



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

#13-0887

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

FROM: Lee Feldman, ICMA-CM, City Manager

DATE: June 18, 2013

TITLE: Quasi Judicial/Public Hearing/Resolution granting a Waiver of Limitations
for Multimo, LLC at 3012 NE 20 Court via ULDR Sec. 47 -19.3 D & E.

Recommendation

It is recommended that the City Commission adopt a resolution granting a Waiver of Limitations for two proposed triple-pile mooring clusters at 3012 NE 20 Court. A Code complaint regarding these mooring pilings resulted in this Waiver application; the contractor, without permits, installed the pilings. The piling clusters have since been removed.

Background

The applicant is seeking a resolution granting approval for the installation of two triple-pile mooring clusters at 3012 NE 20 Court. The location is situated on the south eastern shoreline where the width of the waterway, as measured on the face of the Plat, is 200 feet and as further referenced on the Marine Survey provided in Exhibit 1. The applicant's narrative specifies that the additional distance of these piles is necessary for safely mooring vessels due to wave action from boat traffic on the Intracoastal Waterway, especially during high winds and severe weather.

The City's Unified Land and Development Regulations (UDLR), Section 47-19.3.D. (Exhibit 2) limits the maximum distance of dolphin or mooring pilings to 30% of the width of the waterway, or 25 feet, whichever is less. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances.

The Marine Advisory Board (MAB) unanimously approved this request at its meeting on February 7, 2013 (Exhibit 3). At the March 19, 2013 City Commission meeting, staff was directed to bring this item back to the April 16, 2013 Commission meeting due to concerns regarding the represented location of the mooring pile clusters 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

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the item was deferred to the June 4, 2013 Commission meeting. The Applicant brought the revised application before the MAB at their meeting of May 2, 2013, however the MAB abstained from making a motion. The MAB indicated that their February 7th motion recommending approval of the original plan sufficed, as neither the original or revised plan represented navigational concerns. At the June 4, 2013 City Commission meeting, the application was deferred to June 18, 2013. The Applicant was directed by the Commission to provide a revised plan incorporating relocation of the easternmost piling cluster westward, within the angled, projected extension of the property line. In addition, the applicant was directed to provide an engineering certificate justifying the proposed height for the piling clusters. The requested information was obtained and is included in Exhibit 11.

Resource Impact

There is no fiscal impact associated with this action

Attachments

- Exhibit 1 – Original Application (unanimously approved by MAB 2/7/13)
- Exhibit 2 – Code Sec. 47-19.3
- Exhibit 3 – MAB Minutes 2/7/13
- Exhibit 4 – Resolution
- Exhibit 5 – Request for continuance
- Exhibit 6 – Commission Memo 13-100
- Exhibit 7 – Revised Staff Memo
- Exhibit 8 – Revised Application
- Exhibit 9 – MAB Draft Minutes 5/2/13
- Exhibit 10 – Revised Resolution
- Exhibit 11 – Engineer’s Letter
- Exhibit 12 – Site Plan & Piling Drawing
- Exhibit 13 – Third Revised Resolution

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Department Director: Phil Thornburg