

ITEM VII

MEMORANDUM MF NO. 13-23

DATE: October 29, 2013
TO: Marine Advisory Board
FROM: Andrew Cuba, Manager of Marine Facilities
RE: November 7, 2013 MAB - Dock Waiver of Distance Limitations
–Martin E. and Nicole Hanaka / 1627 SE 7 Street

Attached for your review is an application from Martin E. and Nicole Hanaka / 1627 SE 7 Street (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicants are requesting approval for the installation of a fixed/floating dock combination along the eastern portion of an existing marginal dock extending a maximum of approximately 31' from the property line into the New River. The distances these structures extend from the property line into the New River is shown in the survey in **Exhibit 1** and summarized in Table 1 below:

TABLE 1

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING WAIVER
Proposed Fixed Dock	30.2'	25'	5.2'
Proposed Floating Dock	31'	25'	6'

ULDR Section 47-19.3 C limits the maximum distance of finger piers to 25 feet, or 25% of the width of the waterway, 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 the floating dock is necessary for an additional vessel due to the existing dock's configuration and height, as well as the extraordinary width of the waterway at this location.

PROPERTY LOCATION AND ZONING

The property is located within the RS-4.4 Residential Single Family/Low Density District Zoning District. It is situated on the New River where the overall width between property lines from wetface to wetface is in excess of 455', according to the survey provided in **Exhibit 1**. At its closest proximity to the navigable channel, the distance from the outermost edge of the proposed fixed/floating dock combination is approximately 230.81'.

DOCK PLAN AND BOATING SAFETY

Marine Facilities records reflect that there have been 7 waivers of docking distance limitations approved by the City Commission since 1984. A comparison of these as shown in Table 2 including the maximum distances of all mooring structures extending into the New River follows:

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
1984	27 Isla Bahia Drive	30'
1988	2430 Laguna Drive	50'
1992	2412 Laguna Drive	49'
2002	2418 Laguna Drive	43'
2009	2400 Del Lago Drive	36.3
2009	1725 SE 12 Street	63'
2011	1801 SE 7 Street	42'

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.

AC
Attachment

cc: Carl Williams, Deputy Director of Parks and Recreation
Jon Luscomb, Supervisor of Marine Facilities