

ORDINANCE NO. C-22-09

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 RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY "RS-8" DISTRICT TO RESIDENTIAL MULTIFAMILY LOW RISE/MEDIUM HIGH DENSITY "RML-25" DISTRICT WITH AN EXISTING FUTURE LAND USE DESIGNATION OF MEDIUM-HIGH 25 RESIDENTIAL, A PORTION OF TRACT 36, BEING THE SOUTH 100.00 FEET OF THE NORTH 106.00 FEET OF THE WEST 251.43 FEET OF THE EAST 372.70 FEET, "F. A. BARRETT'S SUBDIVISION OF W1/2 SEC 21, T50 S, R42 E" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 46, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED WEST OF SOUTHWEST 15<sup>TH</sup> AVENUE, NORTH OF STATE ROAD 862 (I-595), EAST OF STATE ROAD 9 (I-95), ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicant, 3303 Community Development, LLC, applied for the rezoning of certain property as more particularly described in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, on October 20, 2021, the Planning and Zoning Board (PZ Case No. UDP-Z21001) 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, subject to certain agreed upon restrictions, 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, March 15, 2022 at 6:00 P.M., and Tuesday, April 5, 2022 at 6:00 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.** The City Commission finds that the application for rezoning meets the criteria of Section 47-24.4 of the Unified Land Development Regulations ("ULDR") as enunciated and memorialized in the minutes of its meetings of March 15, 2022 and April 5, 2022, a portion of those findings expressly listed as follows:

1. The property the applicant is proposing to rezone is currently split into two zoning districts and has a split future land use. The western portion of the parcel has Medium-High Residential Future Land Use and is zoned Residential Single Family/Low Medium Density District RS-8. The eastern portion (approximately  $\frac{1}{4}$  of the parcel) has Medium Residential Future Land Use and is zoned Residential Single Family Duplex/Medium Density District RD-15. The proposed zoning of Residential Low Rise Multifamily/Medium High-Density District RML-25 is consistent with the property's underlying Future Land Use Designation of Medium-High. The abutting property to the west has the same Future Land Use Designation of Medium-High and the applicant is proposing to rezone the property to the same district as the neighboring property of Residential Low Rise Multifamily/Medium High-Density District RML-25.
2. The proposed rezoning will not adversely affect living conditions and the character of development in the area under consideration. The pattern of development in the surrounding community includes a mix of residential housing types such as single family detached, duplex, townhomes, cluster and multifamily developments. Buildings in the surrounding area are between one and three stories tall. The proposed rezoning would not adversely impact the character of development in the neighborhood. The neighborhood has developed into a mixture of housing types and the Residential Low Rise Multifamily/Medium High-Density District RML-25 zoning permits a range of residential housing types.
3. The Property abuts an existing multi-family building to the west and an existing church and surface parking lot to the south. The property to the west is currently zoned Residential Low Rise Multifamily/Medium High-Density District (RML-25) with a Future Land Use of Medium-High Residential, the same zoning district the applicant is proposing. Both the zoning and future land use designation are consistent with the applicant's rezoning request. The neighboring property to the south has a Future Land Use of Medium Residential and Medium-High Residential. Currently a church with a surface parking lot is operating on the site. Permitted uses

in the proposed zoning designation are compatible with existing uses in the surrounding neighborhood, maintaining the existing character.

**SECTION 2.** 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, be amended by rezoning from "RS-8 - Residential Single Family/Low Medium Density" District to "RML-25 - Residential Multifamily Low Rise/Medium High Density" District, the following lands, situated in the City of Fort Lauderdale, Broward County, Florida, to wit:

A PORTION OF TRACT 36, BEING THE SOUTH 100.00 FEET OF THE NORTH 106.00 FEET OF THE WEST 251.43 FEET OF THE EAST 372.70 FEET, "F. A. BARRETT'S SUBDIVISION OF W1/2 SEC 21, T50 S, R42 E" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 46, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA

Location: West of Southwest 15<sup>th</sup> Avenue, north of State Road 862 (I-595)

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

**SECTION 3.** 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 4.** 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 5.** That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

**SECTION 6.** That the rezoning shall take effect on the date that a restrictive covenant, approved as to form by the Office of the City Attorney, limiting the number of dwelling units permitted to be constructed on the property legally described as:

THE SOUTH 100 FEET OF THE NORTH 106 FEET OF THE WEST 322.7 FEET OF THE EAST 372.7 FEET OF TRACT 36 OF F.A. BARRETT'S SUBDIVISION, AS RECORDED I N PLAT BOOK 1, PAGE 46, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

to twelve (12) is recorded in the Public Records of Broward County, Florida.

