

ITEM V

MEMORANDUM MF NO. 13-05

DATE: March 13, 2013

TO: Marine Advisory Board

FROM: Andrew Cuba, Manager of Marine Facilities

RE: April 4, 2013 MAB - Dock Waiver of Distance Limitations
–Andreas Grossauer/816 Building LLC / 816 NE 20th Avenue

Attached for your review is an application from Andreas Grossauer/816 Building LLC / 816 NE 20th Avenue (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicants are requesting approval for the replacement of an existing finger pier with a longer finger pier and the installation of seven (7) triple pile clusters extending a maximum of +/-112.4' from the property line into the Middle River. The distances these structures extend from the property line into the Middle River are shown in the survey in **Exhibit 1** and summarized in Table 1 below:

TABLE 1

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

ULDR Section 47-19.3 C limits the maximum distance of finger piers to 25 feet, or 25% of the width of the waterway, whichever is less. Section 47-19.3. D limits the maximum distance of dolphin or mooring pilings to 25 feet, or 30% of the width of the waterway, whichever is less. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has indicated that the additional piles are necessary for safely mooring existing vessels, especially during high wind events and severe weather.

PROPERTY LOCATION AND ZONING

The property is located within the ROA Zoning District. It is situated on the Middle River where the overall average width between property lines from shoreline to shoreline ranges between +/- 349.6' to +/- 376.5', according to the survey provided in **Exhibit 1**. At its closest proximity, the distance from the outermost proposed piling cluster to the center of the Middle River is approximately 68'.

DOCK PLAN AND BOATING SAFETY

Records reflect that there have been nine (9) waivers of docking distance limitations approved by the City Commission since 1983. A comparison of these as shown in Table 2 including the maximum distances of all mooring structures extending into the Middle River follows:

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
March 1983	834 N.E. 20 th Avenue	Pilings – 45'
April 1983	714 N.E. 20 th Avenue	Pilings – 45' Piers – 37'
July 1985	808 N.E. 20 th Avenue	Pilings – 48' Piers – 38'
January 1990	840 N.E. 20 th Avenue	Pilings – 48' Pier – 48'
September 1992	738 N.E. 20 th Avenue	Pilings – 75' Pier – 39'
November 2007	810 N.E. 20 th Avenue	Pilings – 68' Piers – 73'
January 2008	852 N.E. 20 th Avenue	Pilings – 86' Pier – 49'
October 2008	714 N.E. 20 th Avenue	Pier – 108'
November 2012	810 N.E. 20 th Avenue	Pilings- 124.4'

RECOMMENDATIONS

Should the Marine Advisory consider approval of the application, the Resolution under consideration for approval by the City Commission should include at least the following as prescribed in the ULDR and City Code of Ordinances:

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 47.19.3.E 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.

AC

Attachment

cc: Cate McCaffrey, Deputy Director of Parks and Recreation
Jon Luscomb, Supervisor of Marine Facilities