

February 5, 2026

MEETING OF THE MARINE ADVISORY BOARD  
CITY OF FORT LAUDERDALE

IN RE:

MOTION FOR RECONSIDERATION: 1409 SW 17TH STREET

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VIDEO RECORDING

FILE NAME:

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DATE TAKEN: FEBRUARY 5, 2026

Transcribed By: Sandi L. Kelley

1 APPEARANCES

2

3

Steve Witten, Chair  
Robert Washington, Vice Chair

4

Norm Bekoff  
Tyler Brunelle

5

Jeffrey Coburn  
Courtney Day

6

Jason Dunbar  
Barry Flanigan

7

Robert Franks  
John Lynch

8

Sam Mitchell  
Ted Morley

9

Dr. Bret Ribotsky  
Bob Swindell

10

LaRhonda Ware  
Bob Dunckel

11

Ryan Abrams

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1 CHAIR WITTEN: So Jeff will be here was, Mr. Reach --  
2 et cetera -- that brings us to a motion on Agenda Item Number 6,  
3 which is a motion to reconsider 1409 Southwest 17th Street. I'm  
4 going to turn this over to Mr. Dunckel, and he can explain what  
5 we're doing and how we're doing it.

6 MR. DUNCKEL: Yeah. When this was -- excuse me. When  
7 this was heard by Board, the recommendation was for denial, and  
8 the 15 to zip vote -- zip to 15 -- went back and look at it,  
9 you've got two finger piers, you've got one that's 36.5 feet,  
10 you've got another one that's 56.5.

11 The one that's 36.5 -- and member -- we're here on the  
12 motion -- I -- I'm sorry, with regard to a waiver of  
13 limitations. The 25 percent mark would be 35.2, so it's just  
14 barely over that, and it seemed to meet the metrics for  
15 something that the Board would ordinarily approve. I'm just  
16 talking about the eastern most one. I thought that would be  
17 best to -- that we might want to send it back to the commission  
18 with a recommendation for approval on the eastern one.

19 As to the western one, that exceeded 30 percent of the  
20 width of the waterway, but one option is to deny, another option  
21 is to grant it, subject to it being limited to 36.5, third one  
22 would be grant a recommendation for granting it for approval,  
23 subject to a limitation of 42 feet, which is about the 30  
24 percent mark.

25 UNIDENTIFIED MALE SPEAKER: I --

1 UNIDENTIFIED MALE SPEAKER: There was a letter sent  
2 out with an attorney who had a whole bunch of other comments,  
3 could you maybe address what -- were his conclusions, something  
4 you'd agree with, or something to be arbitrated, or --

5 MR. DUNCKEL: Well, that's going to be headed -- what  
6 he's --

7 Ryan, do you want to go ahead and speak, at this  
8 point?

9 MR. ABRAMS: Yeah. Sure. Good evening.

10 UNIDENTIFIED MALE SPEAKER: Though we aren't -- take  
11 other testimony --

12 MR. DUNCKEL: Yeah. No. It says something here --  
13 this -- excuse me. This is not to supplement the record with  
14 regard to the length. He's final -- he's requesting an  
15 interpretation question --

16 UNIDENTIFIED MALE SPEAKER: Right.

17 MR. DUNCKEL: -- from the zoning administrator, from  
18 which he'll probably go to the Board of Adjuster --

19 UNIDENTIFIED MALE SPEAKER: Okay.

20 MR. ABRAMS: Yeah, so --

21 MR. DUNCKEL: Are you -- do you --

22 UNIDENTIFIED MALE SPEAKER: So I'm okay to ask him a  
23 question then?

24 MR. DUNCKEL: Yes.

25 UNIDENTIFIED MALE SPEAKER: Okay.

1 MR. DUNCKEL: Yes.

2 UNIDENTIFIED FEMALE SPEAKER: Can you state your name  
3 for the record, please?

4 MR. ABRAMS: Ryan Abrams, attorney for the --

5 UNIDENTIFIED FEMALE SPEAKER: Thank you.

6 MR. ABRAMS: Sure. Okay. Maybe I'll --

7 UNIDENTIFIED MALE SPEAKER: Could you just maybe stand  
8 in the middle, so we could all hear you.

9 MR. ABRAMS: Yeah. So --

10 UNIDENTIFIED MALE SPEAKER: Thank you.

11 MR. ABRAMS: That's fine. I'll try to do that. So --

12 UNIDENTIFIED MALE SPEAKER: This computer makes a lot  
13 of noise.

14 MR. ABRAMS: Sure. So I know that this -- the --  
15 there's -- the last hearing preceded my time as attorney for the  
16 Applicant. I was hired after the last hearing --

17 UNIDENTIFIED MALE SPEAKER: -- actually.

18 MR. ABRAMS: Thanks. Some people might say that.

19 I am a -- latest attorney. I do work Fort Lauderdale  
20 often. I am familiar with Fort Lauderdale's code. This process  
21 asked for a waiver based on extraordinary circumstances, that is  
22 the request that's before you.

23 UNIDENTIFIED FEMALE SPEAKER: This here --

24 MR. ABRAMS: -- that does limit it to a 30 percent of  
25 the waterway. The problem is, how do you define waterway and

1 does it include private property, and property that has been  
2 dredged and is a manmade water area -- manmade submerged land,  
3 okay?

4           So if you own the land, okay, and you just -- you just  
5 take it out and create a marina, all right -- there's examples  
6 of this all over the City, you can have a dock all throughout  
7 that marina, there's no limitation.

8           What we're saying is, this is -- this property is no  
9 different. It -- this is submerged land that is owned by the  
10 owner. They're taxed on it. The city collects taxes on it. It  
11 is fully owned -- and there's no riparian rates because of the  
12 fact that it is not natural and it was manmade.

13           And there's an example just across the way -- if you  
14 look at the aerial on your computer, there's the marinas across  
15 the way, that were dug out over time -- that used to be land,  
16 now they're not, and docks extend way more than 30 percent, all  
17 the way out from -- from the seawall, all the way out to the  
18 property line or just before.

