



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

**FROM:** Lee Feldman, ICMA-CM, City Manager

**DATE:** April 2, 2013

**TITLE:** Public Hearing/Resolution approving a Waiver of Limitations for Joe H.  
Scott Jr/ 801 Idlewyld Drive via ULDR Sec. 47 -19.3 C & E

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### **Recommendation**

It is recommended that the City Commission adopt a resolution authorizing an after the fact Waiver of Limitations for an existing 29.9 feet by 10 feet dock and boatlift extending a maximum of 38.1 feet into the New River Sound at 801 Idlewyld Drive. The dock is adjoined to a previously waived (1986) and permitted platform dock.

### **Background**

The applicant is seeking a resolution authorizing after the fact approval for an existing 29.9'x10' dock (previously waived in 1986) and boatlift extending a maximum of 38.1 feet into the New River Sound at 801 Idlewyld Drive. Although there is not a fee associated with obtaining a waiver of limitations, an application fee in the amount of \$300 is required. The applicant's narrative specifies that the additional distance of these mooring structures are necessary due to shallow water depths and silting. Idlewyld Drive has a history of dock waivers due to shallow water depths and extensive silting (eleven waivers since 1986; most recent in 2009). The applicant claims they were unaware that the dock and boatlift for which they are seeking a waiver were installed illegally by the original marine contractor, who applied for a City permit and was denied. They have since enlisted a new contractor to legally permit these mooring structures.

The City's Unified Land and Development Regulations (UDLR), Section 47-19.3.C limits the maximum distance of the dock and boatlift to 25% of the width of the waterway, or 25', 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 recommended approval of the application unanimously (12:0) (see **Exhibit 3**).

### **Resource Impact**

There is no fiscal impact associated with this action

Attachments

Exhibit 1 – Application (unanimously approved by Marine Advisory Board 3/7/13)

Exhibit 2 – Code Sec. 47-19.3

Exhibit 3 –3/7/13 Marine Advisory Board Draft Minutes

Exhibit 4 - Resolution

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