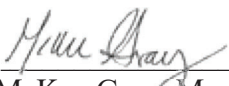
The proposed project was also evaluated for compliance with the standards contained in Sections 24-48.3(2), (3), and (4) of the Code of Miami-Dade County, Florida. The following is a summary of how the standards relate to the proposed project:

24-48.3 (2) Dredging and Filling for Class I Permit – Not applicable.

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



Rockell Alhale, ERPS
Coastal Resources Section

Attachment F:
Florida Department of Environmental Protection Permit



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

October 27, 2021

Alexander Ayzen
19571 NE 37th Avenue
Aventura, FL 33180
Sent via e-mail: aayzena@gmail.com

Re: File No.: 13-0384321-002-EE
File Name: Ayzen Dock and Boatlift

Dear Mr. Ayzen:

On September 28, 2021, we received your request for verification of exemption to install an approximately 104 sq. ft. dock and boat lift. The project is located in the Intracoastal Waterway, Class III Waters, adjacent to 19571 NE 37th Avenue, Aventura (Section 2, Township 52 South, Range 42 East), in Miami-Dade County (Latitude N 25°57'24.4607", Longitude W - 80°7'33.0182").

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project did not qualify for the federal authorization of this verification request. **Additional authorization must be obtained prior to commencement of the proposed activity.** This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Elena Kampian at the letterhead address or at kylie.shivers@FloridaDEP.gov.

1. Regulatory Review – VERIFIED

Based on the information submitted, the Department has verified that the activities as proposed are exempt, under Chapter 62-330.051(5)(b), Florida Administrative Code, from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. Proprietary Review- NOT REQUIRED

The activity does not require further authorization under chapter 253 of the Florida Statutes, or chapters 18-20 or 18-21 of the Florida Administrative Code.

3. Federal Review - SPGP NOT APPROVED

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **shall be required** from the Corps. You must apply separately to the Corps using the Application for Department of the Army Permit (ENG 4345) or alternative as allowed by Corps regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Sourcebook: (<https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>).

Authority for review - an agreement with the USACOE entitled “Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit”, Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the

administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

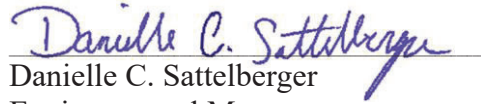
Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

EXECUTION AND CLERKING

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Danielle C. Sattelberger
Environmental Manager
Southeast District

Enclosures:

Attachment A- Specific Exemption Rule
Special Conditions for Federal Authorization for SPGP VI-R1
General Conditions for Federal Authorization for SPGP VI-R1
Project drawings, 5 pages

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

FDEP – Danielle Sattelberger, Kylie Shivers
Kathy Cartier, Unlimited Permit Services, Inc., kathyc@unlimitedps.net

Additional mailings:

Lisa Spadafina, Miami-Dade County RER, spadaL2@miamidade.gov

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

October 27, 2021

Date

Attachment A

62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under chapters 253 and 258, F.S., as applicable.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(b) Installation of private docks, piers, and recreational docking facilities, and installation of local governmental piers and recreational docking facilities, in accordance with section 403.813(1)(b), F.S. This includes associated structures such as boat shelters, boat lifts, and roofs, provided:

1. The cumulative square footage of the dock or pier and all associated structures located over wetlands and other surface waters does not exceed the limitations in section 403.813(1)(b), F.S.;
2. No structure is enclosed on more than three sides with walls and doors;
3. Structures are not used for residential habitation or commercial purposes, or storage of materials other than those associated with water dependent recreational use; and
4. Any dock and associated structure shall be the sole dock as measured along the shoreline for a minimum distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot.

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com/manatee). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:

Wildlife Alert:



1-888-404-FWCC(3922)

cell *FWC or #FWC



**UNITED STATES DEPARTMENT OF
COMMERCE**

**National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE**

Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

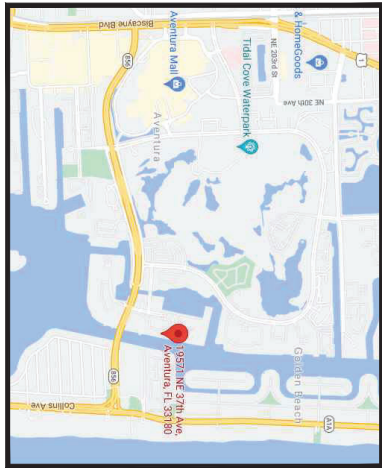
SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.

- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.
- h. Any collision(s) with and/or injuries to any whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312).
- i. Reports to NMFS's Protected Resources Division (PRD) may be made by email to takereport.nmfs@noaa.gov.
- j. Sea turtle and marine stranding/rescue organizations' contact information is available by region at <http://www.nmfs.noaa.gov/pr/health/networks.htm>.
- k. Smalltooth sawfish encounters shall be reported to <http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html>.
- l. All work must occur during daylight hours.

