



W W W . G O V L A W G R O U P . C O M

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December 17, 2024

Christy Dominguez  
Planning and Zoning Manager  
City of Hallandale Beach  
400 S. Federal Highway  
Hallandale Beach, FL 33009

RE: Variance request for Shell Bay Marina

Dear Christy,

The Shell Bay Marina is in need of renovation, including the elongation of its existing boat slips to accommodate boats up to 65 feet in length. The marina needs to be able to dock boats of this size to meet the needs of resort patrons and to match the facilities found at other water-access resorts. The ability of the resort and club to safely and securely dock boats of this length requires longer piers than those currently allowed. The proposed docks have already been issued all necessary environmental permits, including an Army Corps of Engineers Permit, Florida Department of Environmental Protection and a Broward County Environmental Resource Permit.

Shell Bay is therefore requesting a variance from Sec. 32-153(g)(2), which states that boat slips and docks for accessory marinas in the CR-P District shall not project more than 15 percent or 30 feet into the waterway, whichever is less.

The request is to vary the regulation to allow boat docks for the accessory marina at Shell Bay to project a maximum of 34 percent and 72'-10" into the waterway. The request satisfies the criteria in Sec. 32-965, demonstrated as follows:

- 1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not generally applicable to other lands, structures, or buildings in the same zoning district.**

200 S. Andrews Avenue, Suite 601  
Ft. Lauderdale, FL 33301

Variance Request for Shell Bay Marina  
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- a. *The Shell Bay Marina is the only marina in Hallandale Beach that is located on the grounds of a major resort.*
- b. *The Shell Bay Marina is the only marina located at the navigable terminus of a waterway, as the Atlantic Shores Blvd. bridge is too low for boats to clear.*
- c. *The Shell Bay Marina is the only marina in the Commercial Recreation Passive (CR-P) zoning district and on the only property (together with the principal golf course use) zoned CR-P.*

*As an accessory facility to a major resort, the marina needs to be able to safely and securely accommodate larger boats than it is currently designed for, which requires longer piers.*

**2. That the special conditions and circumstances do not result from the action of the applicant.**

*The aforementioned conditions are existing conditions that do not result from any action of the applicant.*

**3. Granting the variance requested will not confer on the applicant any special privilege that is denied by the Code to other lands, buildings, or structures in the same district.**

*The subject marina is the only marina in Hallandale Beach zoned CR-P and the only resort marina in the City.*

**4. The literal interpretation of the provisions of the Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Code and would work unnecessary and undue hardship on the applicant.**

*The literal interpretation of Sec. 32-153(g)(2) would deprive the applicant of the ability to accommodate docking for a major segment of its resort clientele and would deprive the applicant of facilities that are enjoyed by other resort marinas in South Florida. The marina is a key component of the Shell Bay resort development. As such, the literal interpretation of said sections would work an unnecessary and undue hardship on the applicant.*

**5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

*The requested variance is the minimum variance necessary for the marina to accommodate the length of boats that will utilize the facility. The maximum requested pier length applies only to four of the piers, with four others in the 71' to 72' range. The remaining piers*

*would range from 48'-11" to 58'-11" in length. The requested pier lengths constitute the minimum variance that will make possible the reasonable use of the marina property.*

**6. That the granting of the variance will be in harmony with the general intent and purpose of the Code.**

*The intent and purpose of the regulations limiting the projection of docks in a nonresidential or multiple-family zoning district is to ensure that a waterway remains navigable. Most of the waterways in the City are not as wide as the DeSoto Waterway at the marina location. The notable exceptions are the Venetian Marina and Golden Isles Lake, and docks in those basins are allowed to project 50 feet from the seawall, provided that a minimum 50-foot total clear width is maintained. The subject variance request will maintain a minimum of 138'-4" clear width, notwithstanding the fact that Atlantic Shores bridge only one-eighth of a mile to the north acts as a barrier due to its low clearance, effectively preventing through-transit to and from the north and eliminating nearly all boat traffic in this location that is not departing or arriving at the Shell Bay marina.*

