

RESOLUTION NO. 15-

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 SECTIONS 47-19.3.C. & D. TO ALLOW THE APPLICANT, 505 IDLEWYLD, LLC, A FLORIDA LIMITED LIABILITY COMPANY, TO RELOCATE A BOATLIFT TO A MAXIMUM DISTANCE OF 36.5 FEET FROM THE APPLICANT'S PLATTED PROPERTY LINE; SAID PROPERTY BEING LOCATED AT 505 IDLEWYLD DRIVE, 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, 505 Idlewyld, 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, Block 4, less the West 75 feet, Block 3, IDLEWYLD, according to the plat thereof, recorded in Plat Book 1, Page 19 of the Public Records of Broward County, Florida.

Street Address: 505 Idlewyld Drive
Fort Lauderdale, FL 33301

(hereinafter "Property")

WHEREAS, Applicant is requesting approval to relocate a boatlift to a maximum distance of 36.5 feet from the applicant's platted property line; and

WHEREAS, on June 3, 2014, the City Commission granted a Waiver of Limitations (a waiver to allow a dock, mooring structure, or boat lift to extend beyond the maximum distance as defined by City Code) of the Unified Land and Development Regulations (ULDR) Sec 47-19.3 C and D for the installation of a concrete floating dock with access walkway/ramp, boatlift, and two mooring pilings extending a maximum of 68.5 feet from the property line into the New River Sound. Subsequently, the Broward County Environmental

Protection and Growth Management Department and the US Army Corp of Engineers have requested that the boatlift be relocated from the approved 27 feet 4 inches to 36 feet 5 inches (within the approved footprint). As a result of this relocation, the boatlift component requires an additional Waiver of Limitation. The applicant's narrative specifies that the additional distance for these mooring structures is necessary due to the lack of water depth at this location and the avoidance of sea grass; and

WHEREAS, the City's Marine Advisory Board on January 7, 2015, reviewed the application for dock waiver filed by Applicant and voted unanimously 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 relocate the boatlift extending a maximum of 36 feet 5 inches from Applicant's platted property line into the New River Sound; and, such distances being more specifically set forth in the Table of Distances set forth below:

TABLE 1

STRUCTURES REQUIRING WAIVER	MAXIMUM SURVEYED DISTANCE OF STRUCTURES	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING WAIVER
Boat Lift	36'5"	25'	11'5"

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 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, and verification of receipt of all applicable Federal and State permits.
3. The applicant is required to install and affix reflector tape to the boatlift pilings in accord with Section 47.19.3E of the Unified Land and Development Regulations (ULDR).
4. This property is in an RS-8 zoning district and City Code § 8-91 (g) provides:

"The renting of docks, dock space or moorings, and the rental of boats or any portion thereof, for any purpose whatsoever shall be specifically prohibited in residential areas zoned RS-8 and RS-4.4."
5. Pursuant to ULDR § 47-5.30, the side yard setback in a RS-8 zoning district is five (5) feet. ULDR § 47-19.3 (h) provides:

"No watercraft shall be docked or anchored adjacent to residential property in such a position that it causes it to extend beyond the side setback lines required for principal buildings on such property, as extended into the waterway, or is of such a length that when docked or anchored adjacent to such property the watercraft extends beyond such side setback lines as extended into the waterway."
6. Pursuant to ULDR § 47-34.2, it is unlawful to use property or land or water in a manner which violates the terms and conditions of a development permit or order issued by the City Commission.
7. The dock waiver granted by this Resolution shall become null and void unless a building permit to implement the improvements authorized by this Resolution is secured within one hundred eighty (180) days from the adoption of this Resolution. Upon a motion for extension of time being filed by the Permit Holder, for good cause shown, the City Manager may grant an addition extension of time

beyond the initial one hundred eighty (180) days, provided such motion is filed prior to expiration of the first one hundred eighty (180) days.

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 _____ day of _____, 2015.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

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