

ORDINANCE NO. C-24-17

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 "B-3 – HEAVY COMMERCIAL/LIGHT INDUSTRIAL" DISTRICT TO "P – PARKS, RECREATION AND OPEN SPACE" DISTRICT, ALL OF BLOCK "I", "A RESUBDIVISION OF BLOCK "J" LAKEVIEW", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 18, PAGE 20, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH LOTS 14-A, 14-B, 16-A AND 16-B, "HARBORVIEW", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 5, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING EAST OF THE EAST RIGHT OF WAY LINE OF FEDERAL HIGHWAY AND LESS ROAD RIGHT OF WAY, ALSO TOGETHER WITH LOT 2, SOUTH HALF AND ALL OF LOTS 4, 6, 8, 10 AND 12, "LAKEVIEW", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 68, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LESS ROAD RIGHT OF WAY, ALSO TOGETHER WITH THAT PORTION OF SOUTHEAST 25TH STREET RIGHT OF WAY BOUNDED ON THE WEST BY THE EAST RIGHT OF WAY LINE OF FEDERAL HIGHWAY AND BOUNDED ON THE EAST BY THE WEST RIGHT OF WAY LINE OF MIAMI ROAD, LOCATED NORTH OF SOUTHEAST 28TH STREET, EAST OF SOUTH FEDERAL HIGHWAY, WEST OF MIAMI ROAD AND SOUTH OF SPANGLER BOULEVARD, ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicant, City of Fort Lauderdale, applied for the rezoning of certain property as more particularly described in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, on November 15, 2023, the Planning and Zoning Board functioning as the local planning agency (PZ Case No. UDP-Z23015) 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, subject to certain agreed upon restrictions, and that the Official Zoning Map and Schedule “A” attached thereto should be amended to include such lands; and

WHEREAS, the City Clerk provided notice to the public of a public hearing on Tuesday, March 19, 2024 at 6:00 P.M., or as soon thereafter as possible, and on Tuesday, April 2, 2024 at 6:00 P.M., or as soon thereafter as possible, at the Horvitz Auditorium at the NSU Art Museum, 1 East Las Olas Boulevard, Fort Lauderdale, Florida, for the purpose of hearing any public comment on the 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. The City Commission finds that the application for rezoning meets the criteria of Section 47-24.4 of the Unified Land Development Regulations (“ULDR”) as enunciated and memorialized in the minutes of its meetings of March 19, 2024 and April 2, 2024, a portion of those findings expressly listed as follows:

1. The property is currently zoned B-3 and has an underlying land use designation of Commercial which is intended for uses such as government administration (judicial, police, fire and library services), community facilities including schools, marinas and similar uses. The proposed Parks, Recreation and Open Space zoning district is consistent with this land use designation.
2. The property where the proposed rezoning is to take place is currently open space. Rezoning the property will ensure the land will be available as open space and a passive park for surrounding residential neighborhoods and pedestrians. The rezoning will be consistent with the character of development in the area under consideration.
3. The property is currently open space, the rezoning of the property to P - Parks, Recreation and Open Space zoning district will ensure the zoning district is compatible with the existing uses surrounding the area, which is primarily commercial and residential. Furthermore, the rezoning will enhance the

existing surrounding neighborhoods by providing open space for residents to enjoy.

SECTION 2. That the City of Fort Lauderdale 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 from “B-3 – Heavy Commercial/Light Industrial” District to “P – Parks Recreation and Open Space District, the following lands, situated in the City of Fort Lauderdale, Broward County, Florida, to wit:

ALL OF BLOCK “I”, "A RESUBDIVISION OF BLOCK “J” LAKEVIEW", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 18, PAGE 20, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH LOTS 14-A, 14-B, 16-A AND 16-B, "HARBORVIEW", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 5, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING EAST OF THE EAST RIGHT OF WAY LINE OF FEDERAL HIGHWAY AND LESS ROAD RIGHT OF WAY, ALSO TOGETHER WITH LOT 2, SOUTH HALF AND ALL OF LOTS 4, 6, 8, 10 AND 12, "LAKEVIEW", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 68, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LESS ROAD RIGHT OF WAY, ALSO TOGETHER WITH THAT PORTION OF SOUTHEAST 25TH STREET RIGHT OF WAY BOUNDED ON THE WEST BY THE EAST RIGHT OF WAY LINE OF FEDERAL HIGHWAY AND BOUNDED ON THE EAST BY THE WEST RIGHT OF WAY LINE OF MIAMI ROAD

Location: North of Southeast 28th Street, east of South Federal Highway, west of Miami Road and south of Spangler Boulevard

More specifically described in Exhibit “A” attached hereto and made a part hereof.

SECTION 3. 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 4. 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. All other applicable state or federal permits must be obtained before commencement of the development.

SECTION 5. 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 6. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 7. That this Ordinance shall be in full force and effect ten (10) days from the date of final passage.

PASSED FIRST READING this 19th day of March, 2024
PASSED SECOND READING this ____ day of _____, 2024.

Mayor
DEAN J. TRANTALIS

ATTEST:

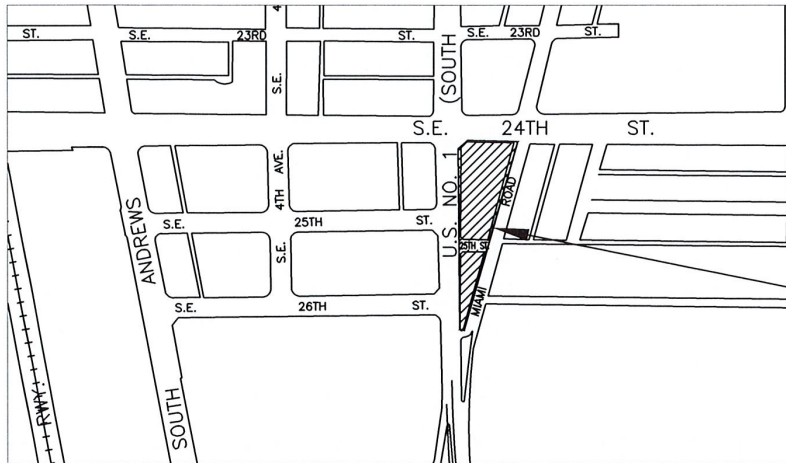
City Clerk
DAVID R. SOLOMAN

SKETCH AND DESCRIPTION

THIS IS NOT A FIELD SURVEY

WELCOME PARK

REZONING PETITION FROM (B-3) TO (P)



LOCATION OF SKETCH

LOCATION MAP (NOT TO SCALE)

DESCRIPTION:

BLOCK 1 OF "A RESUBDIVISION IN BLOCK "J" LAKEVIEW" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 18, PAGE 20 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

TOGETHER WITH: LOTS 14-A, 14-B, 16-A AND 16-B "HARBOR VIEW" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 5 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; LESS THAT PORTION OF SAID LOT 16-B WHICH IS INCLUDED IN THE EXTERNAL AREA FORMED BY AN ARC OF RADIUS 12.00 FEET, TANGENT TO THE SOUTH LINE OF SAID LOT 16-B AND TANGENT TO THE WEST LINE OF SAID LOT 16-B;

TOGETHER WITH; THAT PORTION OF THE SOUTH HALF OF LOT 2 AND LOTS 4, 6, 8, 10 AND 12 "LAKEVIEW", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 68 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LYING EAST OF THE EAST RIGHT OF WAY LINE OF FEDERAL HIGHWAY (STATE ROAD NO.5) AS SHOWN ON DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 86010-2102; LESS THAT PART OF LOTS 2 AND 4, INCLUDED IN THE EXTERNAL AREA OF AN ARC OF RADIUS 32.00 FEET, TANGENT TO THE EAST RIGHT OF WAY LINE OF FEDERAL HIGHWAY AND TANGENT TO THE SOUTH RIGHT OF WAY LINE OF SOUTHEAST 24 STREET (SPANGLER BLVD) AND LESS THAT PORTION OF LOTS 2, 4 AND 6 LYING EASTERLY OF THE COMPOUND CURVE TANGENT OF THE SOUTH RIGHT OF WAY LINE OF SOUTHEAST 24 STREET WITH A RADIUS OF 25.00 FEET AND TANGENT TO THE EAST LINE OF LOT 6 WITH THE RADIUS OF 275.00 FEET; AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 86010-2546 SHEET 2 OF 4.

TOGETHER WITH: THAT PORTION OF THE RIGHT OF WAY FOR SOUTHEAST 25 STREET BOUNDED ON THE WEST BY THE EAST RIGHT OF WAY LINE OF FEDERAL HIGHWAY (STATE ROAD NO. 5) AS SHOWN ON DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 86010-2502 AND BOUNDED ON THE EAST BY THE WEST RIGHT OF WAY FOR MIAMI ROAD.

LESS: THAT PORTION OF THE NORTHWEST CORNER AS SHOWN ON DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 86010-MAIN.(3) RECORDED IN INSTRUMENT NUMBER 117467185 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. AND ALL DESCRIBED MORE PARTICULARLY BELOW:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 42 EAST; THENCE SOUTH 01'27'16" EAST ALONG THE WEST LINE OF SAID SECTION 23, A DISTANCE OF 84.12 FEET; THENCE NORTH 88'32'44" EAST, A DISTANCE OF 50.00 FEET TO THE EAST RIGHT OF WAY LINE OF SOUTH FEDERAL HIGHWAY AND THE POINT OF BEGINNING; THENCE NORTH 47'58'36" EAST, A DISTANCE OF 52.96 FEET; THENCE NORTH 88'20'24" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF SPANGLER BOULEVARD, A DISTANCE OF 121.91 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 92'39'17" AND ARC LENGTH OF 40.43 FEET TO THE POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 275.00 FEET, A CENTRAL ANGLE OF 12'00'04" AND ARC LENGTH OF 57.60 FEET TO A POINT OF TANGENCY; THENCE SOUTH 12'59'47" WEST ALONG THE WEST RIGHT OF WAY LINE OF MIAMI ROAD, A DISTANCE OF 672.92 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 5.50 FEET, A CENTRAL ANGLE OF 165'32'57" AND ARC LENGTH OF 18.89 FEET TO A POINT OF TANGENCY; THENCE NORTH 01'27'16" WEST ALONG THE EAST RIGHT OF WAY LINE OF SOUTH FEDERAL HIGHWAY, A DISTANCE OF 698.31 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND SITUATE IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 76,273 SQUARE FEET OR 1.7510 ACRES MORE OR LESS.

NOTES:

- 1) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 2) SUBJECT TO EXISTING EASEMENTS, RIGHT-OF WAYS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD, IF ANY
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
- 4) BEARINGS BASED ON THE EAST RIGHT OF WAY LINE OF SOUTH FEDERAL HIGHWAY N01'27'16"W

SHEET 1 OF 2

I HEREBY CERTIFY THAT THE HEREIN SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, PREPARED UNDER MY RESPONSIBLE CHARGE IN ACCORDANCE WITH THE STANDARDS OF PRACTICE IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES, PURSUANT TO SECTION 472.027.

DATED: MARCH 13th, 2023

MICHAEL W. DONALDSON
PROFESSIONAL SURVEYOR AND MAPPER NO. 6490
STATE OF FLORIDA

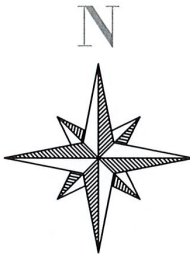
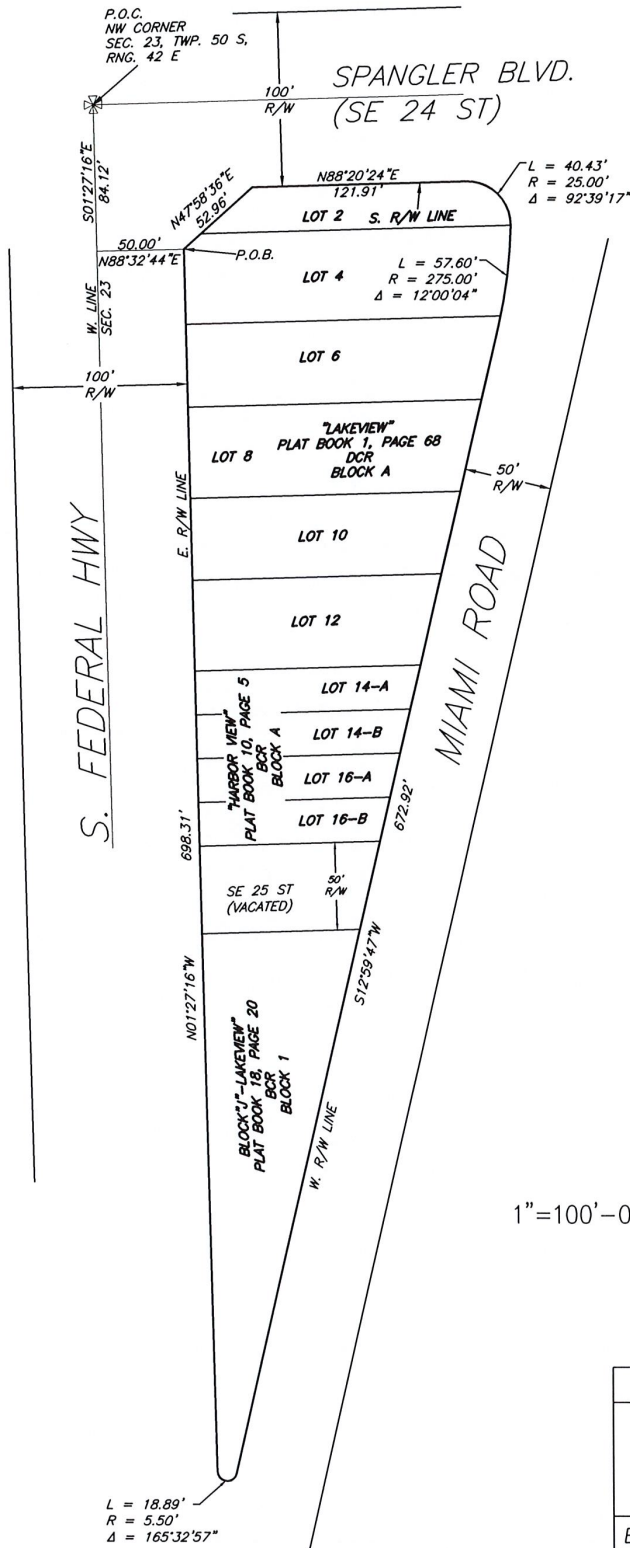
Michael W. Donaldson
3/24/23

CITY OF FORT LAUDERDALE		
EXHIBIT 1		
WELCOME PARK		
REZONING FROM (B-3) TO (P)		
BY: SP	ENGINEERING	DATE: 3/13/23
CHK'D SP	DIVISION	SCALE: NTS

SKETCH AND DESCRIPTION

WELCOME PARK

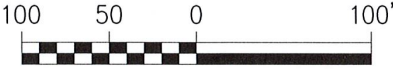
REZONING PETITION FROM (B-3) TO (P)



LEGEND:

P.O.C	POINT OF COMMENCEMENT
P.O.B	POINT OF BEGINNING
N.T.S	NOT TO SCALE
Δ	ANGLE
R	RADIUS
L	LENGTH
NTS	NOT TO SCALE
R/W	RIGHT OF WAY
BCR	BROWARD COUNTY RECORDS
DCR	DADE COUNTY RECORDS
SEC	SECTION
TWP	TOWNSHIP
RNG	RANGE
B-3	HEAVY COMMERCIAL/ LIGHT INDUSTRIAL BUSINESS
P	PARKS, RECREATION AND OPEN SPACE

1" = 100'-0"



THIS IS NOT A FIELD SURVEY

SHEET 2 OF 3

CITY OF FORT LAUDERDALE		
EXHIBIT A		
WELCOME PARK		
REZONING FROM (B-3) TO (P)		
BY: SP	ENGINEERING	DATE: 3/13/23
CHK'D SP	DIVISION	SCALE: 1" = 100'

$L = 18.89'$
 $R = 5.50'$
 $\Delta = 165^{\circ}32'57''$