

**MARINE ADVISORY BOARD
THURSDAY JUNE 3, 2004
CITY COMMISSION CONFERENCE ROOM – EIGHTH FLOOR
CITY HALL
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA**

BOARD MEMBERS PRESENT

**ATTENDANCE
Cumulative From 5/1/03**

| | | |
|---------------------|-----|-----|
| Ryan Campbell | P-2 | A-0 |
| Richard Duncan | P-2 | A-0 |
| Barry Flanigan | P-2 | A-0 |
| Joseph Hessmann | P-2 | A-0 |
| Roger McKee | P-2 | A-0 |
| Norbert McLaughlin | P-1 | A-1 |
| David McNulty | P-1 | A-0 |
| Ted Peterson | P-0 | A-2 |
| Robert Sadowski | P-2 | A-0 |
| Rick Schulze | P-2 | A-0 |
| John Terrell | P-2 | A-0 |
| Dr. Geraldine Udell | P-2 | A-0 |
| Peter Zachary | P-1 | A-1 |
| Eugene Zorovich | P-1 | A-1 |

Board Members Absent

Norbert McLaughlin
Ted Peterson
Eugene Zorovich

Staff Present

Jamie Hart, Supervisor of Marine Facilities
Mike Horn, Intracoastal Facilities Dockmaster
Chuck Adams, Redevelopment Services & Marine Facilities Manager
Officer Joe Genna, Marine Patrol Unit

Jamie Hart stated that the Recording Secretary was unable to attend tonight's meeting due to a last minute emergency, and therefore, encouraged the Chair to have all speakers identify themselves so the names would be recorded on tape.

Guests

| | |
|------------------|----------------|
| Joanne T. Becker | Loredana Uclad |
| Tyler Chappell | Max Valad |
| Barbara Hall | David Murray |
| Steven Chess | Joe Genna |
| Karen Chess | Glen Bryant |
| James Boyer | Frank Herhold |

CALL TO ORDER

Chair Barry Flanigan called the meeting to order at approximately 7:20 p.m. Roll call was taken and a quorum was present.

Chair Barry Flanigan reminded the public that they could call into this meeting with any questions, and announced the phone number as 954-828-6507. He further announced that Joanne Becker would be the individual answering any calls which might come in.

Jamie Hart announced that the agenda and minutes were now on the web site. The City's web site was listed as fortlauderdale.gov.

APPROVAL OF MINUTES – MAY 6, 2004 Meeting

Motion made by Rick Schulze and seconded by Ryan Campbell to approve the minutes of the May 6, 2004 meeting. Board unanimously approved.

WATERWAY CRIME & BOATING SAFETY

Officer Joe Genna, Marine Patrol, stated that he did not have a report for tonight, but he would be glad to address any concerns the Board might have this evening.

REPORTS

Broward County Marine Advisory Committee

No report given.

MARINE INDUSTRY

Frank Herhold, Marine Industry Association, congratulated the new officers and members of the Board. He stated that in the past they had discussed the pressures the industry was currently feeling in terms of the marine facilities, and the conversion of many facilities into high-end residential. He stated there was a development in Palm Beach County that they were following closely known as Sail Fish Marina which had recently been purchased by WCL Properties. He stated there was a lot of speculation as to what would be done with the property. As a result of discussions at the County Commission level and throughout the Community, the County Commission was moving forward to purchase the development rights of the facility which would lock in the current use of the property. Basically, he stated that if the property use changed, then the money given for the development rights would have to be returned. He proceeded to distribute copies of newspaper articles on the subject. Mr. Herhold further stated that it was an interesting development.

OLD BUSINESS

Chair Barry Flanigan stated that a week ago there had been a strong turnout of this Board's attendance at a Riverwalk meeting at the Maxwell. He advised it had been an

update regarding the plan shown to this Board in regard to the Riverwalk. He stated that he had the opportunity to speak with Scott Strawbridge in an attempt to improve the situation. He remarked there was little green area remaining along the River. He further stated they did not want to see an accessible roadway turn into a questionable pathway. He stated there were pros and cons as to how it impacted the existing marina slips in the area. He reiterated that everyone had expressed their concerns about the matter.