19           And here, all we're proposing is for a dock to be  
20 within privately owned land and the problem is -- the  
21 interpretation being made is what we're challenging, and the --  
22 this is not really the Board to do that, but this Board can  
23 grant a waiver.

24           What we're saying is --

25           UNIDENTIFIED FEMALE SPEAKER: -- see these -- right

1 here --

2 MR. ABRAMS: -- the bur -- the issue of where you  
3 start that measurement from is very much a concern of this  
4 Board, and if it was considered, maybe, correctly last time,  
5 maybe this is a good time to at least talk about it -- where do  
6 you start that measurement from? Do you -- do you measure it  
7 from the ownership boundary or from the seawall, because there  
8 are other examples all over the City -- in this area,  
9 especially, where it's measured from the ownership boundary, and  
10 that makes sense because it's probably on land -- telling  
11 somebody you can't build on any part of your land because it's  
12 more than 25 feet from the seawall.

13 And so, what I'm saying is, you can grant this  
14 request, you could grant this waiver because the extraordinary  
15 circumstances are being denied, right -- a fundamental property  
16 right, that others in the City have gotten, and --

17 UNIDENTIFIED FEMALE SPEAKER: Yeah.

18 MR. ABRAMS: -- we would stipulate to the dock -- or  
19 the structure never passing the ownership boundary line, and if  
20 you look at the map, you -- the boundary line of the Summers  
21 land lines up with the seawall of the rest of Crevalle Canal, so  
22 what is the harm?

23 So that's really all I have to say -- and I did have a  
24 1947 aerial to show you, to show what I'm talking about -- and I  
25 had that on the PowerPoint. I -- I'm happy to show that -- I

1 understand that we're not putting anything else on the record,  
2 but if you compare old time aerials to now -- things that are  
3 dug out, that is something people can do, and you still can  
4 build into that.

5           Here, FT&P approved it, Army Corps of Engineers  
6 approved it, the only question is, where do you measure the line  
7 from -- time here, because somebody else have said it, you  
8 measure it from the seawall, and that's just not what the code  
9 says, the code says you measure it from the property line, and  
10 the property line is inclusive in the code definitions -- is  
11 inclusive of water that's -- also not just land, but water  
12 that's over -- and so -- that's what --

13           UNIDENTIFIED MALE SPEAKER: -- you -- take different  
14 si -- sit -- situation -- can you take -- I buy a submerged land  
15 lease somewhere, am I entitled to fill it in without -- just  
16 because I -- I paid for the land?

17           MR. ABRAMS: If you buy a submerged land, yes.

18           UNIDENTIFIED MALE SPEAKER: Between -- in -- between  
19 Miami and Miami Beach --

20           MR. ABRAMS: -- that's a different -- that's a whole  
21 different concept.

22           UNIDENTIFIED FEMALE SPEAKER: Sorry, but I --

23           UNIDENTIFIED MALE SPEAKER: Well -- because you're  
24 saying -- I want to fill in lan -- well -- you want to push  
25 water somewhere -- in a matter of speaking --

1 MR. ABRAMS: Yeah.

2 UNIDENTIFIED MALE SPEAKER: And that --

3 UNIDENTIFIED MALE SPEAKER: That's -- could be --

4 UNIDENTIFIED MALE SPEAKER: -- and then there was one  
5 in Sunrise Lake.

6 CHAIR WITTEN: So, let's -- guys, let's stop. What  
7 we're -- an -- and again --

8 MR. DUNCKEL: You -- you started by asking a question  
9 off the written material --

10 UNIDENTIFIED MALE SPEAKER: Yeah.

11 MR. DUNCKEL: -- he's explained it, as to fact -- your  
12 follow-up question to me was, do you agree --

13 UNIDENTIFIED MALE SPEAKER: -- is he -- is he --

14 MR. DUNCKEL: -- the answer is, we have a different  
15 posture on this, than what he does.

16 UNIDENTIFIED MALE SPEAKER: Okay. And when there's a  
17 different posture, it's a magistrate who makes that decision?

18 MR. DUNCKEL: No. No, probably Board of Adjustment  
19 and City commissioner.

20 UNIDENTIFIED MALE SPEAKER: Okay.

21 MR. DUNCKEL: Is that -- is that where you were  
22 headed.

23 UNIDENTIFIED MALE SPEAKER: Yeah. I was just going to  
24 ask, what are we -- yeah. Then, what -- what is the follow up  
25 to --

1 MR. DUNCKEL: Okay.

2 UNIDENTIFIED MALE SPEAKER: -- discussion now.

3 MR. DUNCKEL: The -- I'm getting back to where I  
4 started. You've got one finger pier that's at 36.5, I'm  
5 recommending that you adopt the motion to recommend approval of  
6 the eastern most pier. If you would take that to start with,  
7 then we would address the western most pier. I would say let's  
8 address the eastern most pier first.

9 UNIDENTIFIED MALE SPEAKER: So we can separate the --

10 MR. DUNCKEL: Yes.

11 UNIDENTIFIED MALE SPEAKER: So -- okay. Like --

12 MR. DUNCKEL: -- and you can -- yeah.

13 CHAIR WITTEN: All right.

14 MR. LYNCH: I'll make a motion that -- to approve the  
15 eastern most pier.

16 MR. DUNCKEL: Okay. Okay.

17 UNIDENTIFIED MALE SPEAKER: That -- it's 36 and a half  
18 feet.

19 MR. DUNCKEL: Yes.

20 MR. LYNCH: Yeah. Of 30 -- of 36 and a half feet,  
21 then -- solely that 36 and a half foot finger pier.

22 MR. BRUNELLE: I move to --

23 UNIDENTIFIED MALE SPEAKER: Sec --

24 MR. BRUNELLE: -- second.

25 CHAIR WITTEN: I'll second. So we have a first and

1 second. Second was Tyler.

