

ITEM VII

MEMORANDUM MF NO. 13-12

DATE: April 18, 2013
TO: Marine Advisory Board
FROM: Andrew Cuba, Manager of Marine Facilities
RE: May 2, 2013 MAB - Dock Waiver of Distance Limitations/Sec. 47-19.3 D.
–Gilles Blondeau / Multimo LLC / 3012 NE 20 CT

Attached for your review is an application from Mr. Gilles Blondeau / Multimo LLC (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

On February 7, 2013, the Applicant received a recommendation of approval from the Marine Advisory Board (MAB) for an after the fact waiver for two (2) triple pile clusters adjacent to a marginal dock, extending a maximum of 45' from the property line into the Lake Crevalle Waterway. At the March 19, 2013 City Commission meeting, staff was directed to bring this item back to the April 16, 2013 City Commission meeting due to concerns regarding the represented location of the mooring cluster piles and the extraordinary circumstances requiring the waiver. The Applicant notified the Commission that they would not be prepared to present at the April 16th meeting, and the item was deferred to the June 4, 2013 City Commission Meeting.

Subsequently, the Applicant has removed the pilings, and has requested MAB review of their proposed plan prior to the June 4, 2013 City Commission meeting. The application is no longer an after the fact approval request, and proposes the installation of two (2) triple pile mooring clusters extending a maximum of 44.2 feet south of the Applicant's property line.

The distances these structures extend from the property line into the waterway are shown in the marine survey within **Exhibit 1** and summarized in Table 1 below:

TABLE 1

LOCATIONS OF STRUCTURES FROM EAST TO WEST	SURVEYED DISTANCE OF PROPOSED STRUCTURES	PERMITTED DISTANCE WITHOUT WAIVER	AMOUNT OF DISTANCE REQUIRING WAIVER
MOORING PILE #1	44.2'	25'	19.2'
MOORING PILE #2	43.4'	25'	18.4'

The City's Unified Land and Development Regulations (UDLR), Section 47-19.3.D. limits the maximum distance of dolphin or mooring pilings to 30% of the width of the waterway, or 25', whichever is less. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has indicated that these additional piles are necessary for safely mooring vessels due to:

- The damaging effects of the excessive wake in this section of the ICW
- The need to keep the vessel off of the dock during prevailing winds and severe weather
- The extraordinary width of the Lake Crevalle Waterway

PROPERTY LOCATION AND ZONING

The property is located within the RS-8 Zoning District. It is situated on the south eastern shoreline where the overall average width between property lines from shoreline to shoreline is approximately +/- 200', according to the survey provided in **Exhibit 1**. The distance from the outermost existing piling clusters to the 30% line of Lake Crevalle is approximately 15.9 feet.

RECOMMENDATIONS

Should the Marine Advisory consider approval of the application, the Resolution under consideration for approval by the City Commission should include at least the following as prescribed in the ULDR and City Code of Ordinances:

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers.
2. As a general condition of approval and in order to review for final consistency with construction of facilities in accord with this application and City building permits the applicant is required to provide the City's Supervisor of Marine Facilities with copies of "As Built" drawings from a certified and licensed contractor.
3. The applicant is required to install and affix reflector tape to the cluster pilings in accord with Section 47.19.3.E of the Unified Land and Development Regulations (ULDR).
4. Per the recommendation of the Marine Advisory Board at its meeting on February 7, 2013, the Applicant is required to install a 5" wide strip of reflector tape 3 to 5 ' above the high water mark.

AC
Attachment

cc: Cate McCaffrey, Deputy Director of Parks and Recreation
Jon Luscomb, Supervisor of Marine Facilities