

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE APPROVAL OF A SPECIAL PERMIT TO EXTEND CONSTRUCTION HOURS FOR THE PIER SIXTY-SIX HOTEL & MARINA DEVELOPMENT SUBJECT TO REQUIREMENTS OF SECTION 17-10 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 17-7.4 of the Code of Ordinances of the City of Fort Lauderdale, Florida, provides that it is unlawful for any person to operate or cause to be operated equipment for construction, repair, alteration or demolition work on buildings, structures, streets, alleys, or appurtenances Monday through Saturday before 8:00 a.m. or after 7:00 p.m. and Sunday before 10:00 a.m. or after 7:00 p.m.; and

WHEREAS, Section 17-10 of the Code of Ordinances of the City of Fort Lauderdale, Florida, entitled "Construction of large or complex projects (transportation and non-transportation); exemption for time to comply" empowers the city manager to grant a special permit exempting construction projects from the provisions of Section 17-7.4 of the Noise Control Ordinance to allow sufficient time for the installation of necessary materials, equipment, facilities, or modifications necessary; and

WHEREAS, Section 17-10 of the Code of Ordinances of the City of Fort Lauderdale, Florida, provides that the City Commission may grant additional special permit extensions of time upon a showing of good cause when it is demonstrated the special permit is in the best interest of public health, safety, and convenience; and

WHEREAS, the City Commission approved a request for a special permit to extend construction hours until April 21, 2023; and

and WHEREAS, the extension of time would occur only two to three days a week;

WHEREAS, the applicant, Americaribe-Moriarty Joint Venture, has submitted a Noise Management Plan that specifically addresses early morning piling activities and concrete pours and is attached as Exhibit 1 to Commission Agenda Memorandum No. 23-0296; and

WHEREAS, the City Commission has reviewed the supplemental Noise Management Plan and has determined that the supplement shows good cause and demonstrates that the special permit is in the best interests of public health, safety, and convenience.

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

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

SECTION 2. That the City Commission accepts and finds that the Noise Management Plan attached as Exhibit 1 to Commission Agenda Memorandum No. 23-0296 shows good cause and demonstrates that the special permit is in the best interests of public health, safety, and convenience.

SECTION 3. That the City Commission of the City of Fort Lauderdale, Florida, hereby approves a request for a special permit to extend construction hours for the Pier Sixty-Six Hotel & Marina Development until April 21, 2024.

SECTION 4. That the City Manager retains the ability to revoke the permit pursuant to Section 17-10(b)(7). Notwithstanding the above specific grant to the City Manager, the City Commission reserves to itself the right to revoke the special permit under Section 17-10(c).

SECTION 5. That this resolution shall be in full force and effect upon final passage.

ADOPTED this ____ day of _____, 2023.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM:

Interim City Attorney
D'WAYNE M. SPENCE

Dean J. Trantalis ____
John C. Herbst ____
Steven Glassman ____
Pamela Beasley-Pittman ____
Warren Sturman ____