

RESOLUTION NO. 24-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DENYING THE APPLICATION BY HUBIE KERNS, JR. AND SANDRA KERNS, AS CO-TRUSTEES FOR THE KERNS FAMILY TRUST, UNDER AGREEMENT DATED FEBRUARY 27, 1992, FOR A WAIVER OF THE LIMITATIONS FOR THE INSTALLATION OF ONE (1) BOAT LIFT, EXTENDING A MAXIMUM DISTANCE OF 28'9"+/- FROM THE APPLICANT'S PROPERTY LINE INTO THE ADJACENT WATERS OF BONITA BAY PURSUANT TO SECTIONS 47-19(e) OF THE CITY OF FORT LAUDERDALE UNIFIED LAND DEVELOPMENT REGULATIONS ("ULDR"), FOR PROPERTY LOCATED AT 3019 NE 20TH COURT, FORT LAUDERDALE, FLORIDA 33305.

WHEREAS, Section 47-19.3(e) of the City of Fort Lauderdale, Florida Unified Land Development Regulations (hereinafter "ULDR") provides that the City Commission may waive the limitations of either Sections 47-19.3(c), or 47-19.3(d) or both under extraordinary circumstances; and

WHEREAS, Hubie Kerns, Jr. and Sandra Kerns, as Co-Trustees of the Kerns Family Trust, Under the Agreement Dated February 27, 1992, (hereinafter "Applicant") owns the property located at 3019 NE 20th Court, Fort Lauderdale, Florida 33305, (Property ID# 4943 30 02 0300) (hereinafter "Property"); and

WHEREAS, Applicant submitted an application for a Waiver of Limitations to allow the installation of one (1) boat lift extending 28'9" +/- from the Applicant's Property line into the adjacent waters of Bonita Bay (hereinafter "Application"); and

WHEREAS, the Marine Advisory Board at their December 7, 2023, meeting, on a motion to recommend approval of the waiver, passed unanimously, with the motion being approved.

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

SECTION 1. That each WHEREAS clause set forth above is true and correct and incorporated herein by this reference.

SECTION 2. That the City Commission of the City of Fort Lauderdale, Florida, after reviewing

the evidence, finds that the Application for a Waiver of Limitations to install one (1) boat lift extending 28'9" +/- from the Applicant's Property line into the adjacent waters of Bonita Bay is hereby denied on the basis that the evidence failed to prove the "extraordinary circumstances" required under ULDR 47-19.3 (e).

SECTION 3. That this Resolution shall be in full force and effect upon final adoption.

ADOPTED this ____ day of _____, 2024.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM
AND CORRECTNESS:

City Attorney
THOMAS J. ANSBRO

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