

RESOLUTION NO. 13-152

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A DEVELOPMENT PERMIT FOR THE DEVELOPMENT OF PHASE II OF A GOVERNMENT ADMINISTRATION BUILDING KNOWN AS THE BROWARD COUNTY COURTHOUSE LOCATED AT THE CORNER OF S.W. 1<sup>ST</sup> AVENUE AND S.E. 6<sup>TH</sup> STREET, FORT LAUDERDALE, FLORIDA IN AN RAC-CC ZONING DISTRICT AS A SITE PLAN LEVEL IV DEVELOPMENT.

WHEREAS, pursuant to Resolution No. 11-148, adopted by the City Commission on June 7, 2011, the Commission granted to the Broward County Board of County Commissioners a development permit for purposes of developing Phase I of a government administration building known as the Broward County Courthouse located at the corner of S.W. 1<sup>st</sup> Avenue and S.E. 5<sup>th</sup> Street, Fort Lauderdale, Florida, and located in an RAC-CC zoning district; and

WHEREAS, the Development Review Committee (PZ Case No. 48-R-11) reviewed and approved the development plan submitted by the Applicant for Phase II subject to City Commission Request for Review; and

WHEREAS, the City Commission has reviewed the development plan submitted by the Applicant, as required by the ULDR of the City of Fort Lauderdale, and finds that such plan conforms with the provisions of such laws;

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

**SECTION 1.** That the development plan submitted to develop Phase II of the development known as the Broward County Courthouse located at the corner of S.W. 1<sup>st</sup> Avenue and S.E. 6<sup>th</sup> Street, Fort Lauderdale, Florida, located in an RAC-CC zoning district is hereby approved, subject to all conditions imposed by the Development Review Committee and City Commission, including and not limited to the conditions imposed at the September 3, 2013 Commission meeting as follows:

1. The parking garage located on the northeast corner of Andrews Avenue and S.W. 7<sup>th</sup> Street must be available for public use after business hours of the Broward County Courthouse. The applicant may charge a reasonable fee to the public for such use; and

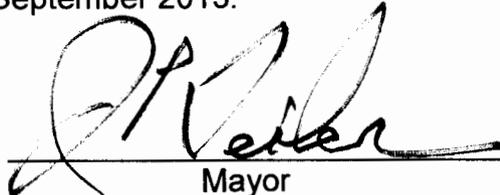
2. The applicant shall provide an updated determination letter from Matthew DeFelice, Broward County Archaeologist, identifying why the development site should not be subject to archeological studies.

SECTION 2. The conditions contained herein are intended to memorialize the conditions expressed in the record of the hearings at which the application for the development permit was reviewed. In the event that the record of the proceedings contradicts or contains additional conditions not reflected in this instrument, the conditions as expressed on the record of the proceedings shall prevail and are incorporated herein.

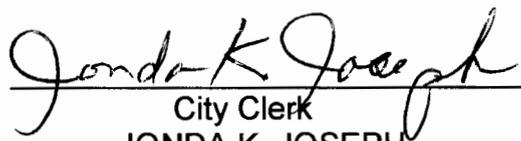
SECTION 3. Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain 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 4. 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.

ADOPTED this the 3rd day of September 2013.

  
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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

  
\_\_\_\_\_  
City Clerk  
JONDA K. JOSEPH

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