

RESOLUTION NO. 25-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 47-19.3(e) OF THE CITY OF FORT LAUDERDALE, FLORIDA UNIFIED LAND DEVELOPMENT REGULATIONS ("ULDR") AND A WAIVER OF LIMITATIONS TO ALLOW A MOORING STRUCTURE TO BE INSTALLED AND USED WITHOUT A PRINCIPAL BUILDING PURSUANT TO SECTION 47-19.3(c) TO PERMIT 500 HENDRICKS LLC, A FLORIDA LIMITED LIABILITY COMPANY, INSTALLATION AND USE OF A 100' +/- LONG X 5' +/- WIDE WOOD MARGINAL AND ASSOCIATED MOORING PILES AT 501 HENDRICKS ISLE ("HENDRICKS WEST"), WITH THE MARGINAL DOCK EXTENDING A MAXIMUM OF 5' +/- INTO THE ADJACENT KAREN CANAL WATERWAY AND THE ASSOCIATED MOORING PILES EXTENDING A MAXIMUM OF 25.0 FEET INTO THE ADJACENT KAREN CANAL WATERWAY, HENDRICKS WEST BEING ASSOCIATED WITH A PRINCIPAL BUILDING UNDER CONSTRUCTION WHICH IS LOCATED AT 500 HENDRICKS ISLE, FORT LAUDERDALE, FLORIDA ("HENDRICKS EAST"), AND MORE PARTICULARLY DESCRIBED BELOW; SUBJECT TO CERTAIN TERMS AND CONDITIONS; REPEALING ANY AND ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 47-19.3(e) of the City of Fort Lauderdale, Florida Unified Land Development Regulations (hereinafter "ULDR") provides that the City Commission may waive the limitations of Sections 47-19.3(c), and/or 47-19.3(d) under extraordinary circumstances; and

WHEREAS, 500 Hendricks LLC, a Florida limited liability company (hereinafter "Applicant") owns the following described properties located in the City of Fort Lauderdale, Broward County, Florida:

HENDRICKS WEST

THAT PART OF THAT CERTAIN PARCEL MARKED "RESERVED" AND LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF N.E. 18TH AVENUE AND BEING OPPOSITE LOTS 22 AND 23 IN BLOCK 4 OF "VICTORIA ISLES," ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGE 67 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BOUNDED ON THE NORTH BY THE PROJECTION WESTERLY OF THE SOUTH LOT LINE OF SAID LOT 23; ON THE SOUTH BY THE PROJECTION WESTERLY OF THE SOUTH LOT LINE OF SAID LOT 22; ON THE EAST BY THE WEST RIGHT-OF-WAY LINE OF N.E. 18TH AVENUE AS THE SAME IS NOW PLATTED, AND ON THE WEST BY THE EASTERLY RIGHT-OF-WAY LINE OF KAREN CANAL.

Exhibit "A" attached

Street Address: 500 Hendricks Isle, Fort Lauderdale, FL 33301

Property ID# 5042 02 19 0960
(hereinafter "Hendricks West")

HENDRICKS EAST

LOT TWENTY-TWO (22), BLOCK FOUR (4), "VICTORIA ISLES," ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGE 63 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

Street Address: 500 Hendricks Isle, Fort Lauderdale, FL 33301

Property ID# 5042 02 19 0870
(Hereinafter, "Hendricks East")

WHEREAS, the Applicant seeks a waiver of limitations for the installation and use of a 100' +/- long X 5' +/- wide wood marginal dock and associated mooring piles on Hendricks West which has no principal building, with the marginal dock extending a maximum of 5' +/- into

the adjacent Karen Canal waterway and the associated mooring piles extending a maximum of 25.0 feet into the adjacent Karen Canal; and

WHEREAS, a seven-unit residential condominium is under construction on Hendricks East; and

WHEREAS, the City's Marine Advisory Board on March 6, 2025, reviewed the application for a dock waiver for lack of a principal building on Hendricks West and voted unanimously to approve with the Applicant stipulating that it was not their intention to allow any live-aboard on Hendricks West;