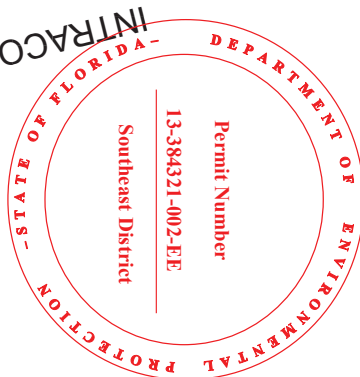




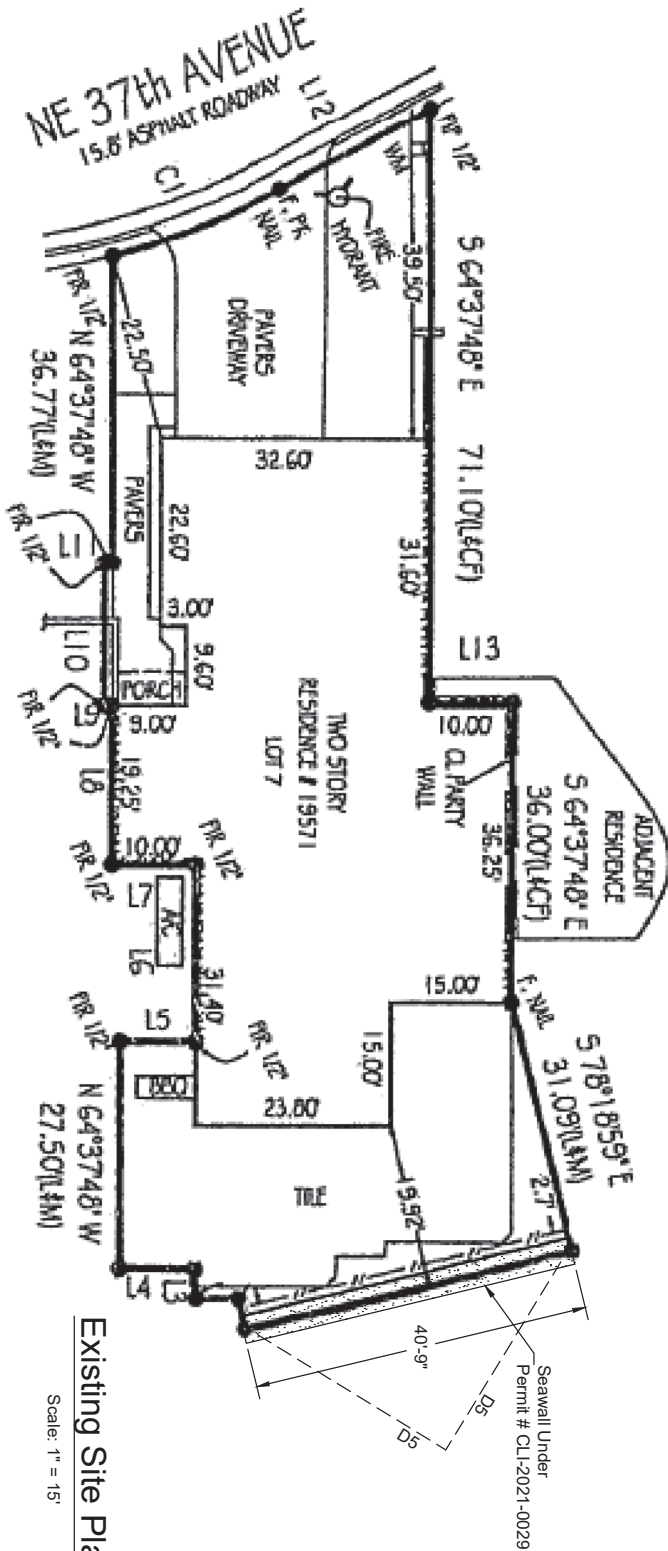
Location Map

FULL LEGAL DESCRIPTION	
ADJACENT RESIDENCE	
ADJACENT RESIDENCE	ADJACENT RESIDENCE
PB 136-06	ADJACENT RESIDENCE
LOT 7	ADJACENT RESIDENCE
LOT SIZE 5568 SQ. FT.	ADJACENT RESIDENCE
& INT. IN COMMON AREA	ADJACENT RESIDENCE
FLA 30-2202-025-0070	ADJACENT RESIDENCE
OR 21329-3007 0503 1	ADJACENT RESIDENCE

See attached survey supplied by owner for exact property information.



INTRACOASTAL WATERWAY



Existing Site Plan

Scale: 1" = 15'

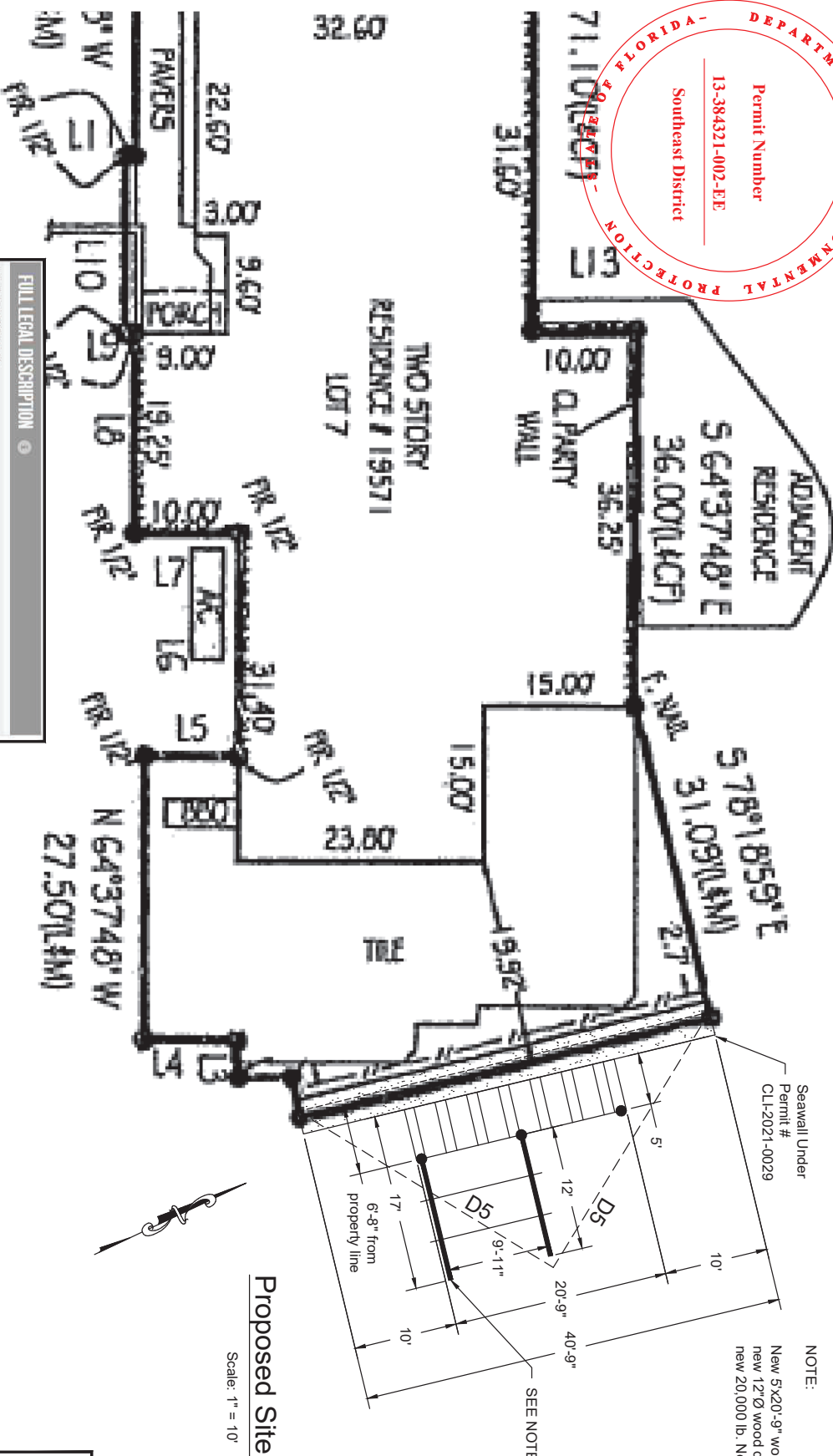
PREPARED FOR:
MAX MARINE CONSTRUCTION INC
1323 N 31st ROAD
HOLLYWOOD, FL 33021
(305) 785-8682

Project:
Proposed Dock & Boat Lift
Alex & Alla Ayzen
19571 NE 37 Ave
Aventura, Florida 33180

Edward A Landers PE Inc
PE License # 038398
7650 NW 146 Street #509
Miami Lakes, Florida 33016
(305) 8235358



See attached survey supplied by owner for exact property information.



