

ORDINANCE NO. C-13-44

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM "RMM-25" TO "CF-H", ALL OF LOTS 33 AND 34, BLOCK 18, "NORTH LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 48, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, FLORIDA, LOCATED SOUTH OF NORTHWEST 5TH STREET, NORTH OF NORTHWEST 4TH STREET, WEST OF NORTHWEST 7TH AVENUE AND EAST OF NORTHWEST 8TH AVENUE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, New Mount Olive Missionary Baptist Church, Inc., applied for the rezoning of certain property as described in Section 1 herein, and

WHEREAS, the Planning and Zoning Board at its meeting of July 17, 2013 (PZ Case No. 9-Z-12) 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, October 15, 2013 and Tuesday, November 5, 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 the Unified Land Development Regulations (“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 RMM-25 TO CF-H:

ALL OF LOTS 33 AND 34, BLOCK 18, “NORTH LAUDERDALE”, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 48, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, ALL SAID LANDS BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Location: South of N.W. 5th Street, north of N.W. 4th Street, west of N.W. 7th Avenue and east of N.W. 8th 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. 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. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits 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 immediately upon the date of final passage.

PASSED FIRST READING this the 15th day of October, 2013.

PASSED SECOND READING this the _____ day of _____, 2013.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

L:\COMM2013\Ords\November 5\Mount Olive rezoning - 9-Z-12.docx