

RESOLUTION NO. 13-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 47-19.3.E. OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE GRANTING A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.C. TO ALLOW HANK HURY AND DR. JAMES CROSS TO CONSTRUCT AND MAINTAIN A FOUR (4) POST BOATLIFT EXTENDING A MAXIMUM OF 39.3 FEET FROM THE APPLICANT'S PLATTED PROPERTY LINE INTO THE WATERS OF THE INTRACOASTAL WATERWAY, SUCH PROPERTY BEING LOCATED AT 209 BIRCH ROAD AND MORE PARTICULARLY DESCRIBED BELOW; SUBJECT TO CERTAIN TERMS AND CONDITIONS; REPEALING ANY AND ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, Hank Hury and Dr. James Cross (hereinafter "Applicant") own the following described Property located in the City of Fort Lauderdale, Broward County, Florida:

Unit 1202, ALHAMBRA PLACE CONDOMINIUM, a Condominium, together with an undivided interest in the common elements, according to the Declaration of Condominium thereof, dated July 19, 2001 recorded on August 13, 2001, in O.R. Book 31973, Page 698, Public Records of Broward County, Florida; and Amendment dated August 14, 2001, recorded on August 15, 2001, O.R. Book 31985, Page 661; and Amendment dated September 24, 2001, recorded on October 3, 2001, O.R. Book 32190, Page 1166; and Amendment dated February 10, 2004, recorded on February 26, 2004, in O.R. Book 36967, Page 928; and Amendment dated December 11, 2004, recorded on January 7, 2005, in O.R. Book 38840, Page 25; and thereafter as the same may be amended, Public Records of Broward County, Florida.

Street Address: 209 Birch Road, #1202  
Fort Lauderdale, FL 33304

(hereinafter "Property")

WHEREAS, Applicant is requesting approval for installation of a four-post boatlift to extend a maximum of 39.3' from the property line into the Intracoastal Waterway; and

WHEREAS, the City's Marine Advisory Board on April 4, 2013 reviewed the application for dock waiver filed by Applicant and voted unanimously to approve this application;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That pursuant to the provisions of ULDR Section 47-19.3.E. of the Code of Ordinances of the City of Fort Lauderdale, the City Commission hereby grants a waiver of the limitations of ULDR Section 47-19.3.C., to allow Applicant to construct a four-post boatlift, extending a maximum of 39.3' from the property line into the Intracoastal Waterway, such distances being more specifically set forth in the Table of Distances set forth below:

**TABLE OF DISTANCES**

<b>PROPOSED STRUCTURES</b>	<b>STRUCTURE DISTANCE FROM PROPERTY LINE</b>	<b>PERMITTED DISTANCE WITHOUT WAIVER</b>	<b>DISTANCE REQUIRING WAIVER</b>
<b>Four Post Boatlift</b>	<b>39.3'</b>	<b>25'</b>	<b>14.3'</b>

SECTION 2. That the above waiver is subject to the following additional conditions to be performed by the Applicant:

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. The Applicant is required to provide guide poles on any portion of the mooring device that is capable of being submerged in accord with Code Section 8-91(d).

3. 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.
4. The Applicant is required to install and affix reflector tape to the boatlift pilings in accord with Section 47-19.3E of the Unified Land and Development Regulations (ULDR).

SECTION 3. That all Resolutions or parts of Resolutions in conflict with this Resolution are hereby repealed.

SECTION 4. That this Resolution shall be in full force and effect upon and after its final passage.

ADOPTED this the 7th day of May, 2013.

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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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City Clerk  
JONDA K. JOSEPH