


REQUEST: Amendment to the City's Unified Land Development Regulations (ULDR); Revising Section 47-19.3, Boat Slips, docks, boat davits, hoists and similar mooring structures, of the Unified Land Development Regulations (ULDR) to allow property located in the annexed areas of Melrose Park and Riverland Road of the City of Fort Lauderdale to apply for a waiver of limitations of the distance requirements for mooring structures (boat slips, docks, boat davits, hoists and other similar mooring structures not including mooring & dolphin piles) and mooring and dolphin piles to extend further into the waterway subject to City Commission approval.

Case Number	4T13
Applicant	City of Fort Lauderdale
ULDR Sections	47-19.3 BOAT SLIPS, DOCKS, BOAT DAVITS, HOISTS AND SIMILAR MOORING STRUCTURES
Notification Requirements	Newspaper notice 10 days prior to meeting date.
Action Required	Recommend Approval or Denial of the proposal to the City Commission.
Written By	Anthony Greg Fajardo, Zoning Administrator 

BACKGROUND/DESCRIPTION:

Current City of Fort Lauderdale Unified Land Development Regulations (ULDR) provides for a process by which the City Commission may approve a request for a waiver of limitations allowing mooring structures and mooring or dolphin piles to extend into the waterway a distance greater than is permitted by the ULDR. However, the ULDR includes language that is specific to the annexed areas of Melrose Park and Riverland Road which does not permit the City Commission to approve such a waiver request in those geographic locations. If an applicant wishes to move forward with such a request, an application to the Board of Adjustment (BOA) is presently the only alternative. The exclusion of this allowance appears to be an oversight as there appears to be no reason for not permitting a waiver of limitations application to be applied in these specific annexed areas. As existing ULDR limitations may not be applicable to all situations, the waiver allowance provides property owners located on waterways with additional options.

The current language states that mooring structures and mooring or dolphin piles may extend into the waterway subject to the following standards:

	Mooring Structures	Mooring & Dolphin Piles
City Areas (Excluding Annexed Areas)	25-feet or 25% of the waterway width (whichever is less)	25-feet or 30% of the waterway width (whichever is less)
Annexed Areas	5-feet	25-feet or 33% of the waterway width (whichever is less)

The ULDR allowance that permits the City Commission to waive the distance requirements is limited to a distance no greater than 30% of the width of the waterway. To address this issue staff is proposing an amendment to the ULDR that would allow a waiver of limitations to be applied for in the annexed areas as can be applied for in all other areas of the City subject to the existing limitations.

Staff has determined the proposed amendment is consistent with the City of Fort Lauderdale Comprehensive Plan.

The draft recommendations please see draft ordinance amendments attached as Exhibit 1.

PLANNING & ZONING BOARD REVIEW OPTIONS:

The Planning and Zoning Board acting as the Local Planning Agency shall determine whether the proposed change is consistent with the City of Fort Lauderdale's Comprehensive Plan and whether the Planning and Zoning Board recommends approval of the proposed amendments to the City Commission.

Sec. 47-19.3. - Boat slips, docks, boat davits, hoists and similar mooring structures.

- (e) The City Commission may waive the limitations of Section 47-19.3.(c); 47.19.3.(d); 47-39.A.1.b.(12).(a); and 47-39.1.b.(12).(b) under extraordinary circumstances, provided permits from all governmental agencies, as required, are obtained after approval of the City Commission, after a public hearing and notification to property owners within three hundred (300) feet. In no event shall the extension exceed thirty (30) percent of the width of the waterway and no variance may be approved by the Board of Adjustment or other agency permitting an extension beyond the thirty (30) percent limitation. Reflector tape shall be affixed to and continually maintained on all mooring or dolphin piles authorized under this subsection to extend beyond the limitations provided in subsection (d). The reflector tape must be formulated for marine use and be in one (1) of the following uniform colors: international orange or iridescent silver. On all such piles, the reflector tape shall be at least five (5) inches wide and within eighteen (18) inches of the top of the pile.