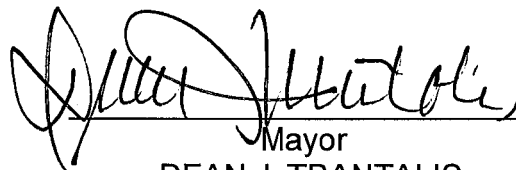
SECTION 7. That the approval of the rezoning shall expire and the rezoning shall not take effect if the restrictive covenant referenced in Section 6 is not recorded in the Public Records of Broward County, Florida within eighteen (18) months of the effective date of this ordinance.

SECTION 8. That an extension of time for the recordation of the restrictive covenant may be granted by the Department upon the showing by the applicant of good cause for the delay.

SECTION 9. That this Ordinance shall be in full force and effect ten (10) days from the date of final passage.

PASSED FIRST READING this 15<sup>th</sup> day of March, 2022.

PASSED SECOND READING this 5<sup>th</sup> day of April, 2022.



\_\_\_\_\_  
Mayor

DEAN J. TRANTALIS

ATTEST:



\_\_\_\_\_  
City Clerk

DAVID R. SOLOMAN

M.D. O.K.

### SKETCH AND LEGAL FOR REZONING

A PORTION OF THE SOUTH 100 FEET OF NORTH 106 FEET OF THE WEST 322.7 FEET OF THE EAST 372.7 FEET OF TRACT 36 OF F.A. BARRETT'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 46, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.  
REZONING FROM RS-8 TO RML-25 WITH AN EXISTING FUTURE LAND USE OF MEDIUM-HIGH 25

#### SURVEYOR'S NOTES:

- 1.) THIS IS NOT A BOUNDARY SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON.
- 2.) BEARINGS AND COORDINATES SHOWN ON THIS SPECIFIC PURPOSE SURVEY ARE BASED ON THE FLORIDA STATE PLANES COORDINATE SYSTEM, EAST ZONE, 1983 NORTH AMERICAN DATUM, 1990.
- 3.) ALL MEASUREMENTS ARE IN ACCORDANCE WITH THE UNITED STATES STANDARD U.S. FOOT.
- 4.) BEARINGS SHOWN HEREON AND NORTH ARROW DIRECTION ARE BASED ON ASSUME VALUE OF N 00°59'39" W, ALONG THE CENTER LINE OF S.W. 15th AVENUE, LYING AND BEING IN BROWARD COUNTY, FLORIDA, AND ALL OTHER ARE RELATIVE THERETO.
- 5.) CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK ON THE HEREIN DESCRIBED PARCEL FOR BUILDING AND ZONING INFORMATION.
- 6.) UNDERGROUND UTILITIES ARE NOT DEPICTED HEREON, CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK OR CONSTRUCTION ON THE PROPERTY HEREIN DESCRIBED. SURVEYOR SHALL BE NOTIFIED AS TO ANY DEVIATION FROM UTILITIES SHOWN HEREON.
- 7.) NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS NOTED.
- 8.) THE SOURCES OF DATE USED FOR THE PREPARATION OF THIS SKETCH AND LEGAL IS "F.A. BARRETT'S SUBDIVISION" RECORDED IN PLAT BOOK 1, AT PAGE 46, OF THE PUBLIC RECORD OF DADE COUNTY, FLORIDA, NOW LYING AND BEING IN BROWARD COUNTY, FLORIDA.

#### LEGEND

ABBREVIATION	DEFINITION
R/W	RIGHT OF WAY
P.B.	PLAT BOOK
PG.	PAGE
P.O.C.	POINT OF COMMENCE
P.O.B.	POINT OF BEGINNING
CR.	CALCULATED FROM RECORDS
B.B.	BASIS OF BEARING
B.C.R.	BROWARD COUNTY RECORDS
D.C.R.	DADE COUNTY RECORDS
C/L	CENTER LINE
PCL.	PARCEL

#### SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS "SKETCH AND LEGAL" MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS

SIGNED Arturo Mendicutia FOR THE FIRM  
ARTURO MENDICUTIA, P.S.M. P.S.M. No. 5844-STATE OF FLORIDA  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES AND/OR NOT VALID WITHOUT AN AUTHENTIC ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

#### PROPERTY ADDRESS:

FOLIO NO. 5042 21 01 0710  
3305 SW 15 AVENUE,  
FORT LAUDERDALE, FL 33315

NOT VALID WITHOUT SHEET 2 AND 3 OF 3.

