

RESOLUTION NO. 14-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE ISSUANCE OF A SITE PLAN LEVEL II DEVELOPMENT PERMIT FOR THE DEVELOPMENT OF A RETAIL FURNITURE STORE LOCATED AT 105 NORTH FEDERAL HIGHWAY, FORT LAUDERDALE, FLORIDA IN A RAC-CC ZONING DISTRICT.

WHEREAS, Section 47-24.1 of the Unified Land Development Regulations (hereinafter "ULDR") of the City of Fort Lauderdale, Florida provides that no development of property in the City shall be permitted without first obtaining a development permit from the City of Fort Lauderdale in accordance with the provisions and requirements of the ULDR; and

WHEREAS, Happy Land FL, LLC submitted an application for a site plan level II development approval for a retail furniture store located at 105 North Federal Highway, Fort Lauderdale, Florida and within a RAC-CC zoning district associated with the development known as 105 North; and

WHEREAS, the Development Review Committee (PZ Case No. R14011) at its meeting of March 25, 2014, reviewed the application and site plan resulting in site plan approval on June 19, 2014, subject to City Commission request for review; and

WHEREAS, a motion was adopted on July 1, 2014, setting a public hearing for August 19, 2014 at 6:00 p.m. to conduct a de novo review of the development permit application; and

WHEREAS, pursuant to Section 47-26A.2., the City Commission conducted the de novo hearing on August 19, 2014, and found that the proposed development or use meets the standards and requirements of the ULDR and criteria for a Site Plan Level II development permit in a RAC-CC zoning district;

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

SECTION 1. That each WHEREAS clause set forth above is true and correct and incorporated herein by this reference.

SECTION 2. That the site plan II development application submitted for the development of a retail furniture store located at 105 North Federal Highway, Fort Lauderdale, Florida, located in a RAC-CC zoning district is hereby approved, subject to the modifications and conditions imposed

by the Development Review Committee and City Commission; including and not limited to the conditions imposed at the August 19, 2014 Commission meeting.

SECTION 3. That pursuant to the provisions of the ULDR of the City of Fort Lauderdale, Florida, the proper City officials are hereby authorized to issue the necessary building and use permits subject to the conditions imposed by the Development Review Committee and City Commission.

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.

SECTION 5. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this the ____ day of _____, 2014.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH