

RESOLUTION NO. 12-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DENYING A DEVELOPMENT PERMIT FOR A RESTAURANT USE WITH OUTDOOR DINING ON PROPERTY LOCATED AT 235-237 ALMOND AVENUE IN FORT LAUDERDALE, FLORIDA IN A PRD ZONING DISTRICT AS A SITE PLAN LEVEL IV DEVELOPMENT.

WHEREAS, Section 47-12 of the Unified Land Development Regulations (“ULDR”) of the City of Fort Lauderdale, Florida provides that no development of property in the central beach area shall be permitted without first obtaining a development permit from the City of Fort Lauderdale in accordance with the provisions and requirements of Section 47-12 of the ULDR of the City of Fort Lauderdale, Florida; and

WHEREAS, the applicant, Las Olas Property Management, LLC, is proposing a restaurant use with outdoor dining on property located at 235-237 Almond Avenue in Fort Lauderdale, Florida; and

WHEREAS, the restaurant use with outdoor dining is not a listed permitted use within a PRD zoning district and the proposed use is a Site Plan Level IV development as provided in Section 47-12 of the ULDR of the City of Fort Lauderdale, Florida; and

WHEREAS, pursuant to Section 47-12.5.A.6.a.vi, ULDR other uses catering to tourist as approved by the Planning and Zoning Board are permitted uses within a PRD zoning district; and

WHEREAS, the Planning and Zoning Board (PZ Case No. 41-R-11A) at its October 17, 2012 meeting considered the application submitted by the applicant and the report and recommendation submitted by the Department of Sustainable Development and has approved the restaurant use with outdoor dining as a use that caters to tourists and has recommended that a development permit be granted; and

WHEREAS, the City Commission has reviewed the development application and plan submitted by the applicant, as required by the ULDR of the City of Fort Lauderdale, and finds that the proposed development or use does not meet the standards and requirements of the ULDR and criteria for a Site Plan Level IV development;

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

SECTION 1. That based on the failure to meet the requirements of Section 47-12, Central Beach Area District, of the ULDR, the proposed restaurant use with outdoor dining on property located at 235-237 Almond Avenue in Fort Lauderdale, Florida as set out in the application for Site Plan Level IV permit approval located in a PRD zoning district is hereby denied.

ADOPTED this the ____ day of _____, 2012.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

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