Chair Barry Flanigan stated that he had expressed the desire to Scott Strawbridge that possibly they could all work together because there was concern that the roadway could possibly shrink, and possibly it could be made slightly wider. He stated that business individuals such as John Baker had been present. He stated that Scott Strawbridge had gone back and met with the Board and informed them that if the road was widened, the opposition from the Marine Advisory Board would go away, and there could be a working relationship. In return, they wanted the Board to identify an area to be designated for small boats and floating docks. He stated that this was a matter they had discussed several times in the past. He further stated that Scott Strawbridge had informed him that in the green space possibly a pavilion could be constructed and used for an up scale concessionaire.

Chair Barry Flanigan stated that they were trying to attract people to the area. He further stated that various ideas were discussed for the area. He suggested that possibly John Terrell could be a liaison from this Board. He stated that possibly a rendering could be brought back showing what could be designed for the area in front of the Courthouse. He added that suggestions had been in regard to the County granting an easement, which could protect the area for the future. He reiterated that John Baker was very receptive to participate in this project.

Richard Duncan stated that there had been good input at the meeting from concerned residents and other parties involved in the area. He stated further they still maintained that this was a marina for the City of Fort Lauderdale, and they did not want it to become a City park.

Chair Barry Flanigan stated that they had made it clear about their feelings regarding a regional park. He felt the park and marina could be combined.

Peter Zachary stated that it was important that the two groups talk and attempt to work together.

Roger McKee stated that it was his understanding that the road was designed as a one-way, 12' to 15' in width. He asked when they talked of widening the road, what width were they referring to. Chair Barry Flanigan stated it would be at least 15', and maybe wider at certain areas. He stated further that a one-way was acceptable.

Rick Schulze stated that a few months ago an engineer had brought the concept drawing to this Board, and stated there would be a regional park. He stated the matter was questioned, and they had been assured that it was merely semantics and was not a fact at that time and they were just using that terminology.

Chuck Adams stated that it was his understanding that the terminology had been based on the category the City applied to Broward County's Bond Program under. He further stated that most of Riverwalk was not a dedicated park, but vacated right-of-way which had been retained as a pedestrian easement, and had to be that way for legal purposes. Otherwise, the property would revert to the adjacent property owners. He explained that everyone thought of it as a park but for it to be a dedicated park, it could not be done.

Chair Barry Flanigan stated that it appeared everyone agreed that a regional park was not what anyone wanted to see at that location. He stated that he liked the idea of the pavilion that had been suggested.

NEW BUSINESS

Chair Barry Flanigan stated that last month concerns had been raised regarding fires on board several yachts in the area. He stated that next month the meeting would be held at the Marina. He stated that he thought it would be a good idea for individuals from the marine industry to also attend that meeting. He suggested that possibly members of the Fire Department could also attend and supply the industry and residents with the assurance that equipment was available for such emergencies, and coordinated efforts would be made if such emergencies existed in the future. He felt the County needed to be involved in this matter because the City and County shared many waterways. He reiterated that ultimate responsibility would fall back on the City.

Jamie Hart stated that the meeting to be held at Las Olas would have to be deferred due to the fact that he had several waivers on next month's agenda. He suggested that a special meeting could be held. He reiterated that the meeting concerning the fire situation would be held on July 1, 2004. He added that the issue pertaining to the bridge problem at Lakes Estates on Commercial Boulevard would also be on the Board's July agenda. He stated that Eugene Zorovich was very involved in that matter and was unable to be at today's meeting, and therefore, the matter was scheduled for July.

Joseph Hessmann stated that they would have to wait until September for such a meeting.

Jamie Hart stated that the September meeting would be held at the Marina unless something else came up. He asked the Board if they wanted to also have a tour that evening. It was decided there was time to work out an agenda.

Joseph Hessmann reiterated that the Board would not have a meeting in August.

Jamie Hart announced that the Board's September meeting would be held on September 2, 2004.

- **Salting Problem**

Jamie Hart stated that he had looked into the salting problem caused by the Las Olas Grand. He stated the matter was being investigated and the agency in charge was the Department of Natural Resources and Protection of Broward County. He explained that this had to do with surface waters. He believed they had been fined, and he would report

back to this Board about the actions that were to be taken. He thought they would be dredging. He stated that one tour boat in particular was impacted, and he would continue pursuing this matter because that involved \$55,000 per year of revenue being affected.

Jamie Hart further stated that Las Olas Riverhouse had corrected their problem and had been fined to the tune of \$80,000. He added that the other problem had been caused by Las Olas Minto which had not caused any significant impacts. He reiterated that Las Olas Grand had been a real problem and had been very lax. He stated that when the south side site was completed, two tour boats would go back into the area. He stated that before the project started the boat was not hitting bottom, and after it started the boat began hitting bottom.