Proposed Site Plan

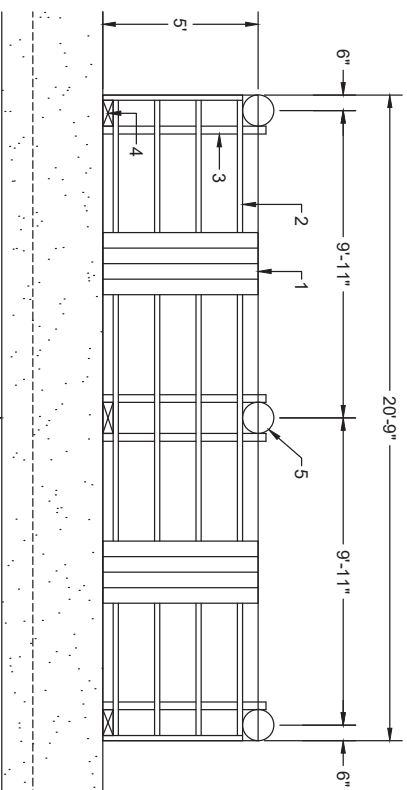
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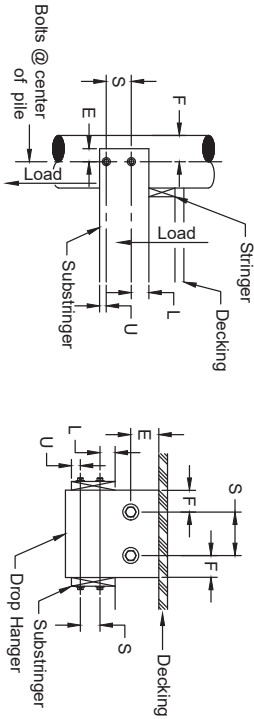
FULL LEGAL DESCRIPTION	
AVENTURA 9TH ADDN	PG 136-36
LOT 7	LOT 7
LOT SIZE 5688 SQ FT	\$ INT IN COMMON AREA
FLAU 30-2202-025-0070	OR 21329-3007 0503 1

PREPARED FOR:
MAX MARINE CONSTRUCTION INC
1323 N 31st ROAD
HOLLYWOOD, FL 33021
(305) 785-8682

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Proposed Dock & Boat Lift
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Aventura, Florida 33180

Edward A Landers PE Inc
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7650 NW 146 Street #509
Miami Lakes, Florida 33016
(305) 8235358





Bolt Diameter	1/2"	5/8"	3/4"	1"
E = End Dist = 4D	2	2 1/2"	3	4
L = Edge Dist, Loaded = 4D	2	2 1/2"	3	4
S = Spacing = 4D	2	2 1/2"	3	4
U = Edge Dist, Unloaded = 1.5D	3/4	15/16	1 1/8	1 1/2

Load Perpendicular To Grain (Substringers)

Bolt Diameter	1/2"	5/8"	3/4"	1"
E = End Dist = 4D	2	2 1/2"	3	4
F = Edge Dist, Loaded = 4D	2	2 1/2"	3	4
S = Spacing = 4D	2	2 1/2"	3	4

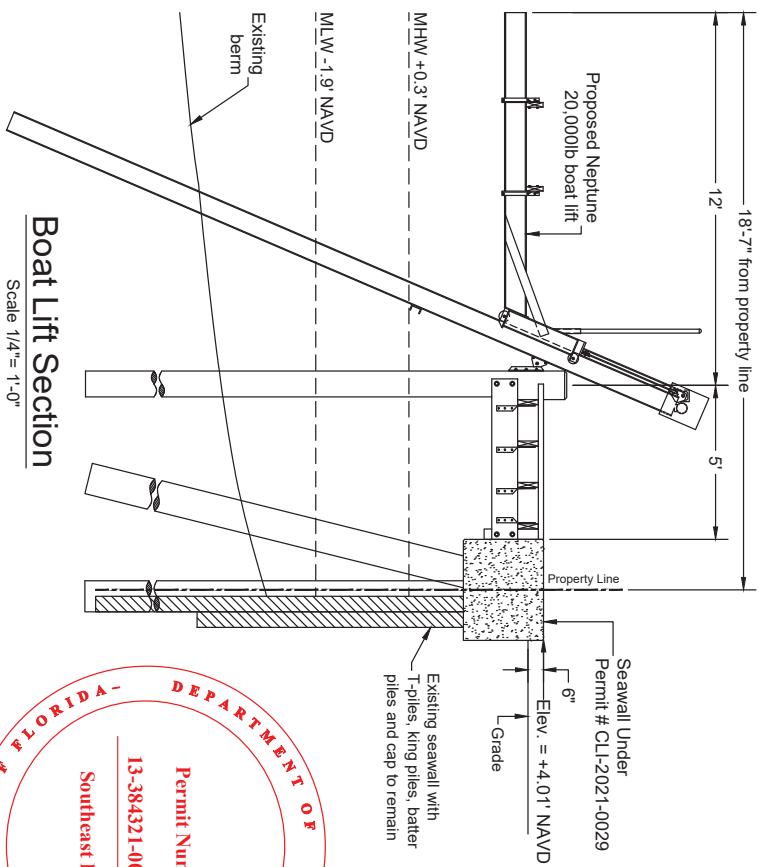
Load Parallel To Grain (Piles)

Bolt Diameter	1/2"	5/8"	3/4"	1"
E = End Dist = 7D	3 1/2	4 3/8	5 1/4	7
F = Edge Dist, Loaded = 4D	2	2 1/2"	3	4
S = Spacing = 4D	2	2 1/2"	3	4

Load Parallel To Grain (Drop Hanger)

NDS Bolt Spacing Requirements

(Tables 12.5, 1A, 12.5, 1B, 12.5, 1C)



PREPARED FOR:

MAX MARINE CONSTRUCTION INC
1323 N 31st ROAD
HOLLYWOOD, FL 33021
(305) 785-8682

Project:

Proposed Dock & Boat Lift
Alex & Alla Ayzen
19571 NE 37 Ave
Aventura, Florida 33180

Sheet 4 of 5

Edward A Landers PE Inc
PE License # 038398
7650 NW 146 Street #509
Miami Lakes, Florida 33016
(305) 8253585

GENERAL NOTES:

1. Construction to follow the Florida Building Code 7th Edition (2020) and amendments as applicable and all Local, State and Federal Laws.
2. Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
3. Do not scale drawings for dimensions.
4. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
5. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
6. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
9. Licensed Contractor to verify location of existing utilities prior to commencing work.
10. The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

PILE DRIVING:

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

PILE NOTES:

1. Wood piles to be 2.5 lb. CCA treated in accordance with AWWPA standard C18.
2. Wood piles shall be a minimum diameter of 10". Miami Dade County requires minimum diameter of 12".