2 UNIDENTIFIED MALE SPEAKER: City is --

3 UNIDENTIFIED FEMALE SPEAKER: Thank you.

4 CHAIR WITTEN: Did you already vote.

5 UNIDENTIFIED MALE SPEAKER: Yeah -- how far a boat you  
6 go past -- through the length of pier --

7 CHAIR WITTEN: -- it's close --

8 UNIDENTIFIED MALE SPEAKER: -- because --

9 CHAIR WITTEN: It's code --

10 UNIDENTIFIED MALE SPEAKER: And it's 25 percent, 30  
11 percent --

12 MR. DUNCKEL: -- vessel may not exceed 30 percent of  
13 the width of the waterway.

14 UNIDENTIFIED MALE SPEAKER: So -- and the whole  
15 waterway?

16 MR. DUNCKEL: Yeah.

17 UNIDENTIFIED MALE SPEAKER: So even though the dock  
18 is --

19 MR. DUNCKEL: Well, this is --

20 UNIDENTIFIED MALE SPEAKER: -- here --

21 MR. DUNCKEL: -- where we have a difference of --

22 UNIDENTIFIED MALE SPEAKER: Yeah.

23 MR. DUNCKEL: -- opinion.

24 UNIDENTIFIED MALE SPEAKER: Right.

25 UNIDENTIFIED MALE SPEAKER: Right.

1 UNIDENTIFIED MALE SPEAKER: It's typically --

2 MR. LYNCH: Let's do this 96 and a half --

3 UNIDENTIFIED MALE SPEAKER: -- the boats in the middle  
4 of the water --

5 UNIDENTIFIED MALE SPEAKER: -- he could put a 70 foot  
6 boat there, if he chose to --

7 MR. DUNCKEL: I'm not --

8 UNIDENTIFIED MALE SPEAKER: -- dock it?

9 MR. DUNCKEL: No -- I didn't say that.

10 UNIDENTIFIED MALE SPEAKER: But that would still allow  
11 30 percent -- into the waterway --

12 CHAIR WITTEN: -- we have a motion on the --

13 UNIDENTIFIED MALE SPEAKER: Yeah.

14 CHAIR WITTEN: -- table, let's address the motion,  
15 please --

16 UNIDENTIFIED MALE SPEAKER: -- discussing --

17 CHAIR WITTEN: We have second already?

18 UNIDENTIFIED MALE SPEAKER: Yes.

19 UNIDENTIFIED MALE SPEAKER: Yeah.

20 CHAIR WITTEN: Okay. Let's have a roll --

21 UNIDENTIFIED FEMALE SPEAKER: -- I just --

22 CHAIR WITTEN: Yeah.

23 UNIDENTIFIED FEMALE SPEAKER: -- already mentioned.

24 UNIDENTIFIED MALE SPEAKER: We're no.

25 UNIDENTIFIED MALE SPEAKER: We're no.

1 UNIDENTIFIED FEMALE SPEAKER: -- no, thank you.

2 CHAIR WITTEN: Can we have a roll call vote, please?

3 UNIDENTIFIED FEMALE SPEAKER: Yes.

4 UNIDENTIFIED MALE SPEAKER: Don't we discuss it before  
5 we have a motion?

6 UNIDENTIFIED MALE SPEAKER: Yeah.

7 CHAIR WITTEN: So let's bring it up for discussion  
8 first -- you have further questions before we do that. Let's --

9 UNIDENTIFIED MALE SPEAKER: I'm just asking you if --  
10 we're going to amended it, can we amend how big of a boat can  
11 fit there -- is by taking the measurement --

12 MR. DUNCKEL: You're only here on a waiver of --

13 UNIDENTIFIED MALE SPEAKER: That's right.

14 MR. DUNCKEL: -- limitations with respect to the -- of  
15 the dock.

16 UNIDENTIFIED MALE SPEAKER: So we can't put other  
17 conditions and other things on -- how big of a boat can fit on  
18 the dock?

19 MR. DUNCKEL: We have done that in the past, but it  
20 would make the waters less murky if we addressed just finger  
21 pier.