**7. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.**

*The requested variance is not contrary to the purpose and intent of the dock length regulation, as it will not impair or inconvenience marine navigation. The variance will contribute to an enhancement of the marina facility in line with the other existing and approved first-class facilities of the resort. The variance will not be injurious to the area involved or otherwise detrimental to the public welfare. The proposed docks have already been issued all necessary environmental approvals necessary for navigation, including an Army Corps of Engineers Permit, Florida Department of Environmental Protection Permit and a Broward County Environmental Resource Permit.*

Very truly yours,

  
Keith M. Poljakoff



REV	DATE	DRAWN BY	DESCRIPTION

DIPLOMAT (MARINA)

FOR BLOCK 13

DIPLOMAT GOLF ESTAES (P.B. 46 PG. 24)

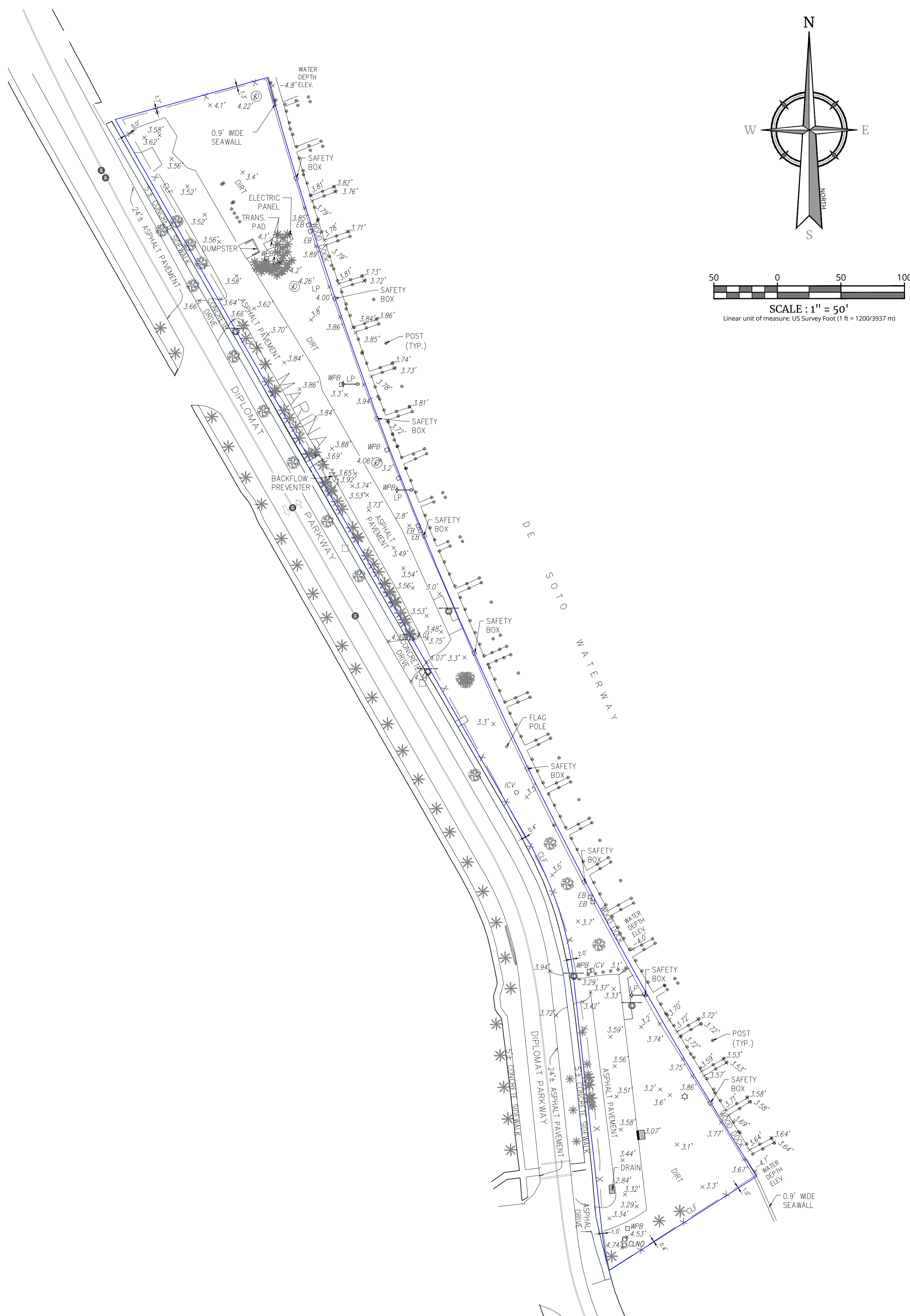
BROWARD COUNTY FLORIDA

Colliers MIAMI 7400 Corporate Center Drive Suite C Miami, FL 33126 Engineering & Design Phone: 305.597.9701 COLLIERS ENGINEERING & DESIGN, INC. DOING BUSINESS AS MASER CONSULTING

SCALE: AS SHOWN 03-23-2023 DATE: JP DRAWN BY: DD CHECKED BY: PROJECT NUMBER: 22001724A SHEET NUMBER: 02 OF 03 TOPOGRAPHIC

SPECIFIC PURPOSE SURVEY

1 of 1



LOCATION MAP NOT TO SCALE

SURVEYOR'S NOTES:

THE PURPOSE OF THIS SURVEY IS TO SHOW THE EXISTING CONDITIONS OF THE AREA SHOWN HEREON.

ELEVATIONS ARE REFERRED TO THE NORTH AMERICAN VERTICAL DATUM, 1988 (NAVD).

ELEVATIONS ARE BASED ON BROWARD COUNTY BENCHMARK (BCED BM 3342), THE SAME BEING A SQUARE CUT, LOCATED AT NORTHWEST CORNER OF CURB AT INTERSECTION OF HALLANDALE BEACH BOULEVARD AND NE 3RD AVENUE, ELEVATION 6.93 FEET (NAVD). NOTE, BROWARD COUNTY PUBLISHED THE ELEVATION OF BENCHMARK 3342 AS 8.522 FEET NGVD 1929 (NGVD29). THE NATIONAL GEODETIC SURVEY PROGRAM VERTCON94 WAS UTILIZED TO CONVERT THE ORTHOMETRIC HEIGHT BETWEEN NGVD29 AND NAVD88.

LAST FIELD VISIT WAS ON APRIL 24TH, 2023.

ABBREVIATIONS

- CL = CENTERLINE
- CLNO = CLEANOUT
- WPB = WIRE PULLBOX
- ICV = IRRIGATION VALVE
- EB = ELECTRIC BOX
- ELEV. = ELEVATION
- CLF = CHAIN LINK FENCE
- TYP. = TYPICAL
- = BOLLARD
- = CATCH BASIN
- ⊙ = DRAINAGE MANHOLE
- LP = LIGHT POLE



**SHELL BAY MARINA  
REDEVELOPMENT  
PROJECT**

Hallandale Beach, Florida

CLIENT:  
**MALTESE DIPLOMAT OWNER,  
LLC C/O MR. MARCO SULIN**

2915 Biscayne Blvd Suite 300  
Miami, Florida 33137

ENVIRONMENTAL CONSULTANT:  
**OCEAN  
CONSULTING, LLC.**

359 Alcazar Avenue, Suite 200  
Coral Gables, Florida 33134  
Tel: (305) 921-9344  
Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:

**DYNAMIC ENGINEERING  
SOLUTIONS, INC.**

1950 N.E. 6th Street, #10075  
Pompano Beach, FL 33061  
Office - 954-860-5263

SEAL / SIGNATURE / DATE

This document has been electronically signed and sealed by John H. Omslaer, P.E on \_\_\_\_\_ Using a SHA-1 authentication code. Printed copies are not considered signed and sealed and the SHA-1 authentication code must be verified on any electronic copies per rule 62-30.060, F.A.C.