WOOD DOCK NOTES:

1. All materials to be pressure treated pine unless otherwise noted.
2. All frame work materials to be Southern Pine Grade #1
3. All Decking materials to be grade #1 unless otherwise noted.
4. All hardware to be Stainless Steel or Galvanized unless otherwise noted.



PREPARED FOR:		Sheet 5 of 5	Project:	Edward A Landers PE Inc PE License # 038398 7650 NW 146 Street #509 Miami Lakes, Florida 33076 (305) 823-3938
MAX MARINE CONSTRUCTION INC 1323 N 31st ROAD HOLLYWOOD, FL 33021 (305) 785-8682				
			Proposed Dock & Boat Lift Alex & Alla Ayzen 19571 NE 37 Ave Aventura, Florida 33180	

Attachment G:
Army Corps of Engineers Permit



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32232-0019

April 21, 2022

Regulatory Division
South Permits Branch
Miami Permits Section
SAJ-2016-03415 (GP-LOB)

Alexander Ayzen
19571 NE 37 Ave
Aventura, FL 33180
Sent via email: aayzena@gmail.com

Mr. Ayzen:

The U.S. Army Corps of Engineers (Corps) has completed the review of your application for a Department of the Army permit, which the Corps received on February 10, 2022. Your application was assigned file number SAJ-2016-03415. A review of the information and drawings provided indicates that the proposed work would result in the following components: install 5-foot wide x 20.75-foot long marginal dock (103.75-square-feet) supported by (3) 12-inch diameter wood piles (3-square-feet) and install new 20K lb. capacity Neptune Boatlift (119.04-square-feet). Turbidity curtains will be present during all stages of work. The project would affect waters of the United States associated with Intracoastal Waterway. The project site is located at 19571 NE 37 Ave Section 02, Township 52 South, Range 42 East, in Aventura, Florida 33180 (Folio # 28-2202-025-0070) (Latitude: 25.956744°; Longitude: -80.125830°).

The project, as depicted on the attached drawings, is authorized by Regional General Permit (RGP) SAJ-20 and its subsequent modifications, if applicable. **This RGP authorization is valid until 27 March 2023.** Please access the Corps' Jacksonville District Regulatory Division Source Book webpage to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is: <http://www.saj.usace.army.mil/Missions/Regulatory.aspx>. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Once there select "Source Book"; and, then select "General Permits." Then you will need to select the specific SAJ permit noted above.

You must comply with ALL the RGP general, special, and/or regional Conditions, attached and/or incorporated by reference, and the Project Specific Special Conditions and General Conditions, listed below, or you may be subject to enforcement action.

Project Specific Special Conditions:

The following project specific special conditions are included with this verification:

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:

- a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

- b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

The Permittee shall reference this permit number, **SAJ-2016-03415** (GP-LOB), on all submittals.

2. **Self-Certification:** Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached “Self-Certification Statement of Compliance” form (Attached) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the “Self-Certification Statement of Compliance” form. The description of any deviations on the “Self-Certification Statement of Compliance” form does not constitute approval of any deviations by the Corps.
3. **Commencement Notice:** Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed “Commencement Notification” Form (Attached).
4. **Assurance Of Navigation And Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
5. **Manatee Conditions:** The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attached).

6. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend to within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all suspended and erodible materials have been stabilized. Turbidity barriers shall be removed upon stabilization of the work area.
7. **Posting of Permit:** The Permittee shall have available and maintain for review a copy of this permit and approved plans at the construction site.
8. **Agency Changes/Approvals:** Should any other agency require and/or approve changes to the work authorized or obligated by this permit, the Permittee is advised a re-verification to this permit instrument is required prior to initiation of those changes. It is the Permittee's responsibility to request a re-verification of this permit from the Miami Permits Section. The Corps reserves the right to fully evaluate, amend, and approve or deny the request for re-verification of this permit.

Prior to the initiation of any construction, projects qualifying for this DA permit must qualify for an exemption under section 403.813(1), Florida Statutes or 373.406, Florida Statutes, or otherwise be authorized by the applicable permit required under Part IV of Chapter 373, Florida Statutes, by the Department of Environmental Protection, a water management district under section 373.069, Florida Statutes, or a local government with delegated authority under section 373.441, Florida Statutes, and receive Water Quality Certification and applicable Coastal Zone Consistency Concurrence or waiver thereto, as well as any authorizations required for the use of state-owned submerged lands under Chapter 253, Florida Statutes, and, as applicable, Chapter 258, Florida Statutes. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

The permit instruments for the RGP's include the applicable permit conditions for WQC and CZCC; therefore, it is not necessary to add any additional conditions pertaining to WQC or CZCC to verification letters.

9. **Historic Properties:**

- a. No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.
- b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were

not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition ; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

10. **Project Drawings:** The project must be completed in accordance with the enclosed construction drawings (pages 1-6), date-stamped by the U.S. Army Corps of Engineers (Corps) on April 21, 2022, and the general and special conditions which are incorporated in, and made a part of, the permit.

11. **Jacksonville District Programmatic Biological Opinion (JAXBO), November 2017, Project Design Criteria (PDCs):** Structures authorized under this permit must comply with all applicable PDCs, based on the permitted activity, as required by JAXBO. Please note that failure to comply with the

applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take, and noncompliance with this permit. The NMFS is the appropriate authority to enforce the terms and conditions of JAXBO. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division internet webpage in the Endangered Species section of the Sourcebook located at:

<http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>

Note - JAXBO may be subject to revision at any time. The most recent version of these conditions must be utilized during the design and construction of the permitted work. In accordance with the Endangered Species Act, and for those projects which do not comply with JAXBO, the Corps will seek individual consultation with the NMFS.

Note - some authorized activities may deviate from the PDCs. In cases, where the activity (i.e., structure dimensions, length, etc.) deviates from the PDCs, the permit drawings shall supersede the PDCs.

For each of the following authorized activities subject of this permit, the permittee shall adhere to the following PDCs, which are attached to, and made part of, this authorization/verification letter:

Activity 2 - Pile-supported Structures and Anchored Buoys: (AP.1-14; A2.1-16; S.1; S.2; S.4)

12. **PROTECTED SPECIES CONSTRUCTION CONDITIONS:** The Permittee agrees to abide by the enclosed standard construction conditions designed to protect species under the jurisdiction of NOAA Fisheries Southeast Regional Office (SERO) Protected Resources Division (PRD).

https://media.fisheries.noaa.gov/202106/Protected_Species_Construction_Conditions_1.pdf

General Conditions (33 CFR PART 320-330):

1. The time for limit NW completing the work authorized ends on **27 March 2023.**
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit you must obtain the signature of the new owner on the transfer form attached to this letter and forward a copy to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

This letter of authorization does not preclude the necessity to obtain any other Federal, State, or local permits, which may be required.