Richard Duncan asked if the Adopt-a-Waterway Program had been raised at the City Commission meeting this past Wednesday. Chuck Adams stated the item had not yet been scheduled, and he was not aware of when that would be done. Jamie Hart stated that all the information had been forwarded.

- Public Meetings

Jamie Hart reiterated that it was important that the public get involved in the matters for the marinas. He stated that he only ran the facilities, but could not make changes by himself. He thanked Joanne Becker for attending the meetings.

APPLICATION FOR DOCK WAIVER – STEVEN CHESSE – 773 MIDDLE RIVER DRIVE

Jamie Hart stated that due to some last minute information he had received in regard to this matter, he was concerned about some navigational and safety issues for the area. In regard to structural components and distances, he stated he did not have any problems. He reiterated there were a lot of skiing activities in the area, and he had encouraged the applicant to defer this matter for another 30 days which he felt would be in the applicant's best interest. He informed the Board that the applicant had decided not to go that route due to the fact that he could not afford the time frame. He stated it was his recommendation that the Board defer this matter until next month. He stated the other alternative was for the Board to move forward and hear the applicant's case.

Motion made by Geraldine Udell and seconded by Rick Schulze to defer this matter until July 1, 2004.

Joseph Hessmann stated if for any reason the applicant could not attend the July 1 meeting, then possibly they should not include a date in the motion to defer, and then the matter could even be scheduled for September 1, 2004. Jamie Hart explained that the applicant had 180-day continuance regarding code board violations which would expire August 24, 2004. Therefore, he would have to ask for another continuance and time extension. He explained that he would probably have to write a memo explaining the situation to the staff of the Code Enforcement Board. He reiterated that he could not guarantee that the Board would grant another extension.

Richard Duncan asked why this matter was even being brought back before this Board. Jamie Hart stated that this matter had been before this Board about 2 years ago, and the

MARINE ADVISORY BOARD MEETING

JUNE 3, 2004

PAGE 6

applicant was unable to attend that meeting. Therefore, due to code issues the matter was deferred.

Joseph Hessmann stated that the code sheet on this matter consisted of 2 pages beginning with violations from February 4, 2002 until April 14, 2004. He advised that fines ran \$50 per day. He reiterated that the matter had been delayed for 2 years because the applicant could not attend meetings and did not return phone calls. He stated this was the same issue for the last 2 years, and the Board had denied it back then. He suggested that the matter be deferred, and that the applicant bring the property into compliance. He stated they did not have all the information regarding this case.

Jamie Hart reiterated that this Board was responsible for the safety issues involved. He felt by having this matter deferred, there would be a more accurate review process due to the information he recently received.

Roger McKee asked if the safety issues were in regard to the pilings. Jamie Hart stated it had nothing to do with the pilings. He explained there was a shoal on the other side, and the safety issue pertained to the skiing. He added that he had to get the marine police involved because it wanted the issues documented.

Chair Barry Flanigan asked for the motion to be read and clarified. The motion was stated as follows:

Motion made by Geraldine Udell and seconded by Rick Schulze to defer this matter until July 1, 2004.

Joseph Hessmann amended the motion because the meeting might not be held in July and it might not be heard until September. Mr. Chess stated that he would be available whenever necessary so that this matter could be resolved. Jamie Hart stated that this matter could be scheduled for July provided he receive all the information requested.

Richard Duncan stated that if the applicant could not make the meeting, then the item would be postponed until September, 2004.

Motion made by Geraldine Udell and seconded by Rick Schulze to defer this matter until July 1, 2004, and if the applicant was unavailable, then the item would be heard on September 2, 2004.

Roll call showed: YEAS: Richard Duncan, Joseph Hessmann, Roger McKee, David McNulty, Robert Sadowski, Rick Schulze, John Terrell, Dr. Udell, Peter Zachary, and Barry Flanigan. NAYS: Ryan Campbell. Motion approved 10 - 1.

Jamie Hart clarified that the information distributed to the Board was all the documents that he had as far back as 2002, including letters for and against the item. He suggested that the Board carefully review all the information.

Mr. Chess asked if he could speak at this time. Chair Barry Flanigan stated that a motion was made and approved at this time, and therefore, there was no need for him to speak.