22 CHAIR WITTEN: So let's bring it to a vote, please.

23 UNIDENTIFIED FEMALE SPEAKER: Excuse me.

24 UNIDENTIFIED FEMALE SPEAKER: And I want to make sure  
25 I have motion correct for the record --

1 UNIDENTIFIED MALE SPEAKER: Sure.

2 UNIDENTIFIED FEMALE SPEAKER: -- the record, it's a  
3 motion to approve a -- 1 -- 6 and a half foot finger pier?

4 CHAIR WITTEN: The eastern most --

5 UNIDENTIFIED MALE SPEAKER: The eastern most --

6 CHAIR WITTEN: The eastern most pier.

7 UNIDENTIFIED FEMALE SPEAKER: Thank you.

8 CHAIR WITTEN: At 36 and a half feet --

9 UNIDENTIFIED FEMALE SPEAKER: Okay.

10 MR. DUNCKEL: Yeah.

11 CHAIR WITTEN: At 36 and a half feet.

12 UNIDENTIFIED FEMALE SPEAKER: -- is -- right. Okay.

13 UNIDENTIFIED MALE SPEAKER: And that's no pilings past  
14 that?

15 UNIDENTIFIED FEMALE SPEAKER: Mr. Day?

16 MR. DAY: Yes.

17 MR. DUNCKEL: Yeah.

18 UNIDENTIFIED FEMALE SPEAKER: Mr. -- Mr. Mitchell?

19 CHAIR WITTEN: And --

20 UNIDENTIFIED FEMALE SPEAKER: Mr. Morley?

21 MR. MORLEY: Yes.

22 UNIDENTIFIED FEMALE SPEAKER: Mrs Ware?

23 MS. WARE: Yes.

24 UNIDENTIFIED FEMALE SPEAKER: Mr. Swindell?

25 MR. SWINDELL: No.

1 UNIDENTIFIED FEMALE SPEAKER: Mr. Ribotsky?

2 MR. RIBOTSKY: No.

3 UNIDENTIFIED FEMALE SPEAKER: Mr. Lynch?

4 MR. LYNCH: Yes.

5 UNIDENTIFIED FEMALE SPEAKER: Mr. Franks?

6 MR. FRANKS: Yes.

7 UNIDENTIFIED FEMALE SPEAKER: Mr. Flanagan?

8 MR. FLANIGAN: Yes.

9 UNIDENTIFIED FEMALE SPEAKER: Mr. Dunbar?

10 MR. DUNBAR: Yes.

11 UNIDENTIFIED FEMALE SPEAKER: Mr. Coburn?

12 MR. COBURN: Yes.

13 UNIDENTIFIED FEMALE SPEAKER: Mr. Brunelle?

14 MR. BRUNELLE: Yes.

15 UNIDENTIFIED FEMALE SPEAKER: Mr. Washington?

16 MR. WASHINGTON: Yes.

17 UNIDENTIFIED FEMALE SPEAKER: Chair Witten?

18 CHAIR WITTEN: Yes. Thank you.

19 UNIDENTIFIED FEMALE SPEAKER: Motion passes.

20 CHAIR WITTEN: So is the -- a second part of this now,  
21 and the second part --

22 MR. DUNCKEL: Second part, we're addressing the  
23 western most pier, which was a -- a hold one second -- a -- 56.5  
24 feet, which exceeds the 30 percent limit. Your options are,  
25 with regard to west, you can continue to recommend denial, as

1 it's presented, or you can recommend approval, subject to  
2 limiting it to 30 percent, or you can recommend approval,  
3 subject to limiting it to the 36.5, as an eastern most --  
4 express your --

5 MR. LYNCH: Okay. So depending on what judgment is  
6 made upon what this -- how you calculate the waterway width,  
7 right -- whether it's property, not property --

8 UNIDENTIFIED MALE SPEAKER: Yes.

9 MR. LYNCH: -- if it is from the wet face, then that  
10 dock would be over 30 percent of the waterway, and we --

11 MR. DUNCKEL: That's --

12 MR. LYNCH: -- cannot --

13 MR. DUNCKEL: -- because it's --

14 MR. LYNCH: -- recommend a waiver -- for that dock --

15 MR. DUNCKEL: That is correct.

16 MR. LYNCH: And if it's his property, then he doesn't  
17 need a waiver.

18 MR. DUNCKEL: I don't agree with that.

19 MR. LYNCH: If -- if --

20 MR. DUNCKEL: This is some --

21 MR. LYNCH: -- if they rule in --

22 MR. DUNCKEL: -- that --

23 MR. LYNCH: -- in his favor, then --

24 MR. DUNCKEL: At the end of the day, this is something  
25 that's probably going to end up in circuit court.

1 MR. LYNCH: Yes. Yes. So I'm saying, if -- if that  
2 is the case and they rule in his favor, then -- then he doesn't  
3 even need a waiver.

4 MR. DUNCKEL: That --

5 MR. LYNCH: So why -- what is the purpose of us voting  
6 either direction, because it's essentially out of our hands --  
7 he either doesn't need a waiver or it's to make --

8 MR. DUNCKEL: Because -- because it gets presented to  
9 the city commission with a -- with a recommendation, that's what  
10 this Board is here to do -- make a recommendation for approval  
11 or denial when it goes to the city co --

12 MR. LYNCH: Okay.

13 UNIDENTIFIED MALE SPEAKER: I think what he's trying  
14 to get at is -- is that, nothing has changed in our -- in the  
15 last concept that -- if we use what the City, who -- which is  
16 what we have to go by, right -- we can't just make up stuff, we  
17 have to go by your expertise, your explanation of the way we  
18 measure -- this puts this out of our hand where we can't --  
19 recommend it because it goes against what we --

20 UNIDENTIFIED MALE SPEAKER: Yeah.

21 MR. DUNCKEL: Well, you could recommend it subject at  
22 one of those limitation --

23 UNIDENTIFIED MALE SPEAKER: Right. The limitation.

24 MR. DUNCKEL: Yeah.

25 UNIDENTIFIED MALE SPEAKER: Right.

1 MR. DUNCKEL: Or you can just continue to deny -- for  
2 reason --

3 UNIDENTIFIED MALE SPEAKER: -- it is 29.6 percent,  
4 basically?

5 MR. DUNCKEL: I'm sorry?

6 UNIDENTIFIED MALE SPEAKER: 36 and a half feet, it's  
7 like 29 and change percent of the waterway.

8 UNIDENTIFIED MALE SPEAKER: I think it's --

9 MR. DUNCKEL: It's --

10 UNIDENTIFIED MALE SPEAKER: -- so you're left --

11 MR. DUNCKEL: -- it's -- it's just barely over 25  
12 percent.

13 UNIDENTIFIED MALE SPEAKER: Okay. So --

14 MR. DUNCKEL: Yeah.

15 UNIDENTIFIED FEMALE SPEAKER: That's basically --

16 MR. DUNCKEL: Did you say 26?

17 UNIDENTIFIED MALE SPEAKER: Yeah.

18 MR. DUNCKEL: Yeah. I think I calculated --

19 UNIDENTIFIED MALE SPEAKER: So -- they did 30 --

20 MR. DUNCKEL: -- 1.3 feet --

21 UNIDENTIFIED MALE SPEAKER: -- there -- you're  
22 saying --

23 UNIDENTIFIED MALE SPEAKER: -- 1 point -- 1.3 --

24 UNIDENTIFIED MALE SPEAKER: You're saying 30 --

25 MR. DUNCKEL: Yeah. Yeah.

1 UNIDENTIFIED MALE SPEAKER: Okay.

2 MR. DUNCKEL: That's what I calculated.

3 UNIDENTIFIED MALE SPEAKER: You're saying 36 --

4 UNIDENTIFIED MALE SPEAKER: Yes.

5 UNIDENTIFIED MALE SPEAKER: -- which is the same as  
6 the eastern --

7 UNIDENTIFIED MALE SPEAKER: Yeah.

8 UNIDENTIFIED MALE SPEAKER: -- dock --

9 UNIDENTIFIED MALE SPEAKER: Yeah.

10 UNIDENTIFIED MALE SPEAKER: -- basically, we would --  
11 our limitation would be the same as the eastern dock -- or go  
12 and get a --