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Should you have any questions related to this verification letter or have issues accessing the documents reference in this letter, please contact Luis O. Betancourt at

the letterhead address above, via telephone at (305) 779-6051, or via e-mail at luis.o.betancourt@usace.army.mil.

Sincerely,

Luis O. Betancourt
Project Manager

Enclosures
General Conditions
Self-Certification Statement of Compliance
Permit Transfer Request
Site Plans dated by the Corps on 21 April 2022
FWS Standard Manatee Conditions for In-Water Work (2011)
JaxBO PDCs for Activity 2
Protected Species Construction Conditions

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

DA PERMIT NUMBER: SAJ-2016-03415 (GP-LOB)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019 or submit via electronic mail to: SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

*Within sixty (60) days of completion of the authorized work, submit this form via electronic mail to saj-rd-enforcement@usace.army.mil (preferred, not to exceed 15MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

1. **Department of the Army Permit Number:** SAJ-2016-03415 (GP-LOB)

2. **Permittee Information:** Name: _____

Email: _____

Address: _____

Phone: _____

3. **Date Authorized Work Started:** _____ **Completed:** _____

4. **Contact to Schedule Inspection:** Name: _____

Email: _____

Phone: _____

5. **Description of Authorized Work (e.g. bank stabilization, fill placed within wetlands, docks, dredging, etc.):** _____

6. **Acreage or Square Feet of Impacts to Waters of the United States:** _____

7. **Describe Mitigation completed (if applicable):** _____

8. **Describe any Deviations from Permit (attach drawing(s) depicting the deviations):**

I certify that all work and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Printed Name of Permittee; Date

COMMENCEMENT NOTIFICATION

*Within ten (10) days of initiating the authorized work, submit this form via electronic mail to saj-rd-enforcement@usace.army.mil (preferred, not to exceed 15 MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

1. Department of the Army Permit Number: SAJ-2016-03415 (GP-LOB)

2. Permittee Information:

Name: _____

Email: _____

Address: _____

Phone: _____

3. Construction Start Date: _____

4. Contact to Schedule Inspection:

Name: _____

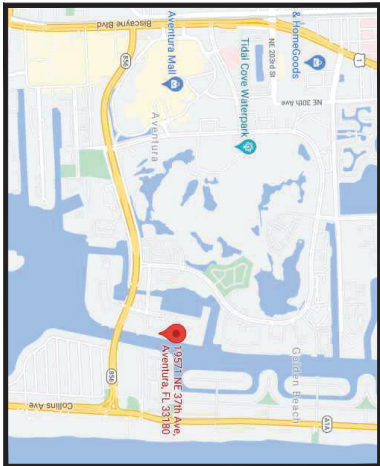
Email: _____

Phone: _____

Signature of Permittee

Printed Name of Permittee

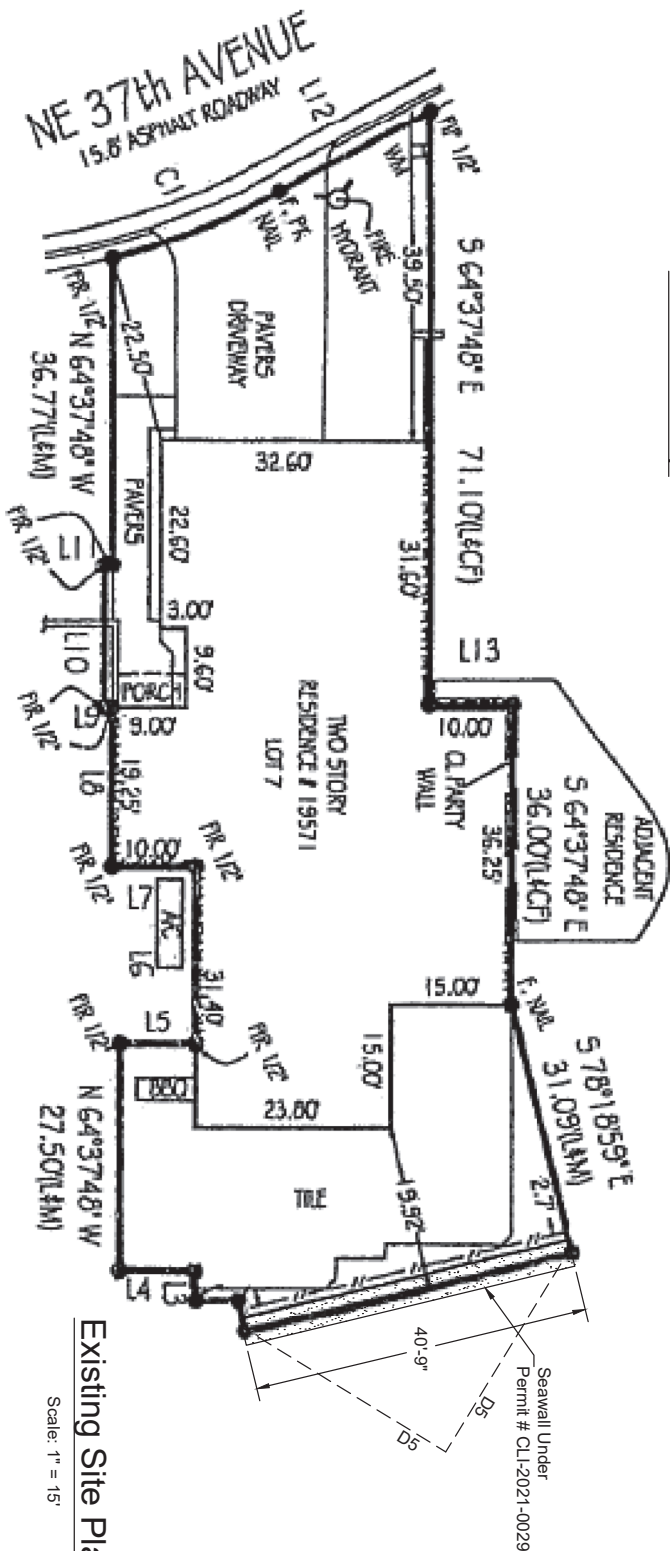
Date



Location Map

FULL LEGAL DESCRIPTION 3	
AVENTURA 9TH ADDN	
PR 13S-86	
LOT 7	
LOT SIZE 5688 SQ FT	
& INT IN COMMON AREA	
F&U 30-2202-025-0070	
OR 210323-3807 0503 1	

See attached survey supplied by owner for exact property information.



