

**MINUTES OF THE MARINE ADVISORY BOARD  
100 NORTH ANDREWS AVENUE  
COMMISSION CONFERENCE ROOM – EIGHTH FLOOR  
FORT LAUDERDALE, FLORIDA  
THURSDAY, DECEMBER 6, 2018 – 6:00 P.M.**

| <b><u>Board Members</u></b> | <i>Attendance</i> | <b>Cumulative Attendance<br/>May 2018 - April 2019</b> |                      |
|-----------------------------|-------------------|--|----------------------|
|                             |                   | <b><u>Present</u></b>                                  | <b><u>Absent</u></b> |
| Grant Henderson, Chair      | P                 | 6  | 0                    |
| Ed Strobel, Vice Chair      | P                 | 6  | 0                    |
| Jimi Batchelor              | A                 | 2  | 3                    |
| Cliff Berry II              | P                 | 5  | 1                    |
| George Cable                | P                 | 4  | 2                    |
| Robyn Chiarelli             | A                 | 1  | 2                    |
| Richard Graves              | P                 | 5  | 1                    |
| Rose Ann Lovell             | P                 | 4  | 1                    |
| Kitty McGowan               | A                 | 3  | 2                    |
| Norbert McLaughlin          | A                 | 4  | 1                    |
| Ted Morley                  | A                 | 3  | 3                    |
| Curtis Parker               | A                 | 3  | 1                    |
| Roy Sea                     | P                 | 6  | 0                    |
| Randy Sweers                | P                 | 4  | 1                    |
| Bill Walker (arr. 6:07)     | P                 | 4  | 2                    |

As of this date, there are 15 appointed members to the Board, which means 8 would constitute a quorum.

**Staff**

Andrew Cuba, Manager of Marine Facilities  
Officer Laurie Arthur , Fort Lauderdale Police Department  
Division Chief Stewart Ahearn, Fort Lauderdale Fire Department  
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

**I. Call to Order / Roll Call**

Chair Henderson called the meeting to order at 6:05 p.m. and roll was called.

Mr. Walker arrived at 6:07 p.m.

**II. Approval of Minutes – November 7, 2018**

**Motion** made by Vice Chair Strobel, seconded by Mr. Graves, to approve the minutes. In a voice vote, the **motion** passed unanimously.

### **III. Statement of Quorum**

It was noted that a quorum was present at the meeting.

### **IV. Waterway Crime & Boating Safety Report / Fire Department Report**

Officer Laurie Arthur of the Fort Lauderdale Police Department reported the following Marine Unit activity from November 2018:

- 11 citations
- 54 warnings
- 11 safety inspections
- 6 accidents
- 6 additional incidents

There were no burglaries or waterway crimes in November.

Officer Arthur continued that the Winterfest Boat Parade will be held at 6 p.m. on December 15, 2018. Brightline service will not operate trains during this time.

Division Chief Stewart Ahearn of the Fort Lauderdale Fire Department reported the following activity from November 2018:

- 16 distress calls
- 2 medical emergencies
- 1 boat fire
- 1 HAZMAT call
- 1 boat accident
- 1 search and rescue in coordination with the Fort Lauderdale Police Department and the U.S. Coast Guard

The fire boat is currently not in service due to a mechanical issue, but is expected to be back in service in time to participate in the Winterfest Boat Parade. At present, the backup fire boat is in service.

### **V. Dock Permit – 1735 SE 8<sup>th</sup> Street / David Zwick**

Tyler Chappell, representing the Applicant, showed a PowerPoint presentation, recalling that this Application first came before the Board in June 2018 for a different client. Because the Resolution issued by the City Commission may not be transferred to a new property owner, the Item is before the Board once more.

The request is for private use of a public right-of-way. The majority of the subject site is currently a tennis court, with a dilapidated dock on the north side and a small marginal dock on the south side. The Applicant is reconstructing the northern dock and making improvements to the southern dock which will include one fixed dock and two floating docks. The proposed jet ski dock will be 9 ft. from the seawall cap, which the Applicant will also improve. Mr. Chappell presented letters from neighboring properties in support of the Application.

Mr. Cable requested clarification of how private use of a public right-of-way is handled by the City. Mr. Chappell explained that the subject area is a public right-of-way due to a roadway on the south side. Residents adjacent to the roadway may request permission to enhance the seawall and build a dock on City property. The City will be the owner of the docks. There is currently a moratorium on these permits on Cordova Road, as the City plans to raise the seawall to 4 ft. in that location. In this case, a permit for private use of public property may still be issued under Code Section 8-144.

