



CITY OF FORT LAUDERDALE

**MEETING MINUTES
CITY OF FORT LAUDERDALE
MARINE ADVISORY BOARD
THURSDAY, NOVEMBER 4, 2021 – 6:00 P.M.**

		Cumulative Attendance	
		May 2021 – April 2022	
Grant Henderson, Chair	P	6	0
Ed Strobel, Vice Chair	P	6	0
Deirdre Boling-Lewis	A	4	2
Robyn Chiarelli	A	2	4
Bob Denison	P	4	1
Barry Flanigan	P	5	1
Richard Graves	P	3	3
James Harrison	P	6	0
Rose Ann Lovell	P	5	1
Kitty McGowan	P	5	1
Norbert McLaughlin	P	6	0
Ted Morley	P	5	1
Noelle Norvell	P	2	1
Christopher Rotella	P	6	0
Steve Witten	P	6	0

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

Staff

Andrew Cuba, Marine Facilities Manager
Jonathan Luscomb, Marine Facilities Supervisor
Sergeant Tom Capano, Fort Lauderdale Police Department
Tedra Allen, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. Call to Order / Roll Call

Chair Henderson called the meeting to order at 6:02 p.m.

II. Approval of Minutes – October 7, 2021

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

III. Statement of Quorum

It was noted a quorum was present at the meeting.

Chair Henderson advised that Item VI has been deferred to a later date.

IV. Waterway Crime & Boating Safety Report

Sergeant Tom Capano of the Fort Lauderdale Police Department's Marine Unit reported the following activity from October 2021:

- 44 citations
- 50 warnings
- 3 vessel burglaries
- 2 boating accidents

The Marine Unit has also performed speed zone enforcements south of Oakland Park. Over the past 30 days, they have written 12 citations in that area alone, in addition to the citations noted above.

Chair Henderson requested an update on the Fort Lauderdale International Boat Show. Sgt. Capano advised that there was heavy marine traffic on the Intracoastal Waterway, but there were no other issues.

Additional information was requested regarding motorized surfboards. Sgt. Capano replied that these must follow the same safety requirements as paddleboards and kayaks. He added that he would look into whether or not FM numbers will be required, as these are motorized vessels and must comply with wake requirements as well.

V. Dock Permit – 1725 SE 8th Street / W. Scott and Patricia S. Parker

Scott Parker, Applicant, stated that there is a 100 ft. concrete dock on the property, as well as landscaping and an irrigation system. He has no plans to include a boat lift. The Application is for a permit to use the existing dock. No new pilings have been constructed on the back side of the subject property, which means he would need to install them if he wished to tie a boat to that side.

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, the Chair closed the public hearing and brought the discussion back to the Board.

Mr. Cuba clarified that the request is for a dock permit under Section 144 of Code, which addresses private use of public property.

Motion made by Mr. McLaughlin, seconded by Mr. Harrison, to approve.

It was asked if similar permits will need to be granted for all residents along Cordova Road who wish to use the seawall there. Mr. Cuba explained that this is a required process for every home along Cordova Road that wishes to use dock space on public property. He estimated that this requirement applies to approximately 40 properties in that area.

In a voice vote, the **motion** passed unanimously.

VI. Dock Permit – 625 SW 5th Place / Daniel Cole

This Item was deferred.

VII. Dock Permit – 805 Cordova Road / Michael Redmond

Jena Robbins, representing the Applicant, explained that this request is also for private use of public property abutting waterways. She showed multiple views of the property, noting that the seawall at this location has recently been installed. The Applicant's property is located on the west side of Cordova Road.

Ms. Robbins also showed depictions of the public swale area to the west side of the seawall all along the property, as well as the dock along the east side of the seawall. The property is zoned RS-8, which requires a 5 ft. side yard setback. The Applicant requests approval of a composite fixed T dock in the middle of the property along the seawall, as well as two floating docks on either side of the fixed structure. These extend roughly 60 x 8 ft. A ramp and platform are proposed on the western side of the seawall for access to the docks.

All structures and piles will not exceed 30% of the width of the waterway. The Applicant previously owned existing and fixed floating docks that were removed due to the City's Cordova Road Seawall Project. A landscaping plan was submitted as part of the Application, and permit applications have been submitted to the appropriate environmental agencies. The U.S. Army Corps of Engineers has issued a permit, while Broward County is still reviewing the permit submitted to them. Three letters of support have been provided from adjacent neighbors and an additional letter was provided from a property owner on the south side of the bridge.

The Applicant requests approval of the Application with the landscaping plan. Mr. Cuba advised that Code Section 8-144, Subsection 7 addresses permitted landscaping as authorized by the City.