INTRACOSTAL WATER WAY

Existing Site Plan

Scale: 1" = 15'

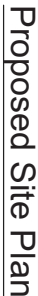
Sheet 1 of 5

PREPARED FOR
MAX MARINE CONSTRUCTION INC
1323 N 31st ROAD
HOLLYWOOD, FL 33021
(305) 785-8682

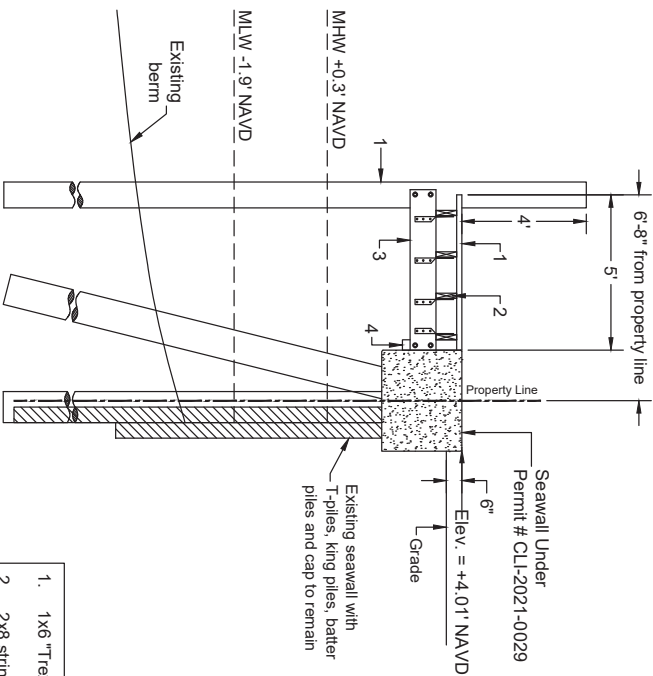
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Alex & Alla Ayzen
19571 NE 37 Ave
Aventura, Florida 33180

Edward A Landers PE Inc
PE License # 038398
7850 NW 146 Street #509
Miami Lakes, Florida 33016
(305) 823-3938

INTRACOSTAL WATER WAY



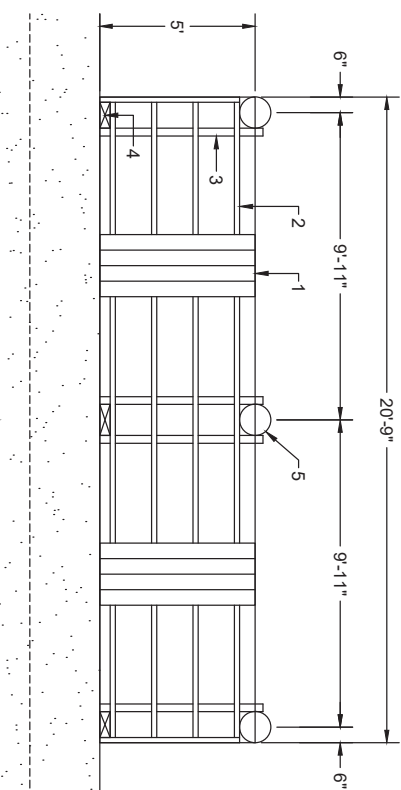
Edward A Landers P.E. Inc
PE License # 038398
7850 NW 146 Street #509
Miami Lakes, Florida 33016
(305) 823-3938



Dock Section

Scale 1/4" = 1'-0"

1. 1x6 "Trex" decking with (2) #10x3" s.s. wood screws per stringer
2. 2x8 stringers @ 16" max. spacing with Simpson hurricane strap H2.5A (FL 10456) with (5) 8d nails each leg into substringers.
3. 3x10 substringer with (2) $\frac{5}{8}$ "Ø thru bolts into wood dock piles and (2) $\frac{5}{8}$ "Ø lag bolts into drop hanger (minimum embedment = 4")
4. 4x12 drop hanger with (2) $\frac{5}{8}$ "Ø wedge anchors into new seawall cap (min. embedment = 5")
5. New 12"Ø wood piles



Framing Plan

Scale 1/4" = 1'-0"

PREPARED FOR:
MAX MARINE CONSTRUCTION INC
1323 N 31st ROAD
HOLLYWOOD, FL 33021
(305) 785-8682

Project:
Proposed Dock & Boat Lift
Alex & Alla Ayzen
19571 NE 37 Ave
Aventura, Florida 33180

Edward A Landers PE Inc
PE License # 038398
7650 NW 146 Street #509
Miami Lakes, Florida 33016
(305) 8235358



Load Perpendicular To Grain (Substringers)

Load Parallel To Grain (Piles)

Load Parallel To Grain (Drop Hanger)

(Tables 12.5.1A, 12.5.1B, 12.5.1C)



GENERAL NOTES:

1. Construction to follow the Florida Building Code 7th Edition (2020) and amendments as applicable and all Local, State and Federal Laws.
2. Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
3. Do not scale drawings for dimensions.
4. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
5. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
6. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
9. Licensed Contractor to verify location of existing utilities prior to commencing work.
10. The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

PILE DRIVING:

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

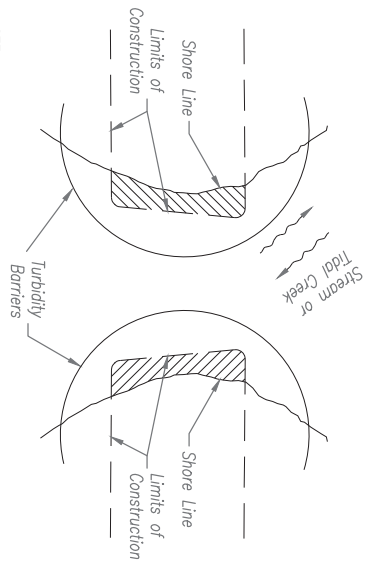
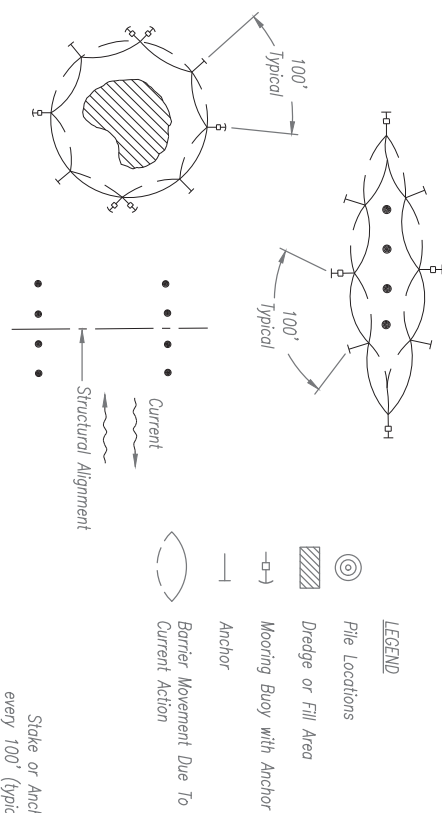
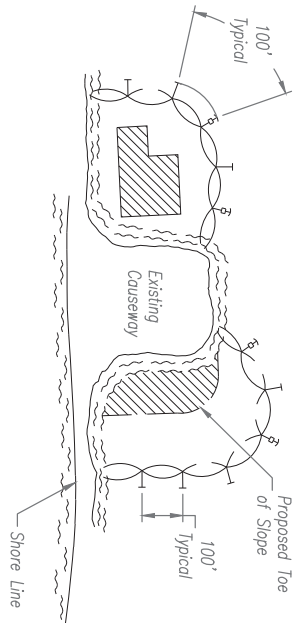
PILE NOTES:

1. Wood piles to be 2.5 lb. CCA treated in accordance with AWPFA standard C18.
2. Wood piles shall be a minimum diameter of 10". Miami Dade County requires minimum diameter of 12".