Joseph Hessmann stated that Mr. Chess was not to speak at this time and the matter would be heard at a later date. Mr. Hessmann left the meeting at approximately 8:08 p.m.

Steven Chess stated that he wanted the opportunity to explain to the Board the status of the matter. He continued stating that none of the matters were relevant to this issue. He stated that he requested that what was presently there to be left there, and he had not requested anything new. He stated everything was there since 1989. He stated further that he wanted everyone to be aware that no dolphin poles were going out to 60' and he did not want that to confuse the issue. Chair Barry Flanigan stated he did not think there was a reflection of such pilings at 60'. Mr. Chess remarked that he was in compliance except for the length of the dock which was due to the City's error in 1989. Jamie Hart stated that compliance was not an issue. Mr. Chess stated that he would come back before this Board and provide the necessary information, but he felt "put upon" because he had submitted the information to Jamie Hart weeks and weeks ago and if he needed further information, then he would have provided such to him. He added that he had been told today that additional information was needed.

Chair Barry Flanigan stated that two years ago, Mr. Chess had withdrawn the matter. Mr. Chess replied he had been requested to withdraw the item. He stated he had gone through the 60' and there was no question about it. Chair Barry Flanigan reiterated that this matter would not be discussed at tonight's meeting.

Jamie Hart suggested that possibly a Board member be appointed to go out and look at the site. Chair Barry Flanigan reiterated that any Board members could visit the site, if desired. Jamie Hart urged the Board to review the site so there could be a fair hearing.

Jamie Hart reiterated that there were still Code problems at the site in regard to a violation of boatlifts and advised Mr. Chess to take care of them as soon as possible.

Joseph Hessmann returned to the Board at approximately 8:13 p.m.

APPLICATION FOR DOCK WAIVER – PORTOFINO CONDOMINIUM – 77 SOUTH BIRCH ROAD

Tyler Chappell stated that he was representing Portofino in this matter. He proceeded to show the existing layout of Portofino and explained it. He explained that they were proposing to reconfigure their slips and layout to a T-Dock, but keeping the same number to 15. He then showed a drawing of the T-Dock. He added that they were also looking to remove a portion of the seawall and the Upland, which was within a public right-of-way of Valencia Street which had been filled about 40 years ago. He stated that they were proposing to excavate it about 10' and remove the seawall, and put in a proposed seawall within their property line.

Mr. Chappell further stated that they were requesting the waiver for the distance out from the property line, as well as the fact that they were 7' from the north riparian rights line, and the fact they were relocating the seawall and doing the excavation. He proceeded to show a blow-up of the slips and the dock links. He explained the depths ranged from

minus 5.2 to minus 11.8, and the slips were 1-15. He stated the longest pier was 85', and the other piers were 30' down to 20'.

Jamie Hart asked if an explanation could be provided for the Submerged Land Lease. Mr. Chappell explained that another reason for the relocation of the seawall was that they were applying to the State for a reconfiguration of the Submerged Land area. Jamie Hart clarified that the seawall was the property line. Mr. Chappell confirmed and stated that the existing wall was out, and they were going to move it back about 10' along the property line.

Jamie Hart further stated that the overall was 890.47' at the widest point. He stated that the unobstructed navigational areas were about 660'. He added there was plenty of open waterway and he did not feel there would be any navigational impacts. He reiterated that this was an idle speed zone year round/no wake. He stated it was similar to the existing docking in the area. Mr. Chappell proceeded to show the site plan. Jamie Hart stated they it provided some better depth than what they currently had in regard to in and out access.

Rick Schulze asked if there was any further shoaling. Jamie Hart stated he was not aware of any and there appeared to be no access problems.

Mr. Chappell stated they had a permit from the Corps, and the only issue with the State was the seawall so calculations could be done for the square footage.

Chair Barry Flanigan asked who owned the seawall that was to be rebuilt. Mr. Chappell stated it was presently on City property, but they were moving it to Portofino's property who would then maintain it. He added that presently the Association was maintaining it.

Jamie Hart stated that this was a good deal for the City because they would have more of a right-of-way for the public. He stated it was part of the Intracoastal Waterway.

Joseph Hessmann stated that previously there had been a boat ramp in the area. He asked how long would this construction take to be completed. Mr. Chappell stated they hoped to have it completed between December, 2004 and January 2005. Mr. Hessmann reiterated that the deadline was February 6, 2006. Mr. Chappell reiterated they wanted to have it completed before that deadline and preferably before the Boat Show.