Tyler Chappell, also representing the Applicant, further clarified that an advisory committee has been established for the Rio Vista neighborhood to look at landscaping plans along Cordova Road and work with City Staff to make the seawall more compatible with its surroundings. The Applicant was given a template by the City Attorney's Office, which is expected to be updated in the near future for upcoming dock

permit requests. He confirmed that the Applicant would welcome any revisions to the landscaping plan for the roadway, with the understanding that any landscaping improvements or access to docks must go through the City's building process.

Mr. Flanigan asked if the City has provided direction regarding a ramp or stairs to get over the seawall. Mr. Chappell replied that the Applicant was provided a template for stair or step detail, which has been used in past applications. The City Attorney has requested that Exhibit A of the Applicant's presentation, which shows the location of the seawall in relation to the swale area and the water, encompass landscape detail into any Resolution of approval.

It was asked whether any representation was made to property owners in the subject area regarding what structures removed from the waterway could be replaced once the new seawall was complete. Mr. Cuba replied that there is verbiage in Code Section 8-144, also included in the Board members' backup materials, which speaks to the option of installing a fixed or floating dock. No template was provided for the replacement of structures.

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, the Chair closed the public hearing and brought the discussion back to the Board.

Motion made by Vice Chair Strobel, seconded by Ms. McGowan, to approve, with one condition that they work with the future City landscape plan.

There was consensus among the Board members that landscaping is outside their purview. Mr. Cuba advised that he would seek additional clarification on landscaping for informational purposes.

Vice Chair Strobel further clarified that his **motion** was intended to recommend that the Applicant refrain from doing any landscaping until the City has granted its approval to do so. Mr. Cuba confirmed that the Board may make conditional **motions** such as this, noting that the Applicant may move forward with landscaping as long as the plan is deemed acceptable by the appropriate City Staff. A separate Declaration of Covenant will be required prior to Commission approval of the Application, which includes more specific landscaping details.

Mr. Harrison and Ms. Lovell expressed concern that the Applicant could be delayed in implementing the required landscaping, which lies outside the Board's purview. Vice Chair Strobel offered to withdraw his earlier **motion** and restate it without the reference to landscaping.

Vice Chair Strobel **amended** his **motion** as follows: **motion** to just approve. Mr. Rotella **seconded** the **motion**.

In a roll call vote, the **motion** passed unanimously (13-0).

VIII. Dock Permit – 1532 Ponce de Leon Drive / Jeffrey Cantor & Myrna Roberts

Jena Robbins, representing the Applicants, stated that this Application also requests private use of public property abutting waterways. The Applicants' property is located on the west side of Cordova Road and the new seawall was installed along the east side of this roadway. She showed multiple views of the subject area, including the new seawall, concrete hatch, and public swale area.

The Applicants propose a 65 ft. long, 7 ft. wide wooden dock for a total of 455 sq. ft. They also propose a platform off the fixed dock so they may descend the ramp to a 30 x 8 ft. floating dock. To access the seawall and dock, a platform and ramp are proposed along the public swale area. These structures will not exceed 30% of the width of the waterway. The Applicant has submitted a landscaping plan along with the Application.

The Army Corps of Engineers has issued an environmental resource permit for the proposed docks, and the County permit is under review by the Broward County Environmental Protection and Growth Management Department.

It was noted that most of the neighbors in the subject area are in favor of allowing this type of private use of public property, and many of them may also submit applications for waterfront access on Cordova Road for themselves.

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, the Chair closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Morley, seconded by Mr. Harrison, to approve as presented. In a roll call vote, the **motion** passed unanimously (13-0).

IX. Old / New Business

Mr. Rotella stated that one of his concerns for the City was to ensure Fort Lauderdale's waterways are cleaned. He recommended that the Board consider starting a program to improve the City's waterway quality for the safety of both humans and animals.

Chair Henderson advised that he has spoken with an individual involved in waterway cleanup who is willing to make a presentation to the Board. Additional information can also be provided on the steps the City is already taking toward the goal of cleaner water. Mr. Rotella recalled seeing presentations from scientists at the recent Boat Show, and urged Fort Lauderdale to set an example for the rest of the world.

Mr. McLaughlin commented that when a developer brings a presentation or application before the Board, and the application or presentation later undergoes a change of 10% or more, the developer is supposed to bring the item back before them. He pointed out that there are recent developments, such as the Las Olas Marina or a handrail for the Ikon property, that have not fulfilled this requirement.

Mr. Graves asked if this was a requirement when the changes proposed are on the upland side of an application rather than for marine features. Mr. McLaughlin pointed out that the Ikon item not brought back before the Board involves a walkway over the water. He asserted that this is related to safety, navigation, and the environment. Mr. Graves noted that a development such as the Las Olas Marina may make changes to features such as its upland restaurant, which he did not feel was within the Board's purview.

X. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 6:51 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.]