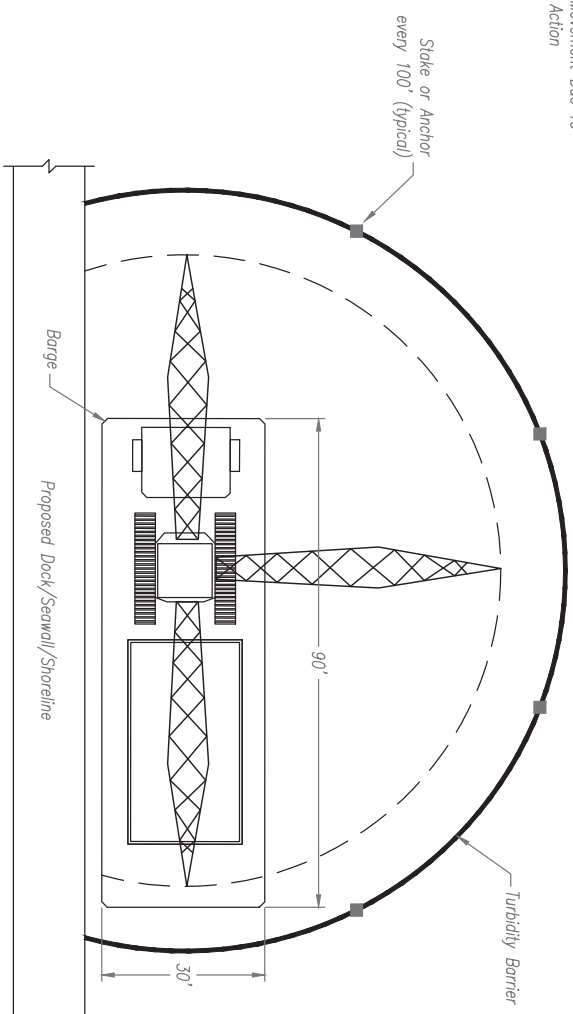
WOOD DOCK NOTES:

1. All materials to be pressure treated pine unless otherwise noted.
2. All frame work materials to be Southern Pine Grade #1
3. All Decking materials to be grade #1 unless otherwise noted.
4. All hardware to be Stainless Steel or Galvanized unless otherwise noted.

Sheet 5 of 5	
PREPARED FOR: MAX MARINE CONSTRUCTION INC 1323 N 31st ROAD HOLLYWOOD, FL 33021 (305) 785-8682	Project: Proposed Dock & Boat Lift Alex & Alla Ayzen 19571 NE 37 Ave Aventura, Florida 33180
Edward A Landers PE Inc PE License # 038398 7650 NW 146 Street #509 Miami Lakes, Florida 33076 (305) 8253589	



NOTE:
Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractor's option unless otherwise specified in the plans, however payment will be under the pay item(s) established in the plans for Floating Turbidity Barrier and/or Staked Turbidity Barrier. Posts in staked turbidity barriers to be installed in vertical position unless otherwise directed by the Engineer of Record.



- NOTES:**
1. Turbidity barriers are to be used in all permanent bodies of water regardless of water depth.
 2. Number and spacing of anchors dependent on current velocities.
 3. Deployment of barrier around pile locations may vary to accommodate construction operations.
 4. Navigation may require segmenting barrier during construction operations.
 5. For additional information see Section 104 of the Standard Specifications.

TURBIDITY BARRIER APPLICATIONS



PROTECTED SPECIES CONSTRUCTION CONDITIONS, NOAA FISHERIES SOUTHEAST REGIONAL OFFICE

The action agency and any permittee shall comply with the following construction conditions for protected species under the jurisdiction of NOAA Fisheries Southeast Regional Office (SERO) Protected Resources Division (PRD):¹

Protected Species Sightings—The action agency and any permittee shall ensure that all personnel associated with the project are instructed about the potential presence of species protected under the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA). All on-site project personnel are responsible for observing water-related activities for the presence of protected species. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing listed species and all marine mammals. To determine which protected species and critical habitat may be found in the transit area, please review the relevant [marine mammal](https://www.fisheries.noaa.gov/find-species) and [ESA-listed species](https://www.fisheries.noaa.gov/find-species) at Find A Species (<https://www.fisheries.noaa.gov/find-species>) and the consultation documents that have been completed for the project.

1. **Equipment**—Turbidity curtains, if used, shall be made of material in which protected species cannot become entangled and be regularly monitored to avoid protected species entrapment. All turbidity curtains and other in-water equipment shall be properly secured with materials that reduce the risk of protected species entanglement and entrapment.
 - a. In-water lines (rope, chain, and cable, including the lines to secure turbidity curtains) shall be stiff, taut, and non-looping. Examples of such lines are heavy metal chains or heavy cables that do not readily loop and tangle. Flexible in-water lines, such as nylon rope or any lines that could loop or tangle, shall be enclosed in a plastic or rubber sleeve/tube to add rigidity and prevent the line from looping and tangling. In all instances, no excess line shall be allowed in the water. All anchoring shall be in areas free from hardbottom and seagrass.
 - b. Turbidity curtains and other in-water equipment shall be placed in a manner that does not entrap protected species within the project area and minimizes the extent and duration of their exclusion from the project area.
 - c. Turbidity barriers shall be positioned in a way that minimizes the extent and duration of protected species exclusion from important habitat (e.g. critical habitat, hardbottom, seagrass) in the project area.
2. **Operations**—For construction work that is generally stationary (e.g., barge-mounted equipment dredging a berth or section of river, or shore-based equipment extending into the water):
 - a. Operations of moving equipment shall cease if a protected species is observed within 150 feet of operations.

¹ Manatees are managed under the jurisdiction of the U.S. Fish and Wildlife Service.

- b. Activities shall not resume until the protected species has departed the project area of its own volition (e.g., species was observed departing or 20 minutes have passed since the animal was last seen in the area).
3. **Vessels**—For projects requiring vessels, the action agency, and any permittee shall ensure conditions in the [Vessel Strike Avoidance Measures](#) are implemented as part of the project/permit issuance (<https://www.fisheries.noaa.gov/southeast/consultations/regulations-policies-and-guidance>).
4. **Consultation Reporting Requirements**—Any interaction with a protected species shall be reported immediately to NOAA Fisheries SERO PRD and the local authorized stranding/rescue organization.