13 UNIDENTIFIED MALE SPEAKER: If it's --

14 UNIDENTIFIED MALE SPEAKER: Go and -- go and get a --

15 UNIDENTIFIED MALE SPEAKER: -- less that two feet over  
16 the 25 percent. Okay.

17 MR. LYNCH: I'll make a motion that we approve,  
18 subject to limiting the size of the dock to under 30 percent of  
19 the waterway, from -- judged as wet face to wet face.

20 MR. DUNCKEL: Actually, it's property line is --

21 MR. LYNCH: That -- that's what I meant.

22 MR. DUNCKEL: Property lines.

23 UNIDENTIFIED FEMALE SPEAKER: I'm sorry. Could you  
24 please -- because I can't hear --

25 CHAIR WITTEN: We're -- we're --

1 UNIDENTIFIED FEMALE SPEAKER: -- what you're --

2 CHAIR WITTEN: So we got to talk louder. So let's  
3 call -- what is the motion in front of, please?

4 MR. LYNCH: Okay. The motion is to approve, subject  
5 to limiting the size of the dock to 36 and a half feet as well.

6 MR. DUNCKEL: Well, actually you said --

7 MR. LYNCH: -- percent.

8 MR. DUNCKEL: Less than 30 per --

9 MR. LYNCH: The -- oh, sorry. Okay. Okay.

10 MR. DUNCKEL: Which -- would you say --

11 UNIDENTIFIED FEMALE SPEAKER: Limiting the size of the  
12 dock to --

13 MR. LYNCH: Less than 30 percent of that waterway.

14 MR. DUNCKEL: 42.27.

15 MR. LYNCH: Okay. So 42.27 feet.

16 UNIDENTIFIED MALE SPEAKER: And originally, it was 59,  
17 right?

18 UNIDENTIFIED FEMALE SPEAKER: 40 percent of the  
19 waterway --

20 MR. LYNCH: 4 -- 42.27 percent -- or 42.27 feet.

21 CHAIR WITTEN: This is the western most pier --

22 UNIDENTIFIED MALE SPEAKER: Yes.

23 CHAIR WITTEN: -- that we're taking --

24 UNIDENTIFIED FEMALE SPEAKER: Right.

25 CHAIR WITTEN: -- about --

1 MR. DUNCKEL: Yes.

2 UNIDENTIFIED MALE SPEAKER: Makes sense --

3 UNIDENTIFIED MALE SPEAKER: Which takes us --

4 CHAIR WITTEN: Let's make sure she's got it.

5 MR. LYNCH: Why?

6 UNIDENTIFIED MALE SPEAKER: I don't like -- three and  
7 half -- that's --

8 UNIDENTIFIED MALE SPEAKER: So --

9 UNIDENTIFIED MALE SPEAKER: -- that's --

10 UNIDENTIFIED MALE SPEAKER: It was --

11 UNIDENTIFIED MALE SPEAKER: Don't --

12 UNIDENTIFIED MALE SPEAKER: -- enough to get --

13 UNIDENTIFIED MALE SPEAKER: 30 percent.

14 UNIDENTIFIED MALE SPEAKER: Yeah. It's going to --

15 CHAIR WITTEN: So we have -- a motion -- on the table,  
16 guys -- let's -- let's take a second, if you have something to  
17 share right now?

18 UNIDENTIFIED MALE SPEAKER: Yeah, I -- I remember  
19 reading the other --

20 UNIDENTIFIED MALE SPEAKER: So what --

21 UNIDENTIFIED MALE SPEAKER: -- thing where it talked  
22 about the owner had a 90 plus foot vessel --

23 CHAIR WITTEN: Not true.

24 UNIDENTIFIED MALE SPEAKER: -- docked at --

25 CHAIR WITTEN: -- not --

1 UNIDENTIFIED MALE SPEAKER: -- our --

2 CHAIR WITTEN: -- not this, there's no way.

3 UNIDENTIFIED MALE SPEAKER: Wasn't that in our  
4 minutes?

5 UNIDENTIFIED MALE SPEAKER: Yes.

6 MR. DUNCKEL: It was --

7 UNIDENTIFIED MALE SPEAKER: What --

8 MR. DUNCKEL: -- seven feet.

9 UNIDENTIFIED MALE SPEAKER: Yeah.

10 UNIDENTIFIED MALE SPEAKER: Our minutes said --

11 UNIDENTIFIED MALE SPEAKER: -- he -- at --

12 UNIDENTIFIED MALE SPEAKER: -- 90 something, didn't  
13 it?

14 CHAIR WITTEN: Now, it's not that -- were -- you --  
15 now, see, you're not putting in a 90 foot --

16 UNIDENTIFIED MALE SPEAKER: There's no way.

17 UNIDENTIFIED MALE SPEAKER: All right. And maybe I'm  
18 wrong, but --

19 UNIDENTIFIED MALE SPEAKER: It said the owner wanted a  
20 park his 90 plus foot boat there, and that was --

21 UNIDENTIFIED MALE SPEAKER: I don't think it was 90 --

22 UNIDENTIFIED MALE SPEAKER: -- in the November  
23 notes -- minutes.

24 UNIDENTIFIED MALE SPEAKER: Yeah.

25 UNIDENTIFIED MALE SPEAKER: Yes.

1 MR. DUNCKEL: That would be interesting if you  
2 followed with Ryan's of -- an arguments -- that you should  
3 only --

4 UNIDENTIFIED MALE SPEAKER: There's some discern --

5 MR. DUNCKEL: -- looked at the width of the Crevalle  
6 Canal, which is only 63.8 feet.

7 UNIDENTIFIED MALE SPEAKER: Right.

8 UNIDENTIFIED MALE SPEAKER: You're saying that's what  
9 was in the minutes for the November --

10 MR. DUNCKEL: Think I --

11 UNIDENTIFIED MALE SPEAKER: -- that we approved?

12 MR. DUNCKEL: I -- I thought it was 70, that was my  
13 recollection, but --

14 UNIDENTIFIED MALE SPEAKER: Let see. 200 feet --

15 CHAIR WITTEN: One of the re -- so we have a motion  
16 order and -- and do we have a second on this, by the way?

17 MR. LYNCH: Not yet.

18 CHAIR WITTEN: Okay. So --

19 UNIDENTIFIED MALE SPEAKER: Now, I see --

20 CHAIR WITTEN: -- before we do -- so one of the things  
21 we talked about with this particular location, guys -- it is one  
22 of the most sensitive locations we've dealt with. The neighbors  
23 down -- when we talk about the width of the canal -- at the  
24 mouth of the canal, it's, again wider, it narrows down to 50, 60  
25 feet, you know.

1           So again, when we -- to use the term -- make boating  
2 safe and accessible for all, this has nothing to do with the  
3 property owner, this has to do with the neighbors who we hope  
4 can get their boats down there.

5           Do we have a second? Do we have a second from anybody  
6 on the motion?

7           Would you repeat the motion, please --

8           UNIDENTIFIED FEMALE SPEAKER: Yes. I have a  
9 motion on -- to approve the western -- finger pier, subject to  
10 limiting the size of the dock to less than 30 percent of the  
11 waterway -- 42.7 feet.

12          CHAIR WITTEN: So we have a motion. Do we have a  
13 second?

14          UNIDENTIFIED MALE SPEAKER: Right.

15          MR. BRUNELLE: I'll second.

16          CHAIR WITTEN: Do we have a second?

17          UNIDENTIFIED MALE SPEAKER: Yes.

18          CHAIR WITTEN: Let's bring this to a roll call,  
19 please, dear, when you have a moment.

20          UNIDENTIFIED FEMALE SPEAKER: Yes.

21          CHAIR WITTEN: Thank you for that, sir.

22          UNIDENTIFIED FEMALE SPEAKER: Mr. Day?

23          MR. DAY: No.

24          UNIDENTIFIED FEMALE SPEAKER: Mr. Mitchell?

25          MR. MITCHELL: No.

1 UNIDENTIFIED FEMALE SPEAKER: Mr. Morley?  
2 MR. MORLEY: No.  
3 UNIDENTIFIED FEMALE SPEAKER: Mrs Ware?  
4 MS. WARE: No.  
5 UNIDENTIFIED FEMALE SPEAKER: Mr. Swindell?  
6 MR. SWINDELL: No.  
7 UNIDENTIFIED FEMALE SPEAKER: Ribotsky?  
8 MR. RIBOTSKY: No.  
9 UNIDENTIFIED FEMALE SPEAKER: Mr. Lynch?  
10 MR. LYNCH: Yes.  
11 UNIDENTIFIED FEMALE SPEAKER: Mr. Franks?  
12 MR. FRANKS: No.  
13 UNIDENTIFIED FEMALE SPEAKER: Mr. Flanigan?  
14 MR. FLANIGAN: No.  
15 UNIDENTIFIED MALE SPEAKER: Thirty seconds now --  
16 UNIDENTIFIED FEMALE SPEAKER: Mr. Dunbar?  
17 MR. DUNBAR: No.  
18 UNIDENTIFIED FEMALE SPEAKER: Mr. Coburn?  
19 MR. COBURN: Yes.  
20 UNIDENTIFIED FEMALE SPEAKER: Mr. Brunelle?  
21 MR. BRUNELLE: No.  
22 UNIDENTIFIED FEMALE SPEAKER: Mr. Washington?  
23 MR. WASHINGTON: No.  
24 UNIDENTIFIED FEMALE SPEAKER: And, Chair Wittin?  
25 CHAIR WITTEN: Yes.

1 UNIDENTIFIED FEMALE SPEAKER: Motions fails.

2 CHAIR WITTEN: Thank you.

3 MR. DUNCKEL: With that, I think it would be  
4 appropriate to recommend denial -- that's it, which is what was  
5 done the first time now -- because remember, we adopted a motion  
6 for reconsideration, so we've got to take some action as a  
7 result of the motion for reconsideration.

8 UNIDENTIFIED MALE SPEAKER: Reconsideration with no  
9 change?

10 MR. DUNCKEL: Yes.

11 UNIDENTIFIED MALE SPEAKER: Okay.

12 MR. DUNCKEL: And stay with the denial, as -- as was  
13 done the first time.

14 UNIDENTIFIED MALE SPEAKER: Can you elaborate on why?

15 MR. DUNCKEL: Because of the way the vote went down,  
16 being --

17 UNIDENTIFIED MALE SPEAKER: On the second one. On the  
18 second --

19 MR. DUNCKEL: On the -- on the western one, yes.

20 UNIDENTIFIED MALE SPEAKER: Yeah.

21 UNIDENTIFIED MALE SPEAKER: Could we redo the second  
22 one and -- and see if -- I mean -- to keep it exactly the same  
23 as the eastern one, 36 feet?