PARCEL NUMBER: 5042 21 01 0710	
LOCATION MAP, SURVEYORS NOTES, PROPERTY ADDRESS	
Project No.: 2105-0126 - PCL. B. (WEST SIDE)	
Drawn by: M.G.	SKETCH
Approved by: AM	SHEET 1 OF 3
DATE: 06-30-2021	Scale: AS SHOWN



1435 S.W. 87th AVENUE  
SUITE "201"  
MIAMI, FL 33174  
PHONE: (305) 556-4002  
FAX: (305) 556-4003  
EMAIL:  
JFEE@LMSURVEYING.COM

M.D.O.K.

### SKETCH DESCRIPTION

A PORTION OF THE SOUTH 100 FEET OF NORTH 106 FEET OF THE WEST 322.7 FEET OF THE EAST 372.7 FEET OF TRACT 36 OF F.A. BARRETT'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 46, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.  
REZONING FROM RS-8 TO RML-25 WITH AN EXISTING FUTURE LAND USE OF MEDIUM-HIGH 25

#### LEGAL DESCRIPTION PARCEL "B" (WEST SIDE):

A PORTION OF TRACT 36 OF F.A. BARRETT'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, AT PAGE 46 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 100.00 FEET OF THE NORTH 106.00 FEET OF THE WEST 322.7 FEET OF THE EAST 372.7 FEET OF SAID TRACT 36 AND LESS AND EXCEPT THAT PORTION OF LAND DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT 36, THENCE RUN S 00° 59' 39" E FOR A DISTANCE OF 6.00 FEET; THENCE RUN S 88° 48' 50" W A DISTANCE OF 50.00 FEET TO A POINT OF INTERSECTION OF THE WEST RIGHT OF WAY LINE OF SW 15th. AVENUE AND THE SOUTH RIGHT OF WAY LINE OF SW 32nd. PLACE SAID POINT BEING THE POINT OF BEGINNING; THENCE RUN S 00° 59' 39" E ALONG SAID WEST RIGHT OF WAY LINE OF SW 15th. AVENUE A DISTANCE OF 100.00 FEET; THENCE RUN S 88° 48' 50" W ALONG A LINE 106.00 FEET SOUTH AND PARALLEL TO THE NORTH LINE OF SAID TRACT 36 FOR A DISTANCE OF 71.29 FEET; THENCE RUN N 01° 37' 28" W A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SAID SW 32nd. PLACE SAID LINE ALSO BEING 6.00 FEET SOUTH AND PARALLEL TO THE NORTH LINE OF SAID TRACT 36: THENCE RUN N 88° 48' 50" E ALONG SAID SOUTH RIGHT OF WAY LINE OF SAID SW 32nd. PLACE A DISTANCE OF 72.37 FEET TO THE POINT OF BEGINNING.

CONTAINING 25,088 SQUARE FEET AND/OR 0.576 ACRES MORE OR LESS.

NOT VALID WITHOUT SHEET 1 AND 3 OF 3.

PARCEL NUMBER: 5042 21 01 0710	
LEGAL DESCRIPTION	
Project No.: 2105-0126 PCL. B. (WEST SIDE)	
Drawn by: M.G.	SKETCH
Approved by: AM	SHEET 2 OF 3
Date: 06-30-2021	Scale: N/A