John Omslaer  
PE 52733, CA 26829

**PERMIT DRAWINGS**

**Issue # Issue Date**

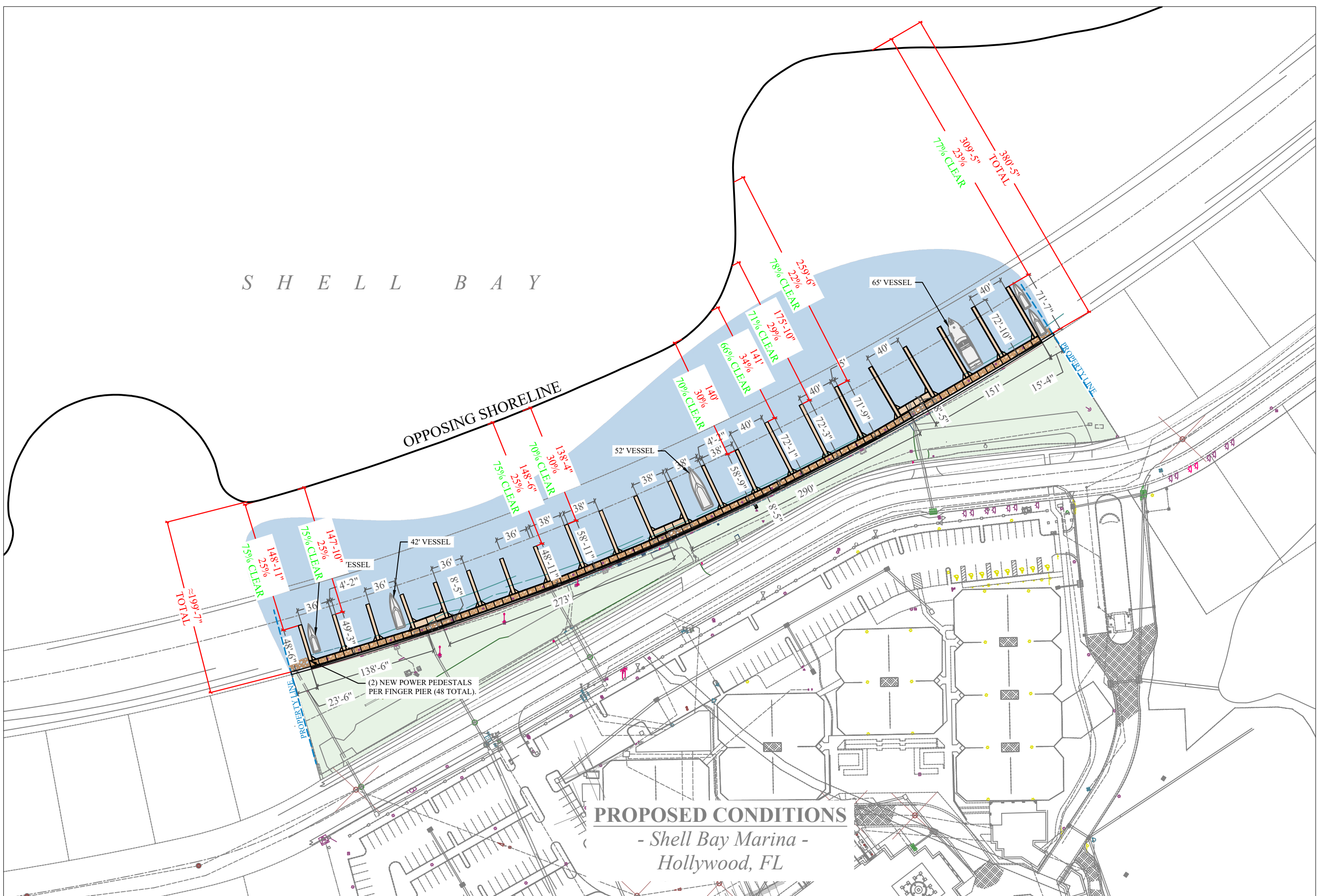
- ① September 25, 2024- VD
- ② December 16, 2024 - JA

PROJECT: 22-12855

**OPPOSING SHORELINE  
DIMENSIONS**

SCALE : AS SHOWN  
SHEET NO.

**S-3.3**



S H E L L B A Y

OPPOSING SHORELINE

**PROPOSED CONDITIONS**  
- Shell Bay Marina -  
Hollywood, FL