

ORDINANCE NO. C-17-11

AN ORDINANCE AMENDING SECTION 47-1.6.B OF THE CITY OF FORT LAUDERDALE, FLORIDA UNIFIED LAND DEVELOPMENT REGULATIONS THROUGH THE REVISION OF THE OFFICIAL ZONING MAP OF CITY OF FORT LAUDERDALE AND SCHEDULE "A" REVISED COMPILATION ATTACHED THERETO AND BY REFERENCE MADE A PART THEREOF, SO AS TO REZONE FROM "I – GENERAL INDUSTRIAL DISTRICT" TO "B-2 – GENERAL BUSINESS DISTRICT", A PORTION OF THE SOUTHEAST ONE QUARTER OF SECTION 9, TOWNSHIP 49 SOUTH, RANGE 42 EAST, LOCATED AT THE SOUTHWEST CORNER OF WEST CYPRESS CREEK ROAD (NW 62ND STREET) AND POWERLINE ROAD (NW 9 AVENUE), FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicant, BW Cypress Creek Powerline, LLC, applied for the rezoning of certain property as described in Section 1 herein; and

WHEREAS, the Planning and Zoning Board at its meeting of March 15, 2017 (PZ Case No. Z16001) did recommend to the City Commission of the City of Fort Lauderdale ("City Commission") that certain lands herein described should be rezoned in the respects mentioned and that the Official Zoning Map and Schedule "A" attached thereto should be amended to include such lands; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, May 16, 2017 and Tuesday, June 6, 2017 at 6:00 P.M., in the City Commission Room, City Hall, Fort Lauderdale, Florida, for the purpose of hearing any public comment to such rezoning; and

WHEREAS, such public hearing was duly held at the time and place designated after notice of same was given by publication as required by law, and the City Commission determined that the requested rezoning met the criteria for amending the zoning regulations;

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

SECTION 1. That the City of Fort Lauderdale Unified Land Development Regulations ("ULDR") together with the Official Zoning Map of the City of Fort Lauderdale and revised Schedule "A", describing the lands lying within each zoning district, as approved on June 18, 1997, and described in Section 47-1.6 of the ULDR, be amended by rezoning in the respects

mentioned, the following lands, situate in the City of Fort Lauderdale, Broward County, Florida, to wit:

REZONE FROM FROM "I – GENERAL INDUSTRIAL DISTRICT"
TO "B-2 – GENERAL BUSINESS DISTRICT":

A PORTION OF THE SOUTHEAST ONE QUARTER OF SECTION 9, TOWNSHIP 49 SOUTH, RANGE 42 EAST, AND MORE PARTICULARLY DESCRIBED ON THE SKETCH AND LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A"

Location: Southwest corner of West Cypress Creek Road (N.W. 62nd Street) and Powerline Road (N.W. 9th Avenue)

SECTION 2. That the appropriate City officials of the City of Fort Lauderdale shall indicate such zoning upon a copy of the Official Zoning Map, and shall indicate an amendment of Schedule "A" accordingly, upon the records with proper reference to this ordinance and date of passage.

SECTION 3. That any development on the parcel subject of this rezoning that is proposed to be used for commercial business uses is subject to site plan level III approval in accordance with Section 47-24.2, Site plan development permit, ULDR (2017).

SECTION 4. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 5. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 6. That this Ordinance shall be in full force and effect ten (10) days from the date of final passage.

SECTION 7. Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

SECTION 8. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

PASSED FIRST READING this the 16th day of May, 2017.

PASSED SECOND READING this the ____ day of _____, 2017.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI

SKETCH OF DESCRIPTION
(NOT A BOUNDARY SURVEY)
REZONING PETITION

LEGAL DESCRIPTION (REMAINDER PARCEL):

PART OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 9; THENCE, ALONG THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 9, S01°45'52"E, A DISTANCE OF 434.46 FEET; THENCE S89°07'47"W, A DISTANCE OF 70.66 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 845 (POWERLINE ROAD) PER ROAD PLAT BOOK 8, PAGE 135, OF THE PUBLIC RECORDS OF SAID BROWARD COUNTY, FLORIDA; THENCE CONTINUE S89°07'47"W, A DISTANCE OF 19.71 FEET FOR A POINT OF BEGINNING; THENCE S89°07'47"W, A DISTANCE OF 276.67 FEET; THENCE N01°45'52"W, A DISTANCE OF 356.54 FEET; THENCE N88°12'23"E, A DISTANCE OF 255.00 FEET; THENCE S46°46'47"E, A DISTANCE OF 49.49 FEET; THENCE S01°45'57"E, A DISTANCE OF 82.48 FEET; THENCE S19°04'37"W, A DISTANCE OF 40.64 FEET; THENCE S87°54'31"W, A DISTANCE OF 1.07 FEET; THENCE S02°05'29"E, A DISTANCE OF 41.59 FEET; THENCE N87°54'31"E, A DISTANCE OF 1.00 FEET; THENCE S02°05'29"E, A DISTANCE OF 163.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 100,277 SQUARE FEET OR 2.302 ACRES, MORE OR LESS.