Dr. Udell stated that the Code stated that the finger piers could extend 20', and they were proposing to extend 115'. She stated she did not understand why they had to extend 5 times the limit of the Code. She asked why such a waiver was necessary. Mr. Chappell stated they were not adding boats, but were doing larger boats, which had a bigger draft, and therefore, the present configuration could not handle the draft. Therefore, they were putting them out further where it was deeper. He acknowledged these were only for residents of the condominium. He added there were boats 40' to 60' in length. Dr. Udell stated in general she was in favor of supporting the City's Code, and did not understand why they had codes if people were going to constantly not be in compliance with them.

Joseph Hessmann explained that he lived in the area and stated they had a real problem. He stated there were 44 units and they wanted to change to a t-situation and wanted to bring in larger boats. He stated the shoal was built up in certain areas and proceeded to show the location on the map, and further explained the problem for the area. He explained further that the pilings had been put in years ago with no permits, and they would now be eliminated and improve the marina.

Jamie Hart stated that the environmental agencies did not want to grant permits to dredge. He explained that except for minimal maintenance reasons, they would not be granted. In order to obtain a dredging permit, one had to pay about \$200,000. He stated that fact alone was justification for the waiver. He remarked that this would improve the area.

Mr. Hessmann stated that 100' sounded outrageous, but there was a reason for it. Jamie Hart stated that the Board could attach a condition stating there could be no live-aboards. He added that he had not included any restrictions regarding habitation. Mr. Hessmann remarked that there was a provision in the condominium documents stating there could be no live-aboards.

Mr. Chess asked how wide was the canal. Mr. Chappell replied it was 589'. Mr. Chess stated that his canal was 647' and he was only requesting 2'.

Frank Herhold, Marine Industries, stated that they were punching north on their Submerged Land Lease for the Boat Show, and understood there were discussions taking place about their using some of those docks during the Boat Show. Mr. Chappell confirmed. Mr. Herhold reiterated that was the only area for them to expand.

Motion made by Joseph Hessmann and seconded by Peter Zachary to approve the dock waiver for the Portofino Condominium. Motion unanimously approved 11 – 0.

Robert Sadowski stated that he noticed the application fee for the dock waiver for Portofino was \$106, and asked if all applications were at the same rate. Jamie Hart confirmed and stated it was a one-time fee. Robert Sadowski stated that fee would be reasonable for a single-family residence, but for this type of building he felt there would be a per slip fee.

APPLICATION FOR DOCK WAIVER – ROBERT KATHERY – 2700 BARCELONA DRIVE

Jamie Hart stated that this matter was slightly complex. He stated that in this matter the dock was partially constructed replacing an existing dock which had been at the same limitation and had been permitted. He stated the matter was caught by the Building Department because they needed a waiver due to the fact that the property line was set back/landlord several feet. He explained it was almost an after-the-fact, but had been caught the second time around. He stated that it was not the contractor's error, and he felt it was thought that since the original one had been permitted, they could move forward. Things were now held up and they needed to have this resolved. He added that this was a nice project and a beautiful home. He stated they wanted to build a linear

dock. He added the parcel was 100' in width. He stated the property line was setback/landlord and was about 15 ½', and the canals were even in that area.

Jamie Hart further stated that they needed a waiver because they had to go out 15 ½'. He stated the dock was in progress, and they were converting wood to concrete. He stated this was kind of an after-the-fact.

Glenn Bryant stated the property had been permitted and there had been a dock. He stated they had not removed any pilings on the outside and added they were made of concrete. He stated they discovered there was a problem because the property line setback was behind the seawall and no one had caught it. He added the pilings had been pre-existing and permitted. He explained they had started to demolish it and began installing plywood for the concrete deck when this was discovered. He stated that he had done the seawall and dock next door to this property which lined up with this dock, and he had also permitted and finalized out. He explained further that the survey was deceiving and the canal was 100'.

David McNulty asked what was the width of the existing dock from the property line. Jamie Hart stated it was 15.53'.

Mr. Bryant reiterated that the concrete pilings were still there from the original docks.

Dr. Udell stated that the memorandum from Jamie Hart stated that this property was located in the Nurmi Isles, but she thought it was referred to as Seven Isles. She further stated that the Nurmi Isles canals were 100', but the Seven Isles canals were slightly narrower. Mr. Bryant reiterated that the smallest canals in that area were about 90'.

