

RESOLUTION NO. 24-

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") GRANTING AN AFTER THE FACT WAIVER OF THE LIMITATIONS OF ULDR SECTION 47-19.3 (c) TO PERMIT NICHOLAS JOSEPH DILORIO AND SHARON LYNN DILORIO, HUSBAND AND WIFE, USE OF AN EXISTING FLOATING VESSEL PLATFORM MEASURING 31.5' X 12' AND EXTENDING A MAXIMUM OF DISTANCE OF 36.4' +/- INTO THE ADJACENT WATERS OF THE CERRO GORDO RIVER, FOR SUCH PROPERTY LYING, SITUATE AND BEING WITHIN 1414 SE 12TH STREET, HEMINGWAY LANDINGS CONDOMINIUM, UNIT #2C, SLIP #11, FORT LAUDERDALE, FLORIDA 33316 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, as used herein, the term "Hemingway Landings Condominium" shall mean the Hemingway Landings Condominium, according to the Declaration thereof, dated October 16, 2009, and recorded in the Public Records of Broward County, Florida at Official Records Book 46599, Page 19; and

WHEREAS, Nicholas Joseph Dilorio and Sharon Lynn Dilorio, (hereinafter "Applicant") owns the following described Property located in the City of Fort Lauderdale, Broward County, Florida:

Unit No. 1-2C, Building 1414 of HEMINGWAY LANDINGS, a Condominium, according to the Declaration of Condominium recorded in O.R. Book 46599, Page 19, and all exhibits and amendments thereof, Public Records of Broward County, Florida, together with an undivided interest in the common elements appurtenant thereto and including Slip #11 thereof which is a limited common element under the Heminway Landings Declaration of Condominium and an appurtenance to Unit No. 1-2C thereof.

Street Address: 1414 SE 12th Street, #2C, Fort Lauderdale, Florida 33316

Property ID# 5042-14-BF-0060
(hereinafter "Property" or "Upland Property")

WHEREAS, Applicant, is requesting approval for an existing 31.5' x 12' Floating Vessel Platform lying, situate and being in Slip #11 in the Hemingway Landings Condominium, which Floating Vessel Platform extends a maximum of 36.4'+/- into the adjacent waters of the Cerro Gordo River, as measured from the waterfront property line of the Hemingway Landings Condominium; and

WHEREAS, the City's Marine Advisory Board on November 12, 2024, reviewed the application for dock waiver filed by the Applicant and voted unanimously in a roll call vote to recommend approval;

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

SECTION 1. That 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 hereby grants a waiver of 11.4'+/- to the limitations of ULDR Section 47-19.3 (c), to allow the existing 31.5' x 12' Floating Vessel Platform to extend a maximum of distance of 36.4'+/- into the adjacent waters of the Cerro Gordo River, such distances being more specifically set forth in the Table of Distances set forth below:

EXISTING STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Floating vessel Platform	36.4' +/-	25' +/-	11.4' +/-

SECTION 2. That the above waiver is subject to the following additional conditions to be performed by the Applicant as more particularly set forth herein:

1. The Applicant, their successors and assigns, are 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. Use of the Floating Vessel Platform in Slip #11 in the Hemingway Landings Condominium, which such Slip #11 is appurtenant to the upland single-family residence for Hemingway Landings Condominium Unit No. 1-2C and occupation thereof, shall be in conformity with the above referenced Declaration of Condominium and 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.
3. Maintenance and repair of the vessel moored upon the Floating Vessel Platform in Slip #11 within the Hemingway Landings Condominium shall be permitted only in accordance with City Code § 8-149 and in compliance with City Code of Ordinances, Chapter 17, Noise Control.
4. Use of the Floating Vessel Platform on Slip #11 of the Hemingway Landings Condominium shall be limited to the Applicant, their successors or assigns as to Unit No. 1-2C of the Hemingway Landings Condominium, or tenants or occupants thereof in possession of the corresponding Unit 1-2C of the Hemingway Landings Condominium.
5. As a condition of granting this "waiver" pursuant to ULDR Sec. 47-19.3 (e) and Section 10.6 of the Declaration of Condominium, (A) no portion of a Condominium Unit (other than the entire Condominium Unit) may be rented; (B) Condominium Units may be leased only for periods of at least six (6) consecutive months; (C) No Condominium Unit may be leased more than two (2) times per year; and (D) Tenants of a Condominium Unit may not sublease that Condominium Unit.
6. 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.

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 _____, 2024.

Mayor
DEAN J. TRANTALIS

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	_____