



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#26-0094

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Rickelle Williams, City Manager

DATE: March 19, 2026

TITLE: Public Hearing – Quasi-Judicial Hearing to Consider a Resolution for a Waiver of Limitations at 736 NE 20 Avenue for Two (2) Triple Mooring Pile Clusters Extending 60' +/- and Three (3) Triple Pile Clusters Extending a Maximum Distance of 120' +/- as Measured from the Property Line into the Adjacent Waters of the Middle River - **(Commission District 2)**

Recommendation

Staff recommends the City Commission consider adopting a resolution associated with a waiver of limitations application at 736 NE 20 Avenue for five (5) triple mooring pile clusters at 736 NE 20 Avenue.

Background

The Unified Land Development Regulations (ULDR) Section 47-19.3(d) limits the maximum distance of mooring piles to thirty percent (30%) of the width of the waterway, or twenty-five feet (25'), whichever is less, as measured from the property line. ULDR Section 47-19.3(e) authorizes the City Commission to waive the limitation based upon a finding of extraordinary circumstances.

The applicant is seeking a resolution granting a Waiver of Limitations (a waiver to allow mooring piles to extend beyond the maximum distance as defined by the Code of Ordinances of the City of Fort Lauderdale, Florida) of Section 47-19.3(d) of the ULDR for two (2) triple mooring pile clusters extending 60' +/- and three (3) triple mooring pile clusters extending a maximum distance of 120' +/- measured from the property line into the adjacent waters of the Middle River.

The applicant's Summary Description (Exhibit 1) specifies that the extra distance for these mooring pile clusters is necessary to safely moor vessels at the site, especially during severe weather. In addition, the Summary Description noted that the mooring piles are consistent with other granted waivers in this area, which is on a wide body of water.

Other than the required \$1,500 application fee, there is no fee associated with obtaining a Waiver of Limitations.

The Marine Advisory Board (MAB) recommended denial of the application by a vote of eight to seven (8-7) at the November 6, 2025, MAB meeting. Concerns were expressed regarding the applicant's prior commercial usage at the site, as it is in a residential zoning district (Exhibit 3).

At the February 5, 2026, MAB meeting, the meeting agenda included a motion to reconsider the previous action by the MAB regarding the 736 NE 20 Avenue Waiver of Limitation application. The agenda item provided an opportunity for the MAB to reconsider the item given the split vote eight to seven (8-7) on November 6, 2025. When the MAB undertook consideration of the motion to reconsider it was brought to their attention that it had previously recommended denial on the basis that it was feared that the boat slips would be used for dock rentals. Dock rentals are prohibited in this residential area (RS-8). During the discussion, City Attorney Office staff explained that the standard approval resolution had clauses to the effect that (a) use of the boat slips shall be limited to the owner in possession or tenant in possession of the upland single-family residence and (b) violation of any of the foregoing conditions is unlawful and constitutes a violation of the City's ULDR and may result in revocation of this resolution by the City Commission. Conditions (a) and (b) provided a potential pathway under a motion to reconsider for the MAB to recommend approval instead of recommending denial. After that explanation, the MAB was informed that there were no changes to the underlying facts presented to the MAB in November 2025. The motion to reconsider failed for a lack of a second.

City staff provided a public notice for waiver of limitation applications to the immediate area. For this waiver of limitation application, the notice included information of what was being proposed which was two (2) triple pile clusters sixty feet (60') into the waterway and a second set of three (3) triple pile clusters one hundred twenty feet (120') into the waterway. These notices were sent to property owners within three hundred feet (300') of the property applying for the waiver. There was one (1) response in opposition to the application.

During the November 6, 2025, MAB meeting, one (1) private citizen stated that he was a resident of the subject area. He expressed concern that the intent of the property owner was to circumvent zoning regulations, and that granting the waiver would allow commercial docking within the neighborhood. The applicant's representative confirmed that the property owner does not rent out his docks and that the property owner currently owns a ninety-eight-foot (98') yacht and has owned multiple boats over the years.

The Applicant's representative further asserted that the property's docks will be limited to personal use, acknowledged that commercial rental of dock space is a concern for the MAB, and reiterated that the owner has recently purchased a ninety-eight-foot (98') yacht and plans to dock it at the property. City staff recalled that there was a previous concern in 2019 that chartering was taking place at the subject location. A waiver request had come before the MAB and was recommended to the City Commission for approval, as there were no navigational concerns. Subsequently, when the request was presented to the City Commission, a neighbor provided evidence that a vessel at the location had been or was advertised for chartering. The MAB had not been aware of this circumstance. The

City Commission ultimately denied the 2019 request. It was further clarified that the property has the same owner as in 2019 when the previous case occurred. The MAB chair commented that if residents believe illegal activity is occurring at a property, they are asked to notify Code Compliance and added that MAB has no reason to believe the Applicant's presentation is inaccurate.

City staff reviewed vessel-specific code enforcement data related to this property:

- February 2021 - an unfounded complaint of a liveaboard;
- December 2021 – an unfounded complaint of too many boats at the property; and
- January 2022 – an unfounded complaint of a liveaboard.

The City staff position is that the waiver of limitations application meets the requirements of the ULDR. To mitigate the concerns of the MAB and as incorporated in prior waiver of limitations resolutions, the following clauses have been incorporated into the approval resolution (Exhibit 5):

- Use of the boat slips shall be limited to the owner in possession or tenant in possession of the upland single-family residence; and
- Violation of any of the foregoing conditions is unlawful and constitutes a violation of the City's ULDR and may result in revocation of this resolution by the City Commission.

City staff recommend that the City Commission consider adopting a resolution to approve or deny the waiver of limitations application.

Resource Impact

Revenue related to the application fee is included in the Fiscal Year (FY) 2026 Operating Budget in the account listed below.

<i>Funds available as of February 10, 2026</i>					
ACCOUNT NUMBER	COST CENTER NAME (Program)	ACCOUNT/ACTIVITY NAME	AMENDED BUDGET (Character)	AMOUNT RECEIVED (Character)	AMOUNT
10-111-6201-575-347-200-PKR189	Marine Facilities Administration	Service Charge – Parks and Recreation / Private Dock Fees	\$15,000	\$0	\$1,500
				TOTAL AMOUNT ►	\$1,500

Strategic Connections

This is a 2026 Commission Priority, advancing Public Spaces and Cultural initiatives.

This item supports the 2029 Strategic Plan, specifically advancing:

- The Public Places Focus Area, Goal 5: Build a beautiful and welcoming community.

This item advances the Fast Forward Fort Lauderdale 2035 Vision Plan: We are Here.

This item supports the Advance Fort Lauderdale 2040 Comprehensive Place specifically advancing:

- The Public Places Focus Area
- The Parks, Recreation & Open Spaces Area
- Goal 2: Be a community with high quality parks and recreational facilities that highlight the character of our city.

Attachments

Exhibit 1 – Application

Exhibit 2 – Code Sec. 47-19.3

Exhibit 3 – November 6, 2025, Marine Advisory Board Minutes

Exhibit 4 – February 5, 2026, Marine Advisory Board Draft Minutes

Exhibit 5 – Approval Resolution

Exhibit 6 – Denial Resolution

Prepared by: Carolyn Bean, Assistant to the Director, Parks and Recreation

Department Director: Carl Williams, Parks and Recreation