

RESOLUTION NO. 13-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO CONSIDER AN EXTENSION OF THE EXPIRATION DATE OF A DEVELOPMENT PLAN APPROVING A DEVELOPMENT ON PROPERTY LOCATED AT 321 NORTH BIRCH ROAD, FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, pursuant to Resolution No. 13-65 adopted by the City Commission on April 16, 2013, the Commission granted a development permit that expires on October 16, 2014 if an application for a building permit has not been submitted, and expires on April 16, 2015 if a building permit is not issued (PZ Case No. 53-R-12); and

WHEREAS, the Applicant, Grand Birch, LLC, has requested an extension of the time to apply for and obtain a building permit for construction of the development known as Grand Birch Condominium; and

WHEREAS, Section 47-24.1.M., Expiration of Site Plan and Conditional Use Approvals, of the Unified Land Development Regulations ("ULDR") allows for the extension of the expiration date for a development plan upon the showing of good cause for the delay; and

WHEREAS, the Applicant has shown good cause and all applicable building, zoning and engineering regulations remain the same.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That in accordance with Section 47-24.1.M., Expiration of Site Plan and Conditional Use Approvals, of the ULDR, the time for expiration of the development plan is extended:

- a) From October 16, 2014 to that day which is 18 months from the date upon which all third party challenges to the validity of the Development Order have been fully and finally adjudicated by a court of final jurisdiction, including without limitation all appeals finalized and exhausted, and the validity of the Development Order has been upheld, to apply for a building permit for construction of the Project; and

- b) From April 16, 2015 to that day which is 24 months from the date upon which all third party challenges to the validity of the Development Order have been fully and finally adjudicated by a court of final jurisdiction, including without limitation all appeals finalized and exhausted, and the validity of the Development Order has been upheld, to obtain the building permit for construction of the Project.

ADOPTED this the ____ day of _____, 2013.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

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