



CITY OF FORT LAUDERDALE

**DRAFT  
MEETING MINUTES  
CITY OF FORT LAUDERDALE  
MARINE ADVISORY BOARD  
FORT LAUDERDALE FIRE RESCUE DEPARTMENT  
528 NW 2<sup>ND</sup> STREET, STATION #2  
FORT LAUDERDALE, FLORIDA 33311  
3<sup>RD</sup> FLOOR CONFERENCE ROOM  
THURSDAY, SEPTEMBER 5, 2024 – 6:00 P.M.**

**Cumulative Attendance  
January-December 2024**

Steve Witten, Chair	P	7	1
James Harrison, Vice Chair	A	4	4
Tyler Brunelle	P	7	1
Robyn Chiarelli (6:15-8:19)	P	4	4
Jason Dunbar (dep. 8:21)	P	4	1
Barry Flanigan (arr. 7:00)	P	7	1
Robert Franks	P	6	3
Elisabeth George	P	8	0
Brewster Knott	P	5	3
John Lynch	A	6	2
Noelle Norvell	A	4	4
Ed Rebholz	P	6	2
Bill Walker	P	5	3
Robert Washington	A	6	2

As of this date, there are 14 appointed members to the Board, which means 8 would constitute a quorum.

**Staff**

- Andrew Cuba, Marine Facilities Manager
- Jonathan Luscomb, Marine Facilities Supervisor
- Susan Grant, Acting City Manager
- Robert Dunckel, Assistant City Attorney
- Sgt. Travis O'Neal, Marine Unit Supervisor
- Carl Williams, Director of Parks and Recreation
- Stephen Gollan, Fire Chief
- William Schultz, Police Chief
- K. Cruitt, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

Mr. Cuba further clarified that a 5 ft. setback exists on dock along Cordova Road. The Applicant's previous dock was installed within the setback end of that setback. The Application will bring the structure within the setback on the 80 ft. wide property.

**Motion** made by Mr. Walker, seconded by Ms. George, to approve. In a roll call vote, the **motion** passed unanimously (10-0).

**IX. Dock Permit – 823 SE 2<sup>nd</sup> Street / Roger & Mary Edwards**

Item was deferred.

**X. Dock Waiver – 1414, 1424 & 1500 SE 12<sup>th</sup> Street / Hemingway Landings Condominium Association**

Romney Rogers, representing the Applicant, stated that the Hemingway Landings Condominium is located next to the Fort Lauderdale Yacht Club and consists of three buildings with 21 units. It proposes 21 slips, one per unit owner.

The request before the Board is a distance waiver. There are 26 dolphin pilings shown on the Applicant's survey. Four of the 26 pilings are currently within the 25 ft. limitation; nine of the pilings are within 1 ft. of this limitation, and the furthest distance of the remaining pilings is 2 ft. 7 in. beyond the 25 ft. limitation. The waterway is 118 ft. wide at the subject location. The farthest dolphin piling is at approximately 27.7 ft. into the waterway and does not intrude into the navigable waterway.

Mr. Rogers advised that all 21 unit owners have received a notice of violation of the 25 ft. limitation. While 22 of the 26 pilings are beyond the 25 ft. limitation, they are all within 2.7 ft. of the limitation. The Applicant requests an after-the-fact distance waiver to approve the pilings.

Extraordinary circumstances include:

- Need for the dolphin pilings in order to secure docked vessels in a severe weather event
- Protection against wakes in a heavily traveled boating area
- Most of the pilings were originally installed when the development was put into place in 2009; only a few of the pilings have been updated and moved
- If the nine pilings located within 1 ft. of the limitation are moved a short distance, which is within a few inches in some cases, the pilings may be less stable and may lean or lose position

Mr. Brunelle asked for more information on whether or how the pilings which have been updated since 2009 were replaced. Mr. Rogers replied that the pilings within 2.7 ft. of the limitation were moved due to the installation of a lift which was permitted at a distance of 25 ft.

Chair Witten pointed out that some boats at the subject location exceed the 25 ft. distance limitation. Mr. Rogers confirmed that some boats docked at the subject property exceed the limit. Attorney Dunckel advised that Code restricts a vessel from protruding more than 30% into the width of a canal.

Mr. Walker requested clarification of the width of the waterway at the subject location. Mr. Rogers replied that the narrowest area is roughly 118 ft.

Mr. Dunbar commented that neither the pilings nor the boats at the subject location have constituted an impediment when he is boating in the area.

**Motion** made by Mr. Walker, seconded by Ms. George, to approve. In a roll call vote, the **motion** passed unanimously (10-0).

## **XI. Old / New Business**

Chair Witten advised that John Nybro, representing the Fort Lauderdale International Boat Show, was unable to attend tonight's meeting, but may be able to attend in October 2024 to give a "behind-the-scenes" presentation on the Boat Show. It has also been suggested that the Board invite a representative of the Winterfest Boat Parade to a subsequent meeting.

Chair Witten showed an example of an advertisement for a charter dock for rent, which means charter vessels are offering the use of commercial docks to pick up and drop off their customers. This practice is not legal in Fort Lauderdale. Unauthorized charter vessels, including "party boats," also continue to be an issue. Attorney Dunckel advised that the advertiser in question has been cited for multiple Code violations.

Chair Witten continued that the new Broward County Commissioner for the Florida Inland Navigation District (FIND) is Richard Seltzer, who has been invited to attend a Board meeting. He also noted that the Boat Show is scheduled to begin on October 30, 2024 and the Winterfest Boat Parade for December 12, 2024.

Chair Witten recalled that while there is no longer a proposed moratorium on waivers along portions of the New River, the Board is still active on this topic. He asked if it would be possible for the Board to recommend changing the City's rule permitting 30% extension into the waterway to 25%. Attorney Dunckel confirmed that the Board may make this recommendation. He added that in his work to address extraordinary circumstances, he hopes to identify a different label that could include factors justifying the grant or denial of a waiver.

Ms. Chiarelli left the meeting at 8:19 p.m.