SHEET NO.
1
OF 2



EBI Surveying

8415 Sunstate Street
Tampa, Florida 33634

Phone: (813) 886-6080 / Fax: (813) 886-6081
Certificate of Authorization Number: LB-7652

SURVEY REPORT:

1. UNLESS DIGITALLY SIGNED AND SEALED, THIS SKETCH OF DESCRIPTION AND/OR REPORT OR THE COPIES HEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

I HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION WAS MADE UNDER MY DIRECTION AND MEETS THE STANDARDS OF PRACTICE REQUIREMENTS OF CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

DATE: 03/30/2017
DRAWN: EWB/JLK
CHECKED: JLK
REVISION: ADD ZONING 4/4/2017
FILE: BW07REMAINDERSODX.dwg

SKETCH OF DESCRIPTION

REMAINDER PARCEL

SECTION 9

TOWNSHIP 49 SOUTH, RANGE 42 EAST
BROWARD COUNTY, FLORIDA

PROJECT NUMBER:
BWRE0007



JEFFREY L. KOHLER, PSM
License Number: LS-6201
Date Signed: 4/4/2017

Exhibit A

M.J. O.K.

SKETCH OF DESCRIPTION (NOT A BOUNDARY SURVEY) REZONING PETITION

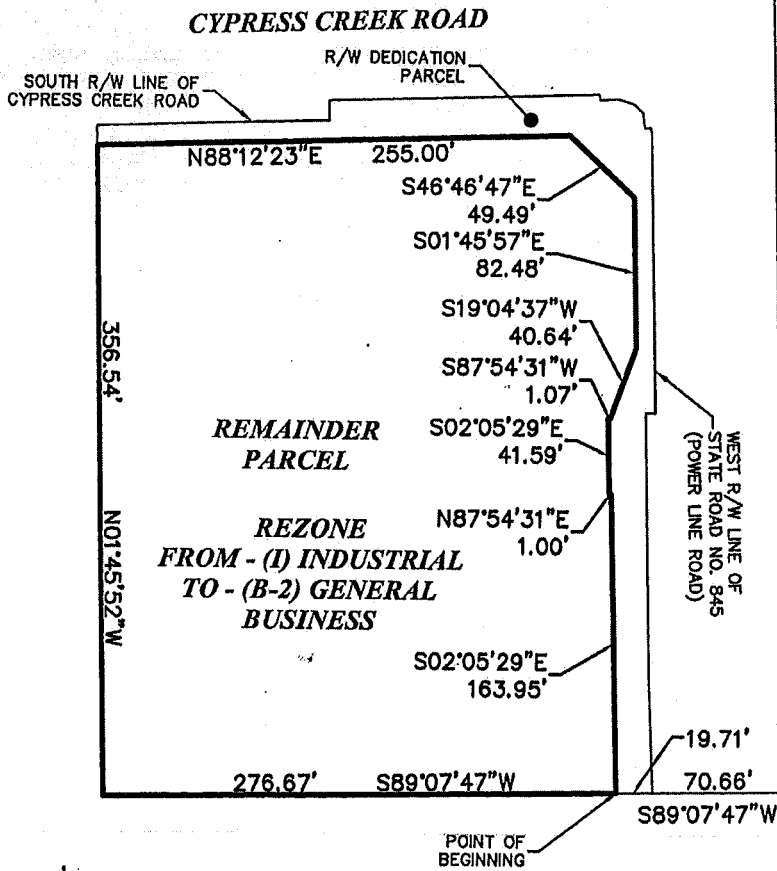
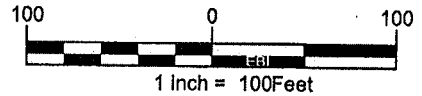
LEGEND

| ABBREVIATIONS | |
|---------------|----------------------------|
| (D) | DEED MEASUREMENT/CALL |
| DEPT. | DEPARTMENT |
| (F) | FIELD MEASUREMENT |
| ID | IDENTIFICATION |
| LB | LICENSED BUSINESS NUMBER |
| LS | LICENSED SURVEYOR |
| (P) | PLATTED MEASUREMENT/CALL |
| P.L.S. | PROFESSIONAL LAND SURVEYOR |
| P.O.B. | POINT OF BEGINNING |
| R/W | RIGHT-OF-WAY |

POINT OF COMMENCEMENT
NE CORNER OF THE
SE 1/4 OF SECTION 9,
TOWNSHIP 49 SOUTH,
RANGE 42 EAST



GRAPHIC SCALE



**REMAINDER
PARCEL**

**REZONE
FROM - (I) INDUSTRIAL
TO - (B-2) GENERAL
BUSINESS**

SHEET NO.
2
OF 2

EBI Surveying
8415 Sunstate Street
Tampa, Florida 33634

Phone: (813) 886-6080 / Fax: (813) 886-6081
Certificate of Authorization Number: LB-7652

DATE: 03/30/2017
DRAWN: EWB/JLK

FILE: BW07REMAINDERSODX.dwg

SKETCH OF DESCRIPTION
REMAINDER PARCEL
SECTION 9
TOWNSHIP 49 SOUTH, RANGE 42 EAST
BROWARD COUNTY, FLORIDA

SURVEY REPORT:
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2. THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT ALL SHEETS.

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