

ORDINANCE NO. C-23-

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 "RS-6.7 – IRREGULAR RESIDENTIAL - COUNTY" DISTRICT, RS-8 – RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY" DISTRICT AND "CB – COMMUNITY BUSINESS" DISTRICT TO "P – PARKS, RECREATION AND OPEN SPACE" DISTRICT, ALL OF LOTS 9 THROUGH 14, BLOCK 8, "MELROSE PARK SECTION 4", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS THE NORTH 100 FEET THEREOF AND ALL OF "WESTWOOD TERRACE" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 38, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND A PORTION OF THE NE ¼ OF SECTION 18, TOWNSHIP 50 SOUTH, RANGE 42 EAST, LOCATED WEST OF SOUTHWEST 31ST AVENUE, NORTH OF DAVIE BOULEVARD, EAST OF SOUTHWEST 35TH AVENUE AND SOUTH OF JACKSON 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, City of Fort Lauderdale, applied for the rezoning of the property more particularly described in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, on December 21, 2022, the Planning and Zoning Board (PZ Case No. UDP-Z22026) 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 of 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 the public hearings held on Tuesday, April 18, 2023 at 6:00 P.M., and Tuesday, May 2, 2023 at 6:00 P.M., in the City

Commission Room, City Hall, Fort Lauderdale, Florida, for the purpose of hearing any public comment to 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.

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 of Section 47-24.4. of the Unified Land Development Regulations ("ULDR") as enunciated and memorialized in the minutes of its meetings on April 18, 2023 and May 2, 2023, a portion of those findings are expressly listed as follows:

- A. The zoning district proposed is consistent with the City's Comprehensive Plan. The property is currently zoned RS-6.7 – County, RS-8 and CB has underlying land use designations of Irregular Residential, Low-Medium Residential and Commercial. The Irregular Residential and Low-Medium Residential land uses are intended primarily for dwellings and other land uses in support of the residential environment. The Commercial land use designation is intended for business, retail, service, office, and other commercial enterprises. The proposed Parks, Recreation and Open Space zoning district is consistent with these land use designations.
- B. The changes anticipated by the proposed rezoning will not adversely impact the character of development in or near the area under consideration. The property where the proposed rezoning is to take place is an existing park. Moving forward with the proposed rezoning will make the current park use consistent with its zoning designation. The character of development of the parcel supports the proposed rezoning.

- C. The character of the area proposed is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses. Since the current use of the site is a park, the proposed rezoning will ensure the zoning district is compatible with the existing use. Furthermore, the proposed rezoning will enhance the existing surrounding residential and hotel uses by providing park and open space for residents and visitors to enjoy. The character of the surrounding area supports the proposed park use.

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 "RS-6.7 – Irregular Residential - County" District, "RS-8 – Residential Single Family/Low Medium Density" District and "CB – Community Business" District to "P – Parks, Recreation and Open Space" District, the following lands, situated in the City of Fort Lauderdale, Broward County, Florida, to wit:

ALL OF LOTS 9 THROUGH 14, BLOCK 8, "MELROSE PARK SECTION 4", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS THE NORTH 100 FEET THEREOF AND ALL OF "WESTWOOD TERRACE" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 38, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND A PORTION OF THE NE ¼ OF SECTION 18, TOWNSHIP 50 SOUTH, RANGE 42 EAST

Location: West of Southwest 31st Avenue, north of Davie Boulevard, east of Southwest 35th Avenue and south of Jackson 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 the zoning upon a copy of the Official Zoning Map, and shall indicate an amendment of Schedule "A" accordingly, with proper reference to this ordinance and 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 ____ day of _____, 2023.

PASSED SECOND READING this ____ day of _____, 2023.