24 MR. DUNCKEL: That's a -- yes. Yeah.

25 UNIDENTIFIED MALE SPEAKER: Because I think --

1 MR. DUNCKEL: -- those are two --

2 UNIDENTIFIED MALE SPEAKER: I think that --

3 MR. DUNCKEL: -- option --

4 UNIDENTIFIED MALE SPEAKER: -- as we're teetering on  
5 30 percent, I think that's prob -- it might be what people have  
6 an issue with, like that -- if we're on -- right at that 30  
7 percent line, I think that that's --

8 MR. DUNCKEL: We'll see --

9 UNIDENTIFIED MALE SPEAKER: -- not what we were at --  
10 were 25 on the other, correct?

11 CHAIR WITTEN: Mr. Morley, for a second --

12 MR. MORLEY: -- chairman, thank you, sir. If I may, I  
13 brought the initial motion for reconsideration to the table,  
14 if it would -- help so, and part of that was the idea that, you  
15 know -- one of our goals here is to make sure that our rights to  
16 the waterway are -- are protected, and -- and, you know --  
17 everyone has access to it.

18 And I understand Mr. Abrams -- and your -- your  
19 client's application point about how here -- has rights, and so  
20 does the rest of the neighborhood -- the neighbors all have  
21 rights as well, and I think the Applicants' rights end where  
22 the -- where the neighbor's rights begin.

23 I think that's the point that we're kind of teetering  
24 on here, is -- fair and equal access. If you look at the  
25 canal -- 79 foot boat's going to be a big boat in that canal,

1 that's going to create future problems -- anybody, so I -- you  
2 know, I -- the initial denial was because the applicant was  
3 unwilling to take smaller docks -- were smaller --

4 UNIDENTIFIED MALE SPEAKER: Yeah.

5 CHAIR WITTEN: That's correct -- we're getting quite  
6 the opposite.

7 MR. MORLEY: Yeah, and they refused, so that was why  
8 it was an outright deny, so I had hoped through those  
9 discussions and through the discussions with the -- the HOAs  
10 over there -- between the applicant and them, that they would  
11 reach some common ground -- we're big on common ground -- that  
12 way --

13 CHAIR WITTEN: Right. Yeah.

14 MR. MORLEY: I -- I don't know if that's happened,  
15 not -- from body, but I would hope that it has --

16 UNIDENTIFIED MALE SPEAKER: No --

17 MR. MORLEY: -- if it hasn't.

18 UNIDENTIFIED MALE SPEAKER: No. He never approached  
19 us.

20 MR. MORLEY: Yeah. So pushing a 30 percent, I think,  
21 would inhibit -- I think, you know -- if I was right -- think it  
22 would inhibit access to the rest of the canal, and, I mean,  
23 that -- just -- you know, look at that as a question. So the  
24 question is, do we want to do something at 36 --

25 UNIDENTIFIED MALE SPEAKER: Well, I --

1 MR. MORLEY: -- and a half feet.

2 UNIDENTIFIED MALE SPEAKER: -- here -- here's the  
3 other thing about that, if we're recommending the eastern most  
4 be a certain thing, and now we're going further on the western,  
5 why?

6 MR. MORLEY: Right?

7 UNIDENTIFIED MALE SPEAKER: But why not have both of  
8 them the same -- if we're going to recommend to have that one at  
9 42 and half and have it at the -- right at a 30 -- why can't  
10 have the eastern most on that way -- that way too, though. I  
11 mean, I think that -- and again, I say -- if we're recommending  
12 the eastern one at 30 -- at 36, which is at that number, why  
13 are the western -- when it can't be 36, because they're the same  
14 dock, there's no real difference in the -- in the structure of  
15 them and where they're at, but I do --

16 UNIDENTIFIED MALE SPEAKER: Doesn't the -- doesn't the  
17 land bone in on the west side --

18 UNIDENTIFIED MALE SPEAKER: I mean --

19 UNIDENTIFIED MALE SPEAKER: -- and pinch --

20 UNIDENTIFIED MALE SPEAKER: -- put -- a tiny bit, but  
21 we're talking -- I mean, when you get out to that 30 percent  
22 rule, then yeah -- I mean, I think that starts effecting it,  
23 especially when you -- push another boat --

24 UNIDENTIFIED MALE SPEAKER: Yeah. That's fine.

25 UNIDENTIFIED MALE SPEAKER: -- and depending on where

1 they -- where they -- where they though was -- their concept of  
2 where their land is, they can go out further, but, I mean -- the  
3 bottom line is, if they --

4 CHAIR WITTEN: Do you want --

5 UNIDENTIFIED MALE SPEAKER: -- if they --

6 MR. DUNCKEL: I get --

7 UNIDENTIFIED MALE SPEAKER: -- I looked at it as -- we  
8 can't consider it outside of what Bob tells us what the city  
9 views as where we are.

10 UNIDENTIFIED MALE SPEAKER: Okay.

11 UNIDENTIFIED MALE SPEAKER: If he came here and he  
12 proved Bob wrong, then that's a different thing, we can say, oh,  
13 we'd go further, but we can't look at that because we'd be going  
14 against what our City tells us we have to look at it, that's  
15 my -- my view on it, so --

16 UNIDENTIFIED MALE SPEAKER: Bob -- yeah --

17 UNIDENTIFIED MALE SPEAKER: I got at photographs of --  
18 got the photographs of that area back in the -- anybody would  
19 like to see them, I can put them up here, but just from looking  
20 at this and having that back there, you can't put really  
21 anything more than about a 50 foot boat in there, otherwise,  
22 it's -- anything more than 50 feet long, it's going to take --  
23 block up that channel.

24 UNIDENTIFIED MALE SPEAKER: Yes, he is --

25 UNIDENTIFIED MALE SPEAKER: -- it's going to be

1 difficult.

2 UNIDENTIFIED MALE SPEAKER: I was in a -- 30 foot boat  
3 back there, so I was tight --

4 UNIDENTIFIED MALE SPEAKER: Just -- just my  
5 professional opinion.

6 CHAIR WITTEN: Mr. Morley, you had something else,  
7 sir?

8 MR. MORLEY: I think in the interest of compromise, I  
9 put forward a motion to -- approve the dock at 36 and a half  
10 feet western most.

