

Marine Advisory Board Recommendation

2508 Bay Drive

Recommended Motion

The Marine Advisory Board recommends approval of the variance request to allow reconstruction of the existing permitted approximately 46-foot-6-inch X 8-foot finger pier within the existing permitted structural footprint (see attached, page 2).

The recommendation is based on the following findings:

1. **Extraordinary site conditions exist.**

The property is located along the curved southeastern shoreline of Wahoo Bay, where the applicant reports approximately two feet of water at the seawall and three feet at the end of the existing marginal dock during two-thirds low tide. The site is also affected by opposing ocean swells, inlet currents, and recurring silting conditions that make vessel mooring along the marginal dock unsafe or impractical.

2. **The conditions are not self-created.**

The shallow water, curved shoreline, prevailing currents, and ocean swells are attributed to the property's geographic location near Hillsboro Inlet rather than any action taken by the property owner.

3. **Strict application of the dimensional limitation would unreasonably restrict reasonable use of the property or waterway.**

Section 151.03(G)(2) limits a finger pier to the lesser of 20 percent of the waterway width or 20 feet and limits its width to four feet. The proposed replacement extends approximately 46-feet 6 inches, representing only approximately 6.1 percent of the 760-foot-wide waterway and is proposed to be replaced at the existing 8 feet. The structure would remain approximately 115 feet from the navigational channel and would comply with the required five-foot side setbacks.

4. **The variance would not confer an unreasonable special privilege.**

The proposed structures would remain within the footprint of the existing finger pier, and the applicant identifies seven similar structures among the nine nearby Wahoo Bay properties.

5. **The requested relief is represented as the minimum necessary.**

The proposed structure would replace the existing permitted finger pier and would be consistent with the finger piers located on surrounding properties.

6. **The request is consistent with public safety and welfare considerations.**

The structure has not adversely affected neighboring persons or property. The eastern adjoining property owner has consented to the proposal, and the variance is consistent with the comprehensive plan.

7. **The Pompano Beach Code does not specifically address the limited number of larger waterways where a longer pier may still occupy only a small percentage of the waterway width.**

Marine Advisory Board Recommendation:

Based upon the applicant's representations concerning the property's shallow water, curved shoreline, ocean swells, inlet currents, navigational clearances, surrounding dock pattern, and existing permitted footprint, the Marine Advisory Board finds that the request satisfies the applicable variance criteria and unanimously recommends approval.