To report to NOAA Fisheries SERO PRD, send an email to takereport.nmfsser@noaa.gov. Please include the species involved, the circumstances of the interaction, the fate and disposition of the species involved, photos (if available), and contact information for the person who can provide additional details if requested. Please include the project's Environmental Consultation Organizer (ECO) number and project title in the subject line of email reports.

To report the interaction to the local stranding/rescue organization, please see the following website for the most up to date information for reporting sick, injured, or dead protected species:

Reporting Violations—To report an ESA or MMPA violation, call the NOAA Fisheries Enforcement Hotline. This hotline is available 24 hours a day, 7 days week for anyone in the United States.

NOAA Fisheries Enforcement Hotline (800) 853-1964

5. **Additional Conditions**—Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the project consultation and must also be complied with.

For additional information, please contact NOAA Fisheries SERO PRD at:

NOAA Fisheries Service
Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701
Tel: (727) 824-5312

Visit us on the web at [Protected Marine Life in the Southeast](#)
(<https://www.fisheries.noaa.gov/region/southeast#protected-marine-life>)

Revised: May 2021

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC

Attachment H

Section D-5 of the Miami-Dade County Public Works Manual

SECTION D-5

COASTAL AND OTHER WATERFRONT CONSTRUCTION

A PORTION OF

PART 2 - PUBLIC WORKS MANUAL

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 unincorporated 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

Section D5 - Costal and Other Waterfront Construction

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.

Section D5 - Coastal and Other Waterfront Construction

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.

Section D5 - Coastal and Other Waterfront Construction

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.

Section D5 - Coastal and Other Waterfront Construction

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 Usage
- 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.

Section D5 - Coastal and Other Waterfront Construction

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 D6 of this manual.

Section D5 - Coastal and Other Waterfront Construction

D5.04 MATERIALS

1. FILES

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 - Coastal 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 2504.3 of the South Florida Building Code. The use of special large size 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 AASHO 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 - Coastal and Other Waterfront Construction

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

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 - Coastal 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

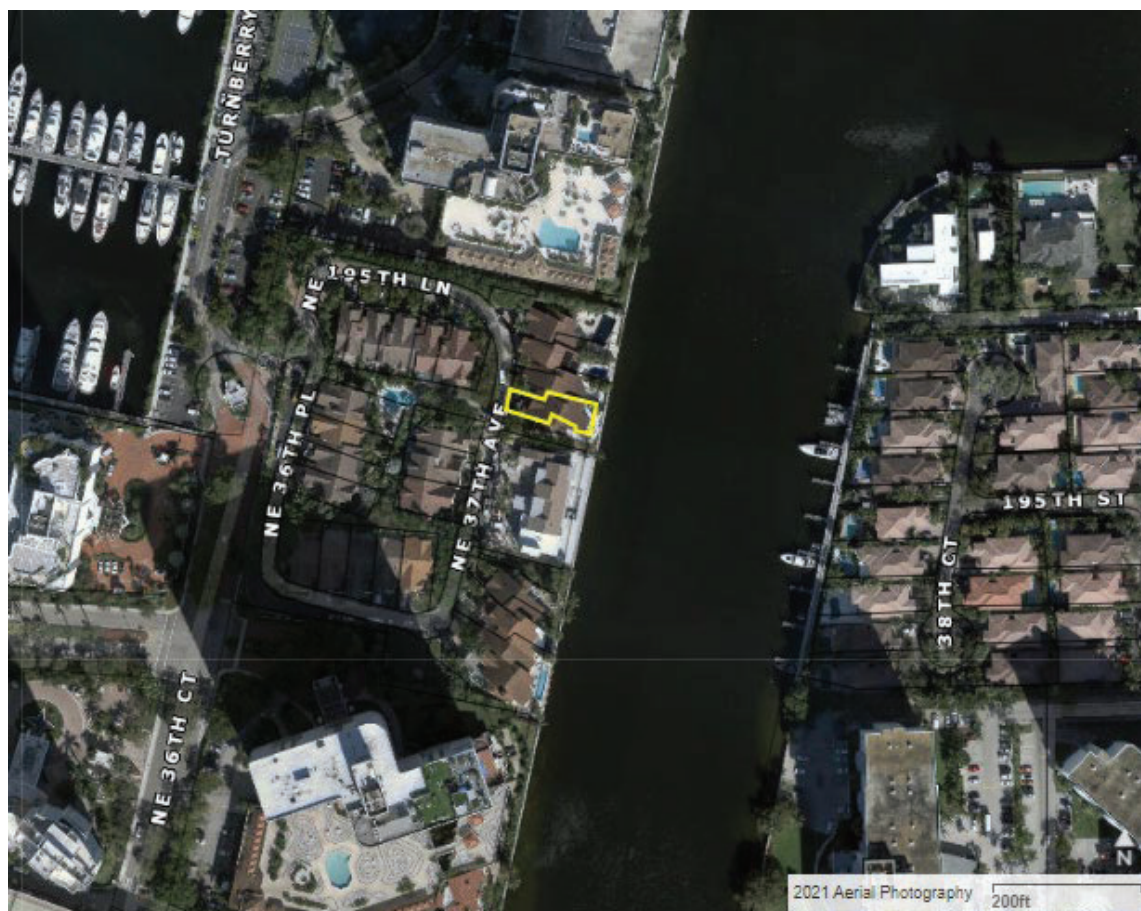
D5.10 MAINTENANCE

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 I
Aerial of Property

Attachment I: Aerial of Property

19571 Northeast 37th Avenue, Aventura, Florida 33180



Source: Miami-Dade County Property Appraiser



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 6, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(L)(1)

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. 8(L)(1)
10-6-22

RESOLUTION NO. _____ R-933-22

RESOLUTION TAKING ACTION ON A CLASS I PERMIT APPLICATION BY ALEXANDER AYZEN FOR THE INSTALLATION OF A MARGINAL DOCK AND BOATLIFT LOCATED AT 19571 NORTHEAST 37 AVENUE, IN THE CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA

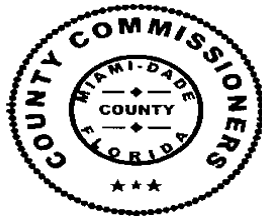
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

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 Alexander Ayzen for the installation of a marginal dock and boatlift at 19571 Northeast 37 Avenue, Aventura, 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 **Sally A. Heyman** , who moved its adoption. The motion was seconded by Commissioner **Keon Hardemon** and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	absent		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Kionne L. McGhee	aye
Jean Monestime	aye	Raquel A. Regalado	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	aye

The Chairperson thereupon declared this resolution duly passed and adopted this 6th day of October, 2022. 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: Basia Pruna
Deputy Clerk

Approved by County Attorney
as to form and legal sufficiency.

CJW

Christopher J. Wahl