11 UNIDENTIFIED MALE SPEAKER: That'll be --

12 CHAIR WITTEN: So --

13 MR. MORLEY: 36.6 feet --

14 UNIDENTIFIED MALE SPEAKER: 36.

15 MR. MORLEY: -- western most pier --

16 UNIDENTIFIED MALE SPEAKER: 36.5.

17 MR. MORLEY: That's -- yeah. 36 and a half feet --

18 CHAIR WITTEN: So, Mr. Morley, in the spirit of doing  
19 what's best, we think, for our neighbors, has proposed a -- a  
20 motion to approve the westernmost pier at 36 and a half feet.  
21 Is there a second on this?

22 MR. BRUNELLE: Second that.

23 CHAIR WITTEN: Second is Tyler. Let's try a roll call  
24 vote on this one --

25 UNIDENTIFIED FEMALE SPEAKER: I can.

1 UNIDENTIFIED MALE SPEAKER: So we -- both of them be  
2 the same size --

3 MR. MORLEY: That's right.

4 UNIDENTIFIED MALE SPEAKER: Should we just stipulate  
5 that they have to be the same size?

6 MR. MORLEY: That -- that's in the record.

7 UNIDENTIFIED MALE SPEAKER: That's in record --

8 UNIDENTIFIED MALE SPEAKER: Is it?

9 UNIDENTIFIED MALE SPEAKER: Yeah -- 36 and --

10 UNIDENTIFIED MALE SPEAKER: Is that --

11 UNIDENTIFIED MALE SPEAKER: -- a half feet.

12 CHAIR WITTEN: So we approved the eastern most at 36  
13 and a half, wisely, we are now looking at the western most at 36  
14 and a half.

15 UNIDENTIFIED MALE SPEAKER: Sure.

16 UNIDENTIFIED MALE SPEAKER: Is this is a  
17 reconsideration of the motion we just held?

18 UNIDENTIFIED MALE SPEAKER: No.

19 UNIDENTIFIED MALE SPEAKER: No, we're voting --

20 UNIDENTIFIED MALE SPEAKER: -- said it -- was  
21 30 percent of --

22 UNIDENTIFIED MALE SPEAKER: That's where we took a  
23 vote is -- was --

24 UNIDENTIFIED MALE SPEAKER: Yeah.

25 UNIDENTIFIED FEMALE SPEAKER: Ready for roll --

1 CHAIR WITTEN: Yes, ma'am.

2 UNIDENTIFIED FEMALE SPEAKER: Okay.

3 Mr. Day?

4 MR. DAY: Approve.

5 UNIDENTIFIED FEMALE SPEAKER: Mr. Mitchell?

6 MR. MITCHELL: Yes.

7 UNIDENTIFIED FEMALE SPEAKER: Mr. Morley?

8 MR. MORLEY: Yes.

9 UNIDENTIFIED FEMALE SPEAKER: Mrs. Ware?

10 MS. WARE: Yes.

11 UNIDENTIFIED FEMALE SPEAKER: Mr. Swindell?

12 MR. SWINDELL: No.

13 UNIDENTIFIED FEMALE SPEAKER: Mr. Ribotsky?

14 MR. RIBOTSKY: Yes.

15 UNIDENTIFIED FEMALE SPEAKER: Mr. Lynch?

16 MR. LYNCH: Yes.

17 UNIDENTIFIED FEMALE SPEAKER: Mr. Franks?

18 MR. FRANKS: Yes.

19 UNIDENTIFIED FEMALE SPEAKER: Mr. Flanigan?

20 MR. FLANIGAN: Yes.

21 UNIDENTIFIED MALE SPEAKER: Can I ask --

22 UNIDENTIFIED FEMALE SPEAKER: Mr. Dunbar?

23 UNIDENTIFIED MALE SPEAKER: -- after this?

24 MR. DUNBAR: Yes.

25 UNIDENTIFIED FEMALE SPEAKER: Mr. Coburn?

1 MR. COBURN: Yes.

2 UNIDENTIFIED FEMALE SPEAKER: Mr. Brunelle?

3 MR. BRUNELLE: Yes.

4 UNIDENTIFIED FEMALE SPEAKER: Mr. Washington?

5 MR. WASHINGTON: Yes.

6 UNIDENTIFIED FEMALE SPEAKER: And, Chair Wittin?

7 CHAIR WITTEN: Yes.

8 UNIDENTIFIED FEMALE SPEAKER: Motion passes.

9 CHAIR WITTEN: Outstanding job, guys. Thank you all  
10 very much. That was a smart move and no -- none of this --  
11 anybody thinks we rubber stamp this stuff -- if you're listing  
12 commissioners, we do not rubber stamp this --

13 UNIDENTIFIED MALE SPEAKER: Do we have to now value  
14 the motion to reconsider or no? That's all --

15 MR. DUNCKEL: No.

16 UNIDENTIFIED MALE SPEAKER: -- right. No, okay. Now,  
17 when --

18 MR. DUNCKEL: This is one --

19 UNIDENTIFIED MALE SPEAKER: -- that went --

20 MR. DUNCKEL: -- of the joys of this job.

21 UNIDENTIFIED MALE SPEAKER: Yep.

22 UNIDENTIFIED MALE SPEAKER: So this is for -- sorry.

23 CHAIR WITTEN: Is it -- all right. Thank you.

24 MR. ABRAMS: Good --

25 CHAIR WITTEN: Thank you. Thank you. So I make a

1 motion we move on to the next agenda.

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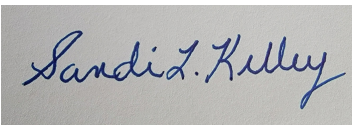
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CERTIFICATE OF TRANSCRIBER

I, Sandi L. Kelley, do hereby certify that I was authorized to transcribe the foregoing recorded proceeding; and that the transcript is a true and accurate transcription, to the best of my ability, taken while listening to the provide recording.

I FURTHER CERTIFY that I am not of counsel or attorney for either or any of the parties to said proceedings, nor in any way interested in the events of this cause, and that I am not related to any of the parties thereto.

Dated this 2nd day of March, 2026.



Sandi L. Kelley

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