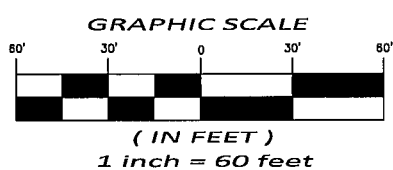
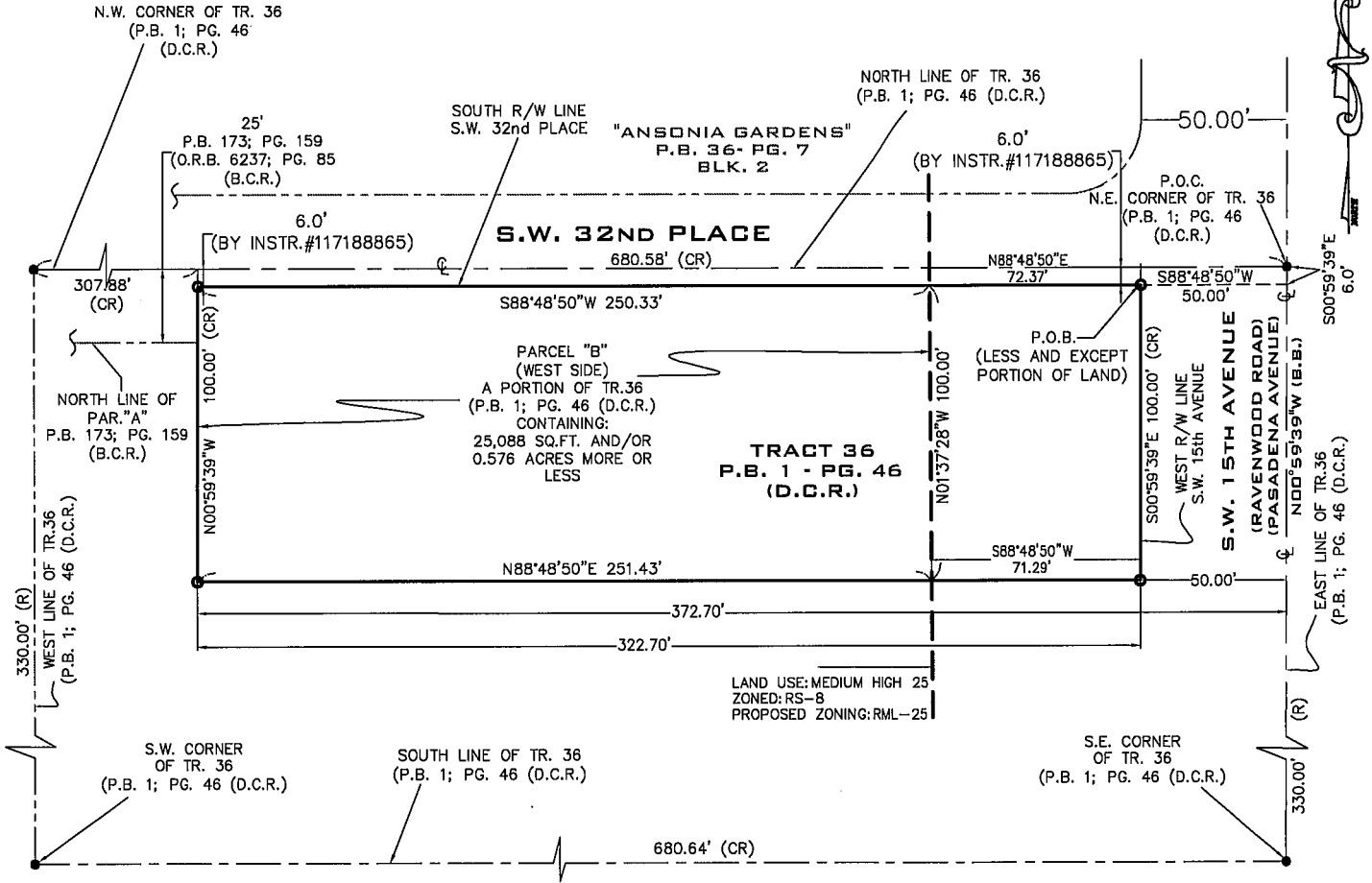
**LANDMARK**  
SURVEYING & ASSOCIATES, INC.  
PROFESSIONAL SURVEYORS AND MAPPERS  
L.B. No. 7633

1435 S.W. 87th AVENUE  
SUITE "201"  
MIAMI, FL 33174  
PHONE: (305) 556-4002  
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EMAIL:  
JFEE@LMSURVEYING.COM

M.D. O.K.

### SKETCH TO ACCOMPANY REZONING PETITION

A PORTION OF THE SOUTH 100 FEET OF NORTH 106 FEET OF THE WEST 322.7 FEET OF THE EAST 372.7 FEET OF TRACT 36 OF F.A. BARRETT'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 46, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.  
 REZONING FROM RS-8 TO RML-25 WITH AN EXISTING FUTURE LAND USE OF MEDIUM-HIGH 25



THIS IS NOT A BOUNDARY SURVEY  
 NOT VALID WITHOUT SHEET 1 AND 2 OF 3.

PARCEL NUMBER: 5042 21 01 0710	
EXHIBIT "A"	
Project No.: 2105-0126 PCL. B. (WEST SIDE)	
Drawn by: M.G.	SKETCH
Approved by: AM	SHEET 3 OF 3
Date: 06-30-2021	Scale: 1" - 60'

**LANDMARK**  
 SURVEYING & ASSOCIATES, INC.  
 PROFESSIONAL SURVEYORS AND MAPPERS  
 L.B. No. 7633

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 SUITE "201"  
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