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

SECTION 1. Pursuant to the provisions of Section 47-19.3(e) of the City of Fort Lauderdale, Florida Unified Land Development Regulations (ULDR), the City Commission, upon a finding of exceptional circumstances pursuant to ULDR Section 47-19.3 (e), hereby grants a waiver of the limitations of ULDR Section 47-19.3(c), to allow a mooring structure to be installed without a principal building on Hendricks West for construction and use of a 100' +/- long X 5' +/- wide wood marginal dock and associated mooring piles with the marginal dock extending a maximum of 5' +/- into the adjacent Karen Canal waterway and the associated mooring piles extending a maximum of 25.0 feet into the adjacent Karen Canal from the Property line for Hendricks West.

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. 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 and verification of all applicable Federal and State permits.

3. Use of the upland condominium residences on Hendricks East and occupation thereof shall be in conformity with the City's ULDR and other applicable municipal, county, state and federal laws, rules, regulations and ordinances, including, but not limited to City Codes, Unified Land Development Regulations and City's Minimum Housing Code, as same may be amended from time to time.
4. Maintenance and repair of the vessel(s) moored at this location shall be permitted only in according with City Code § 8-149 and in compliance with City Code of Ordinances, Chapter 17, Noise Control.
5. Habitation on vessels under ULDR Sec. 47-19.6 shall be prohibited on Hendricks West.
6. Use of the mooring structures shall be limited to the owner(s) or tenant(s) in possession of the residential condominium units on Hendricks East.
7. By acceptance of the benefits of this waiver of limitations, Applicant agrees that the residential condominium units on Hendricks East shall not be leased out as a vacation or short-term rental, where a vacation rental or short-term rental is defined as the leasing out of the condominium units on Hendricks West property with more frequency than twice every three months or the occupation of the Upland Property by subtenants that change more frequently than twice every three months.
8. Within ninety (90) days of the effective date of this Resolution, Applicant shall file applications for permits for all other governmental or regulatory approvals required to implement the dock waiver herein and provide proof thereof to the Supervisor of Marine Facilities. In the event the Applicant fails to timely file applications for permits as referenced above, the granting of this waiver shall expire, without prejudice to the Applicant re-filing a subsequent application for dock waivers.
9. The Applicant shall complete construction of the improvements as reflected in the application for the waiver of limitations through to a final certificate of completion no later than 180 days after issuance of all necessary permits. In the event the Applicant fails to timely complete construction of the improvements as referenced above, the granting of this waiver will expire, unless the date for completion of construction is extended by the City Manager upon good cause shown.
10. In the event ownership of Hendricks West or Hendricks East (other than transfer of ownership of the individual residential condominium units) is transferred to a third

party prior to issuance of a building permit to construct the mooring structures on Hendricks West authorized under this dock waiver Resolution, then this Resolution shall become null and void.

11. Pursuant to ULDR Sec. 47-19.1.C the marginal dock on Hendricks West shall not be used to berth any vessels until a Certificate of Occupancy is issued for construction of the principal building (i.e seven-unit residential condominium) on Hendricks East.
12. 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.
13. A copy of this Resolution shall be provided to the purchasers of the residential condominium units on Hendricks East.
14. No improvements may be constructed or installed pursuant to this Resolution until after the effective date hereof.

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

SECTION 4. That this Resolution shall be effective upon (i) Applicant, at Applicant's expense, recording a certified copy of this Resolution and (ii) filing a copy of the recorded Resolution with the Supervisor of Marine Facilities and City Clerk within ninety (90) days of the adoption of this Resolution. Failure to timely meet the conditions of (i) and (ii) shall cause this Resolution to be of no further force and effect.

ADOPTED this _____ day of _____, 2025.

Mayor
DEAN J. TRANTALIS

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ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM
AND CORRECTNESS:

Interim City Attorney
D'WAYNE M. SPENCE

Dean J. Trantalis _____

John C. Herbst _____

Steven Glassman _____

Pamela Beasley-Pittman _____

Ben Sorensen _____

