

ORDINANCE NO. C-13-

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RM-15 TO X-P, THROUGH THE ALLOCATION OF COMMERCIAL FLEX, THE SOUTH 65 FEET OF LOTS 1 AND 2, LESS THE WEST 5 FEET OF THE SOUTH 65 FEET OF SAID LOT 2, BLOCK 126, "LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 9 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED SOUTH OF SOUTHWEST 23<sup>RD</sup> STREET, WEST OF SOUTHWEST 3<sup>RD</sup> AVENUE, EAST OF SOUTHWEST 4<sup>TH</sup> AVENUE AND NORTH OF SOUTHWEST 24<sup>TH</sup> STREET (W. STATE ROAD 84), WITH APPROVAL OF AN ASSOCIATED DEVELOPMENT PLAN IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

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WHEREAS, in accordance with the Unified Land Development Regulations ("ULDR"), rezoning to an X-P District is based in part on the allocation of commercial flexibility and a development plan which meets the criteria provided in the ULDR; and

WHEREAS, the applicant has submitted a development plan as part of the rezoning application to develop a parking lot on the property to be rezoned as described in this ordinance together with the expansion of a retail store located on the northwest corner of State Road 84 and Southwest 3<sup>rd</sup> Avenue, Fort Lauderdale, Florida and located in a B-1 zoning district associated with the development known as Boat Owners Warehouse; and

WHEREAS, the Planning and Zoning Board at its meeting of April 17, 2013 (PZ Case No. 7-ZR-13) did recommend to the City Commission that the development plan reviewed in connection with the rezoning application be approved and that the lands herein described should be rezoned from RM-15 to X-P 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, July 2, 2013 and Tuesday, August 20, 2013 at 6:00 o'clock 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 commercial flexibility is allocated to lands described in Section 2 of this ordinance subject to the conditions imposed by the Development Review Committee, the Planning and Zoning Board and the City Commission.

SECTION 2. That the ULDR of the City of Fort Lauderdale 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 RM-15 TO X-P:

THE SOUTH 65 FEET OF LOTS 1 AND 2 LESS THE WEST 5 FEET OF THE SOUTH 65 FEET OF SAID LOT 2, BLOCK 126, "LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 9 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA,

Location: South of Southwest 23<sup>rd</sup> Street, west of Southwest 3<sup>rd</sup> Avenue, east of Southwest 4<sup>th</sup> Avenue and north of Southwest 24<sup>th</sup> Street (W. State Road 84)

together with and subject to the development plan reviewed and approved as part of this rezoning and including the following described property:

THE EAST ONE-HALF (E ½) OF LOT 21 AND ALL OF LOTS 22, 23, 24 AND 25, BLOCK 126, "LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 9 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SUCH LAND BEING LOCATED IN THE CITY

OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. ALL LESS THE SOUTH 25.00 FEET THEREOF.

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. 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 days from the date of final passage.

PASSED FIRST READING this the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

PASSED SECOND READING this the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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City Clerk  
JONDA K. JOSEPH