

RESOLUTION NO. 13-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 47-19.3.E OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE GRANTING A WAIVER OF THE LIMITATIONS OF CITY CODE SECTION 47-19.3.C. & D. TO ALLOW 816 BUILDING, LLC, A FLORIDA LIMITED LIABILITY COMPANY TO CONSTRUCT AND MAINTAIN SEVEN (7) TRIPLE PILE CLUSTERS AND REPLACE AN EXISTING FINGER PIER RESPECTIVELY EXTENDING A MAXIMUM OF ± 112.4 FEET AND ± 85.7 FEET INTO THE WATERS OF THE MIDDLE RIVER FROM THE PROPERTY LOCATED AT 816 NORTHEAST 20TH AVENUE, SUCH PROPERTY AS BEING MORE PARTICULARLY DESCRIBED BELOW; SUBJECT TO CERTAIN TERMS AND CONDITIONS; REPEALING ANY AND ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 816 Building, LLC, a Florida limited liability company (hereinafter "Applicant") owns the following described Property located in Fort Lauderdale, Broward County, Florida:

Lot 19, GATEWAY PARK, a Subdivision, according to the Plat thereof, as recorded at Plat Book 25, Page 43 of the Public Records of Broward County, Florida.

Street Address: 816 NE 20th Avenue
Fort Lauderdale, FL 33304

(hereinafter "Property")

WHEREAS, pursuant to City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-19.3.D, the City Commission of the City of Fort Lauderdale is empowered to waive the limitations of ULDR Sections 47-19.3.C, wherein mooring or dolphin piles are not permitted to extend more than thirty percent (30%) of the width of the waterway, or twenty-five (25) feet beyond the property line, whichever is less; and

WHEREAS, the Applicant has requested authorization to construct and maintain seven (7) triple pile clusters and to construct and maintain a finger pier, respectively extending a maximum distance of ± 112.4 feet and ± 85.7 feet from the Property into the waters of the Middle River; and

WHEREAS, after a public hearing, the City Commission finds that Applicant qualifies for a waiver of the applicable limitations of ULDR Section 47-19.3. C for construction and maintenance of a total of seven (7) triple pile clusters and the construction and maintenance of a finger pier which respectively extends a maximum distance of ± 112.4 feet and ± 85.7 feet from the property line into the waters of the adjacent Middle River as shown on the Application for Dock Waivers submitted herein, subject to certain terms and conditions set forth below; and

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

SECTION 1. That pursuant to the provisions of ULDR Section 47-19.3.E. of the Code of Ordinances of the City of Fort Lauderdale the, City Commission hereby waives the limitations of ULDR Section 47-19.3.C, to allow Applicant to replace an existing finger pier and construct and maintain seven (7) triple pile clusters extending from the Property into the Middle River as shown in Table 1 below:

TABLE 1

PROPOSED STRUCTURES	SURVEYED DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Finger Pier	$\pm 85.7'$	25'	60.7'
Triple Pile Cluster #1	$\pm 30.7'$	25'	5.7'
Triple Pile Cluster #2	$\pm 55.7'$	25'	30.7'
Triple Pile Cluster #3	$\pm 104'$	25'	79'
Triple Pile Cluster #4	$\pm 108.9'$	25'	83.9'
Triple Pile Cluster #5	$\pm 29.9'$	25'	4.9'
Triple Pile Cluster #6	$\pm 54.9'$	25'	29.9'
Triple Pile Cluster #7	$\pm 112.4'$	25'	87.4'

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. The Applicant is required to install and affix reflector tape to the cluster pilings in accord with Section 47-19.3E of the Unified Land and Development Regulations (ULDR).
3. 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.

SECTION 3. That all Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed.

SECTION 4. That is Resolution shall be in full force and effect upon and after its final passage.

ADOPTED this the 7th day of May, 2013.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH