

ORDINANCE NO. C-24-18

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 GENERAL BUSINESS ("B-2") DISTRICT TO COMMUNITY BUSINESS ("CB") DISTRICT, REZONE FROM RESIDENTIAL MULTIFAMILY MID RISE/MEDIUM HIGH DENSITY ("RMM-25") DISTRICT TO "CB" DISTRICT, AND REZONE FROM "RESIDENTIAL SINGLE FAMILY DUPLEX/MEDIUM DENSITY ("RD-15") DISTRICT TO "CB" DISTRICT, PORTIONS OF PARCEL "A", "MATCORP PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 128, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF SOUTHWEST 15TH AVENUE, NORTH OF SOUTHWEST 30TH STREET, EAST OF SOUTHWEST 18TH TERRACE AND SOUTH OF WEST STATE ROAD 84 (MARINA BOULEVARD), ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, Barbill Ventures Corporation, applied for the rezoning of certain property specifically described in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, on March 15, 2023, the Planning and Zoning Board functioning as the local planning agency (PZ Case No. UDP-Z22029) recommended that the City Commission of the City of Fort Lauderdale ("City Commission") approve the rezoning of the property described in Exhibit "A" attached hereto and also recommended an amendment to the Official Zoning Map of the City of Fort Lauderdale and Schedule "A" referenced in Section 47-1.6.B. of the Unified Land Development Regulations to include the rezoned property; 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, the public hearings were duly held at the time and place designated after notice was given by publication as required by law, and the City Commission determined that the requested rezoning met the criteria for rezoning in the Unified Land Development Regulations.

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

SECTION 1. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

SECTION 2. The City Commission finds that the application for rezoning meets the criteria in 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 are expressly listed as follows:

1. Rezoning the property to CB is consistent with the underlying future land use of Medium-High Residential, subject to flex allocation. The property was allocated commercial flex in 1996 to allow for future redevelopment of the site.
2. The CB zoning district is intended to meet the shopping and service needs of the community. The size and scale of development and allowable uses within the CB district are intended to limit impact on the surrounding residential neighborhoods to be served by the commercial business. The location and intention of the CB zoning district serves to provide the abutting community with easily accessible services. Any proposed commercial development abutting or within 100 feet of a residentially zoned and used property will have to comply with neighborhood compatibility requirements, including, but not limited to setbacks, buffer requirements, landscaping, walls, and building height restrictions.
3. The character of the area proposed is suitable for the uses permitted in the proposed zoning district. The northern frontage of the property abuts State Road 84, a transit corridor. Properties to the south are zoned residential and contain single family homes as well as multifamily developments. The intent of the CB zoning district is to support local residential neighborhoods with commercial serving uses and to be situated along corridors, such as State Road 84.

SECTION 3. 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, are hereby amended by rezoning from General Business (“B-2”) District to Community Business (“CB”) District; rezoning from Residential Multifamily Mid Rise/Medium High Density (“RMM-25”) District to “CB” District; and rezoning from Residential Single Family Duplex/Medium Density (“RD-15”) District to “CB” District, the following lands, situated in the City of Fort Lauderdale, Broward County, Florida, to wit:

PORTIONS OF PARCEL “A”, "MATCORP PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 128, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

Location: West of Southwest 15th Avenue, north of Southwest 30th Street, east of Southwest 18th Terrace and south of West State Road 84 (Marina Boulevard)

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

SECTION 4. 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 the date of passage.

SECTION 5. 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 6. 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 7. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8. 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

REZONING PETITION FROM B-2, RMM-25 AND RD-15 TO CB
A PORTION OF PARCEL "A" (WEST SIDE)
"MATCORP PLAT"
CITY OF FORT LAUDERDALE
PLAT BOOK 128, PAGE 2,
BROWARD COUNTY RECORDS

LEGAL DESCRIPTION:

A PORTION OF PARCEL "A" OF "MATCORP PLAT" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 128, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY. THE SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID PARCEL "A"; THENCE ON SOUTH LINE OF SAID PARCEL "A", NORTH 90°00'00" WEST, A DISTANCE OF 87.99 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ON THE SAID SOUTH LINE NORTH 90°00'00" WEST, A DISTANCE OF 329.57 FEET TO THE SOUTHWEST CORNER OF PARCEL "A"; THENCE ON THE SAID WEST LINE, NORTH 01°49'21" WEST, A DISTANCE OF 14.83 FEET; THENCE NORTH 76°44'27" EAST, A DISTANCE OF 341.75 FEET; THENCE SOUTH 02°10'40" WEST, A DISTANCE OF 93.27 FEET TO THE POINT OF BEGINNING.

LYING AND BEING IN SECTION 21, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA.

AREA CONTAINING 17806.0 SQUARE FEET MORE OR LESS

TOGETHER WITH

A PORTION OF PARCEL "A" OF "MATCORP PLAT" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 128, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY. THE SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID PARCEL "A"; THENCE ON THE SOUTH LINE OF PARCEL "A" NORTH 90°00'00" WEST, A DISTANCE OF 87.99 FEET; THENCE NORTH 02°14'40" EAST, A DISTANCE OF 115.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF SOUTHWEST 27th COURT; SAID POINT ALSO BEING ON A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 35.00 FEET, WITH A RADIAL BEARING OF NORTH 39°47'31" EAST AND THROUGH A CENTRAL ANGLE OF 82°15'26"; THENCE EASTERLY ON SAID CURVE AN ARC DISTANCE OF 50.25 FEET TO A NON-TANGENT POINT; THENCE SOUTH 88°03'00" EAST, A DISTANCE OF 41.88 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL "A"; THENCE ON THE EAST LINE OF SAID PARCEL "A" SOUTH 02°08'00" WEST, A DISTANCE OF 114.65 FEET TO THE POINT OF BEGINNING.

LYING AND BEING IN SECTION 21, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA

AREA CONTAINING 9874.0 SQUARE FEET MORE OR LESS

NOTES:

BEARINGS ARE ASSUMED AND BASED ON SOUTH LINE OF PARCEL "A" PLAT BOOK 128, PAGE 2, BROWARD COUNTY RECORDS

Surveyor's Certificate

I hereby certify that the attached "SKETCH AND LEGAL" was prepared in accordance with Chapter 5J-17, as set forth by The Florida Board of Surveyors and Mappers, pursuant to Section 472.027, Florida Statutes.

LEGEND	
O.R.B.	= OFFICIAL RECORD BOOK
P.B.	= PLAT BOOK
PG.	= PAGE
R/W	= RIGHT OF WAY
⊥	= CENTER LINE

THIS SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

[Signature]
 PEDRO L. MARTINEZ P.S.M.
 REGISTERED SURVEYOR AND MAPPER
 #5423 STATE OF FLORIDA.

LEGAL DESCRIPTION

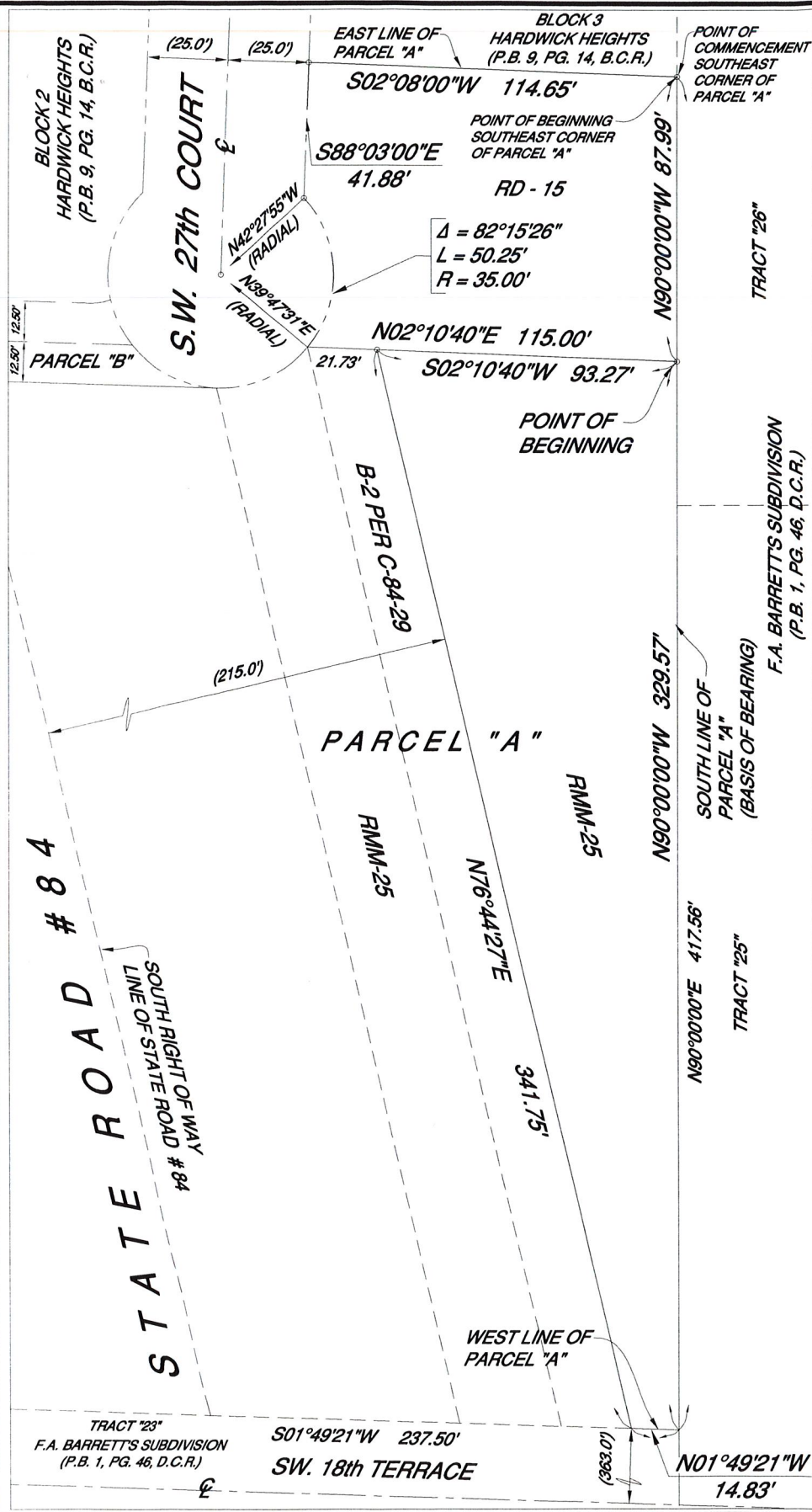


MARTINEZ AND MARTINEZ, INC.
 BUSINESS LICENSE # 7702
 WEB SITE: WWW.MARTINEZANDMARTINEZ.COM
 E-MAIL: PLSPSM@GMAIL.COM
 TELEPHONE MOBILE #: 786-277-4851
 6901 S.W. 16th STREET PEMBROKE PINES, FL. 33023

DATE: 05-11-2023
REV.:
DRAW: J.K.B.
CHECK: P.L.M.
SHEET 1 OF 2

REZONING PETITION FROM B-2, RMM-25 AND RD-15 TO CB
 A PORTION OF PARCEL "A" (WEST SIDE)
 "MATCORP PLAT"
 PLAT BOOK 128, PAGE 2,
 BROWARD COUNTY RECORDS

REZONING PETITION FROM B-2, RMM-25 AND RD-15 TO CB A PORTION OF PARCEL "A" (WEST SIDE) "MATCORP PLAT" CITY OF FORT LAUDERDALE PLAT BOOK 128, PAGE 2, BROWARD COUNTY RECORDS



GRAPHIC SCALE
 0 25 50
 (IN FEET)
 1 inch = 25 feet.

LEGEND

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[Signature]
 PEDRO L. MARTINEZ P.S.M.
 REGISTERED SURVEYOR AND MAPPER
 #5443 STATE OF FLORIDA.

SKETCH

	MARTINEZ AND MARTINEZ, INC.	DATE: 05-11-2023
	BUSINESS LICENSE # 7702	REV.:
	WEB SITE: WWW.MARTINEZANDMARTINEZ.COM	DRAW: J.K.B.
	E-MAIL: PLSPSM@GMAIL.COM	CHECK: P.L.M.
	TELEPHONE MOBILE #: 786-277-4851	SHEET 2 OF 2
6901 S.W. 16th STREET PEMBROKE PINES, FL. 33023		REZONING PETITION FROM B-2, RMM-25 AND RD-15 TO CB A PORTION OF PARCEL "A" (WEST SIDE) "MATCORP PLAT" PLAT BOOK 128, PAGE 2, BROWARD COUNTY RECORDS Exhibit 7