

RESOLUTION NO. 14-183

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 SECTION 47-19.3.C. & D. TO ALLOW GRAND BIRCH, LLC, A FLORIDA LIMITED LIABILITY COMPANY TO INSTALL THREE (3) TRIPLE PILE MOORING CLUSTERS AND NINE (9) MOORING PILES EXTENDING A MAXIMUM OF 75 FEET FROM THE APPLICANT'S UPLAND PROPERTY LINE INTO THE INTRACOASTAL WATERWAY; SUCH PROPERTY BEING LOCATED AT 321 N. BIRCH ROAD, AND 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, Grand Birch, LLC, a Florida limited liability company (hereinafter "Applicant") owns the following described Property located in the City of Fort Lauderdale, Broward County, Florida:

Lots 1, 2, 3 and 4 in Block 9 of LAUDER DEL MAR, according to the Plat thereof recorded in Plat Book 7, Page 30 of the Public Records of Broward County, Florida.

TOGETHER WITH:

A parcel of Dry Land in New River Sound adjacent to Lots 1, 2, 3 and 4, Block 9, LAUDER DEL MAR, according to the Plat thereof, as recorded in Plat Book 7, Page 30 of the Public Records of Broward County, Florida more fully described as follows:

Commence at the Southeast corner of said Lot 4, then North 90°00'00" West, on the South line of said Lot 4 a distance of 125.00 feet to the Point of Beginning; thence, continuing North 90°00'00" West. on the Westerly extension of the West line, of said Lot 4, a distance of 25.31 feet; thence North 02°34'56" East, on the wet face of an existing seawall cap marking the East edge of New River South, a distance of 200.86 feet to a point on the North line of said Lot 1, 125.00 feet West of the

Northeast corner of said Lot 1; thence South 04°38'00" East on the approximate West line of said Lot 1, 2, 3 and 4, a distance of 201.34 feet to the Point of Beginning.

Street Address: 321 N. Birch Road
Fort Lauderdale, FL 33304

(hereinafter "Property")

WHEREAS, Applicant is requesting approval to install (i) three (3) triple-pile mooring clusters and (ii) nine (9) mooring piles extending a maximum of 75 feet from Applicant's upland property line into the Intracoastal Waterway; and

WHEREAS, the City's Marine Advisory Board on July 15, 2014 reviewed the application for dock waiver filed by Applicant and voted 11:1 to approve this application;

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 grants a waiver of the limitations of ULDR Section 47-19.3.C & D., to allow Applicant to (i) install three (3) triple-pile mooring clusters and (ii) nine (9) mooring piles extending a maximum of 75 feet from the applicant's upland property line into the Intracoastal Waterway, such distances being more specifically set forth in the Table of Distances set forth below:

TABLE OF DISTANCES

| PROPOSED STRUCTURE | STRUCTURE MAXIMUM DISTANCE FROM PROPERTY LINE | PERMITTED DISTANCE WITHOUT WAIVER | DISTANCE REQUIRING WAIVER |
|---------------------------------|---|-----------------------------------|---------------------------|
| THREE TRIPLE PILE DOLPHIN PILES | 75' | 25' | 50' |
| TEN MOORING PILES | 75' | 25' | 50' |

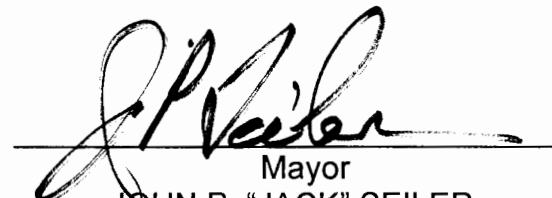
SECTION 2. That the above waiver is subject to the following additional conditions to be performed by the Applicant:

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. 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 with this Resolution are hereby repealed.

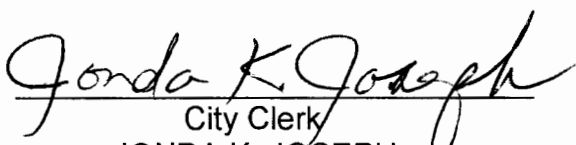
SECTION 4. That this Resolution shall be in full force and effect upon and after its final passage.

ADOPTED this the 4th of November, 2014.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JONDA K. JOSEPH