

PLANNING AND ZONING BOARD RESOLUTION NO. 20-05

A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A SITE PLAN LEVEL III DEVELOPMENT PERMIT FOR THE PROPERTY LOCATED AT 500 HENDRICKS ISLE, FORT LAUDERDALE, FLORIDA, IN THE RMM-25 ZONING DISTRICT, FOR THE DEVELOPMENT OF A FIVE STORY STRUCTURE WITH SEVEN MULTIFAMILY UNITS AND APPROVING A WATERWAY USE AND YARD MODIFICATIONS; CASE NO. UDP-S21050.

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

WHEREAS, Andrew Schein submitted an application for a development permit on behalf of 500 Hendricks, LLC for the development known as "Lumiere" for the development of a five story structure with seven multifamily residential units along the Rio Grande Waterway located at 500 Hendricks Isle, Fort Lauderdale, Florida, and a request for waterway use and yard modifications (Case No. UDP-S21050); and

WHEREAS, Sections 47-23.8, 47-25.2, and 47-25.3 of the ULDR include the applicable criteria for a Site Plan Level III development permit application for a development that abuts a waterway; and

WHEREAS, Section 47-23.11. of the ULDR provides the criteria for modification of required yards; and

WHEREAS, Section 47-5.36 of the ULDR includes the dimensional requirements for the RMM-25 Zoning District; and

WHEREAS, Section 47-24.2.A.3.c. of the ULDR provides that the Planning and Zoning Board must review and determine whether the proposed development or use meets the standards and requirements of the ULDR; and

WHEREAS, the Planning and Zoning Board reviewed the application in accordance with the criteria set forth in Sections 47-5.36, 47-23.8, 47-23.11, 47-25.2, and 47-25.3 of the ULDR; and

22-05 (PZB)

WHEREAS, the Planning and Zoning Board considered the application, the record, the Development Review Committee comments and public comments regarding the application at its meeting on April 20, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING BOARD OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the above recitals are true and correct and incorporated into this Resolution by this reference.

SECTION 2. The Planning and Zoning Board finds that the application for a Site Plan Level III Development permit for the development of a five story structure with seven multifamily residential units along the Rio Grande Waterway located at 500 Hendricks Isle, Fort Lauderdale, Florida and a request for waterway use and yard modifications meets the criteria of Sections 47-5.36, 47-23.8, 47-23.11, 47-25.2, and 47-25.3 of the ULDR as enunciated and memorialized in the minutes of its meeting on April 20, 2022, a portion of those findings expressly listed as follows:

The board found that the application met the criteria based on the record, the staff report, documents reviewed and testimony heard at the hearing.

SECTION 3. The Site Plan Level III permit application submitted by Andrew Schein on behalf of 500 Hendricks, LLC for a development project known "Lumiere" located at 500 Hendricks Isle, Fort Lauderdale, Florida and a request for waterway use and yard modifications is hereby granted, subject to the conditions stated on the record at the April 20, 2022, Planning and Zoning Board meeting.

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 Planning and Zoning Board.

SECTION 5. That the 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 6. That this approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.


SECTION 7. That this Resolution shall be in full force and effect thirty (30) days after its passage if no motion is adopted by the city commission seeking to review the application or no appeal of the Planning and Zoning Board's decision is filed by the applicant as provided in Section 47-26B, Appeals.

ADOPTED this 20th day of April, 2022.



Chair
JACQUELYN SCOTT

ATTEST:



City Clerk
DAVID R. SOLOMAN