Rick Schulze clarified that the dock face of the proposed change would be the same as the dock next door, and asked if the property line setback was the same. Mr. Bryant stated he was not sure, but they appeared the same. Rick Schulze stated then such property would also have had to obtain a waiver. Mr. Bryant stated he was not sure. Rick Schulze stated he did not understand why there was a 5' difference in the property line setback for this property, but did not have that situation on the adjacent properties. He stated that would indicate that everyone on that canal would have had to have a variance. Mr. Bryant stated he did not think that was the case.

Chair Barry Flanigan stated that Jamie Hart mentioned that they were not even, and the dock on the property to the north did not align. Mr. Bryant stated that the docks to the west lined up pretty evenly, but the one on the east was different.

Joseph Hessmann clarified that on page 3 there appeared a Warranty Deed that had been registered in Broward County in 2000, that identified this property as Lot 47, on Island #1 of Nurmi Isles.

Motion made by Rick Schulze and seconded by Peter Zachary that the Marine Advisory Board grant the waiver as requested. Motion unanimously approved 11 – 0.

APPLICATION FOR DOCK WAIVER – H. MAX VALAD – 5761 BAYVIEW DRIVE

Jamie Hart stated that this waiver was academic and this was part of the problem the Board was going to discuss next month regarding limited access off Bayview and the problem with the Bridge. He stated there was only one contractor identified that could enter this area, and therefore, this owner was in a rush so that he could take advantage of the contractor doing work at this time in the area. If the work was not done while the contractor was in the area, the price would escalate an additional \$5,000. Jamie Hart stated the owner wanted to put in a lift.

Jamie Hart further stated that the lot was 80' and the owner had gone through the proper procedure. He stated the seawall was done, but there was a depth problem at the site. He stated the overall platted width was 100'. He reiterated that the canals were called Lakes in the area, but should really be named. He further stated that the resident had written an excellent narrative justifying his case. A picture was also submitted showing his problem in the area. He further explained that the lift was not in the set-back which was 5', and the lift would be 10' from the setback which was shown on the submitted survey. He stated that the actual dock was across from an adjoining fairway leading to another canal supplying more width giving more navigational access. He stated that he recommended approval of this waiver.

Robert Sadowski asked how far over the edge of the boatlift would the boat hang.

Max Valad, owner, stated that his boat was 26' and he did not feel it would hang over the lift more than 5'.

Jamie Hart stated that the Board could establish the condition that he could not dock within the setback, and that he provide additional survey information showing the boat on the lift. Otherwise, he stated the waiver could be approved as submitted.

Mr. Valad stated he wanted this done before he bought the boat. Jamie Hart typically stated that with those types of lifts, the majority of the boat stuck off the lift in the front to give balance.

Dr. Udell stated it would depend which way the owner would park the boat as to how much overhang there would be. She further stated that he would have to make sure that the bow of the boat was pointed in towards the middle of the lot. Jamie Hart reiterated that could be made a condition of the approval. Mr. Valad agreed.

Motion made by Peter Zachary and seconded by Roger McKee that the Marine Advisory Board approve the dock waiver for 5761 Bayview Drive as submitted.

Robert Sadowski suggested that an amendment be made to the motion providing that the owner supply an as-built survey or other documentation.

The motion now read as follows:

Motion made by Peter Zachary and seconded by Roger McKee that the Marine Advisory Board approve the dock waiver for 5761 Bayview Drive as submitted and provide staff with documentation as to the amount of rear overhang that would occur. Motion unanimously approved 11 – 0.

Chair Barry Flanigan apologized for the technical inconvenience at tonight's meeting. Jamie Hart also apologized.

NEW BUSINESS

Richard Duncan stated that he had asked Jamie Hart to explain the percentage factor in the Code regarding docks.

Jamie Hart stated that docks, boat lifts, davits, and hoists could not extend more than 10% of the width of the waterway measured from the property line or 20' whichever was less. He stated their interpretation based on numerous discussions with the City Attorney was taken from the property line to the opposite wet basin seawall, and not seawall to seawall. He further stated that dolphin or mooring pilings were individual pilings used for larger boats as extra protection. He stated that the Code granted waivers, which were not variances. He reiterated that in the case of a variance request a hardship had to be proven. He stated that the criteria for a waiver was based on extraordinary circumstances determined by the City Commission.

There being no further business to come before this Board, the meeting was adjourned at 9:09 p.m.

Respectfully submitted,

Margaret A. D'Alessio
Recording Secretary