

RESOLUTION NO. 22-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DENYING AMENDMENTS TO THE SITE PLAN ASSOCIATED WITH THE APPROVED BEACH DEVELOPMENT PERMIT FOR THE MULTI-FAMILY RESIDENTIAL PROJECT LOCATED AT 530 NORTH BIRCH ROAD, FORT LAUDERDALE, FLORIDA, IN THE NORTH BEACH RESIDENTIAL AREA ZONING DISTRICT, TO INCREASE THE BUILDING HEIGHT FROM 120 FEET TO 144 FEET, ADD 11 DWELLING UNITS, AND APPROVE A MINIMUM BUILDING TOWER STEPBACK OF 10 FEET IN THE CENTRAL BEACH REGIONAL ACTIVITY CENTER.

WHEREAS, in accordance with Section 47-12.6 of the City of Fort Lauderdale, Florida Unified Land Development Regulations ("ULDR"), no person shall carry out any development nor shall any person use any parcel of land for any purpose in the Central Beach Area without first obtaining a beach development permit from the city in accordance with the provisions and requirements of the ULDR; and

WHEREAS, on February 19, 2019, the City Commission adopted Resolution No. 19-31 approving the issuance of a beach development permit for the development of an 11-story, 21-unit multi-family residential project located at 530 North Birch Road, Fort Lauderdale, Florida, and located in the North Beach Residential Area (NBRA) zoning district; and

WHEREAS, Section 47-24.2.A.5.c. of ULDR, provides that if the applicant wishes to change the development to an extent which exceeds the authority of the department to approve amendments as provided in subsection 47-24.2.A.5.b. i or ii, the proposed amendment to the Site Plan Level III or level IV permit will be required to be reviewed by the department and forwarded to the body which gave final approval to the original development permit; and

WHEREAS, the applicants, Birch Road, LLC. and Cheston MM, LLC, are requesting that the City Commission approve an amendment to the Site Plan Level IV beach development permit to increase the building height from 120 feet to 144 feet, add 11 dwelling units in the Central Beach Regional Activity Center; and

WHEREAS, the City Commission has reviewed the application to amend the site plan submitted by the applicant, as required by the ULDR, and finds that such amended plan does not conform with the provisions of such laws;

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 standards and requirements of Section 47-12 and Section 47-24 of the ULDR, the amendments to the development plan for an 11-story, 21-unit multi-family residential project located at 530 North Birch Road, Fort Lauderdale, Florida, and located in the North Beach Residential Area (NBRA) zoning district is hereby denied.

ADOPTED this _____ day of _____, 2022.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM:

City Attorney
ALAIN E. BOILEAU

Dean J. Trantalis _____
Heather Moraitis _____
Steven Glassman _____
Robert L. McKinzie _____
Ben Sorensen _____