Mr. Chappell confirmed that the proposed design is the same as the design planned by the previous Applicant.

There being no further questions from the Board at this time, Chair Henderson opened the public hearing. As there were no individuals wishing to speak on this Item, Chair Henderson closed the public hearing and brought the discussion back to the Board.

**Motion** made by Vice Chair Strobel, seconded by Ms. Lovell, to approve. In a voice vote, the **motion** passed unanimously.

#### **VI. Waiver of Limitations – 797 Middle River Drive / Richard Arote**

Mr. Chappell, representing the Applicant, showed a PowerPoint presentation on the Item, explaining that the subject property has an existing marginal dock and is requesting a finger pier and boat lift on the south side. The finger pier would be 54.5 ft. and the boat lift 49.5 ft. from the property line. The existing 10 ft. setbacks will remain. A 29.5 ft. waiver is requested for the dock and a 24.5 ft. waiver for the boat lift. Extraordinary circumstances include the extreme width of the waterway. He provided letters of support from residents on both sides of the property.

Mr. Chappell continued that specifications are not currently available for the boat lift, although it will most likely lie closer than the proposed distance. The boat lift must be positioned so it does not intrude into the side yard setback.

Mr. Sea asked how the channel of the waterway is determined. Mr. Chappell replied that the Florida Department of Environmental Protection (FDEP) examines distance from wet face to wet face, and properties on either side may not exceed 25% of the waterway.

There being no further questions from the Board at this time, Chair Henderson opened the public hearing. As there were no individuals wishing to speak on this Item, Chair Henderson closed the public hearing and brought the discussion back to the Board.

**Motion** made by Mr. Berry, seconded by Vice Chair Strobel, to approve the waiver of limitations as presented. In a voice vote, the **motion** passed unanimously.

**VII. Waiver of Limitations – 866 NE 20<sup>th</sup> Avenue / Brian Tansey, Manager of Worth 866, LLC**

Mr. Chappell, representing the Applicant, showed a PowerPoint presentation on the Item. The existing building on the property is commercial and includes three finger piers and a marginal dock with six slips. The docks will be realigned, with one dock removed to straighten the finger piers and install triple pile clusters. The Applicant has an existing submerged land lease, which will not be amended. The Applicant will also construct a new seawall and cap and plans to dredge the property.

The Application requests waivers for five mooring clusters, which will be placed at a maximum length of 71 ft., which is a waiver request of 46 ft. Two finger piers will be placed at a distance of 52 ft. The triple pile clusters will not exceed the length of the submerged land lease. Letters were provided in support of the Application.

Mr. Cuba clarified that the submerged land lease will prohibit the property owner from docking a boat that extends beyond this lease into the waterway. There are approximately 55 ft. between the docks.

There being no further questions from the Board at this time, Chair Henderson opened the public hearing. As there were no individuals wishing to speak on this Item, Chair Henderson closed the public hearing and brought the discussion back to the Board.

**Motion** made by Vice Chair Strobel, seconded by Ms. Lovell, to approve. In a voice vote, the **motion** passed unanimously.

**VIII. Reports**

Mr. Cuba advised that he had emailed all Board members a copy of a new Ordinance which pertains to appointments to advisory entities. Because the new City Commission hopes to appoint their own members, those Board members who were not appointed by the new Commissioners may either be reappointed by them in the next six months or may be replaced. Any member not currently in his/her sixth term is eligible for reappointment.

Mr. Berry reported that the Broward County Marine Advisory Committee met earlier in the day and approved a number of grant applications, including a \$50,000 grant application for derelict vessel removal in Fort Lauderdale and Hollywood and funding for

Phase 2 of the Hollywood/North Beach mooring field. A joint meeting between the Broward County Marine Advisory Committee and the municipal marine advisory entities is planned for early 2019. A host city has not yet been determined.

#### **IX. Old / New Business**

Mr. Walker recalled that the Board had discussed infrastructure at a previous meeting, and stated that much of the City's marine infrastructure appears to be failing, including seawalls on the New River. Mr. Cuba advised that this will be discussed by the City in the next few months. While no dredging is currently planned, Mr. Cuba advised that he would keep the Board apprised of discussions on this topic, and would request a statement from Public Works on the state of the City's canals.

Mr. Cuba concluded that the City Commission has not approved any waivers since the November 2018 meeting. Mr. Chappell commented that he has spoken with the Mayor on the topic of waivers.

#### **X. Adjournment**

There being no further business to come before the Board at this time, the meeting was adjourned at 6:53 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by K. McGuire, Prototype, Inc.]