Mayor
DEAN J. TRANTALIS

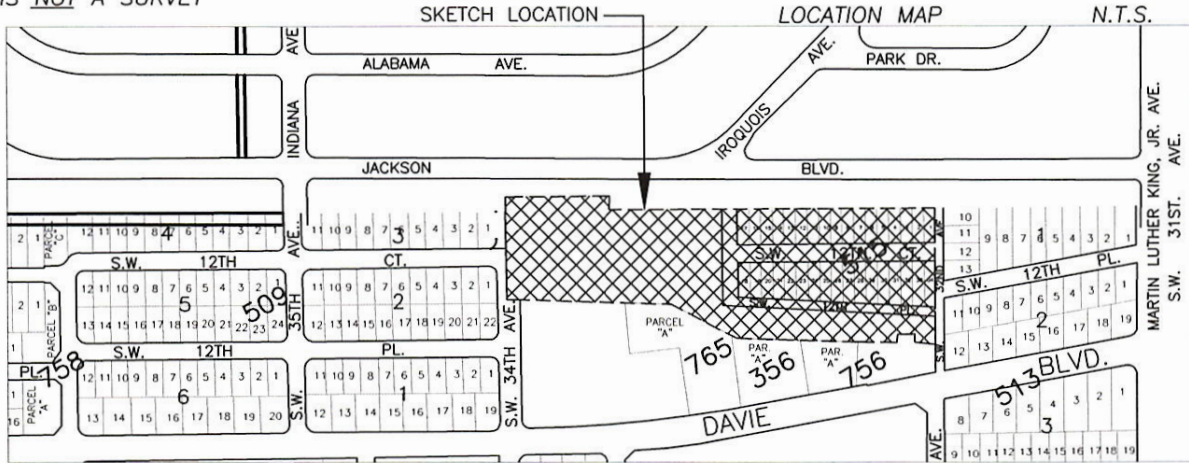
ATTEST:

City Clerk
DAVID R. SOLOMAN

SKETCH AND DESCRIPTION

REZONING PETITION FROM (RS-8) AND (CB) TO (P)

THIS IS NOT A SURVEY



DESCRIPTION SHIRLEY SMALL PARK REZONING (RS-8) TO (P)

LOTS 9 THROUGH 14, BLOCK 8, MELROSE PARK SECTION 4, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 29, PAGE 48 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS THE NORTH 100.00 FEET THEREOF AND ALL OF WESTWOOD TERRACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 38 OF SAID PUBLIC RECORDS AND A PORTION OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SECTION 18, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE NORTHWEST ONE QUARTER (NW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SAID SECTION 18; THENCE SOUTH 88°04'22" WEST ALONG THE SOUTH BOUNDARY OF SAID LOT 9, A DISTANCE OF 22.79 FEET TO THE SOUTHWEST CORNER OF SAID LOT 9; THENCE NORTH 01°47'19" WEST ALONG THE WEST BOUNDARY SAID LOT 9, A DISTANCE OF 34.38 FEET; THENCE NORTH 87°58'23" EAST ALONG A LINE 100.00 FEET SOUTH OF AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES TO, THE NORTH BOUNDARY OF SAID BLOCK 8, A DISTANCE OF 420.12 FEET TO A POINT ON THE EAST BOUNDARY OF SAID LOT 14; THENCE SOUTH 01°47'19" EAST ALONG SAID EAST BOUNDARY, A DISTANCE OF 35.11 FEET TO THE SOUTHEAST CORNER OF SAID LOT 14; THENCE NORTH 88°04'22" EAST ALONG THE SOUTH BOUNDARY OF SAID BLOCK 8 AND ALONG THE SOUTH BOUNDARY OF BLOCK 8, MELROSE PARK-SEC.3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 29, PAGE 28 OF SAID PUBLIC RECORDS, A DISTANCE OF 844.50 FEET TO THE NORTHEAST CORNER OF LOT 1 OF SAID PLAT OF WESTWOOD TERRACE, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE NORTHWEST ONE QUARTER (NW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SAID SECTION 18; THENCE SOUTH 01°32'25" EAST ALONG THE EAST LINE OF SAID NORTHWEST ONE QUARTER (NW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4), A DISTANCE OF 362.97 FEET TO A POINT LYING 110 FEET NORTH OF THE NORTH RIGHT OF WAY LINE FOR DAVIE BOULEVARD; THENCE SOUTH 78°15'37" WEST, A DISTANCE OF 125.00 FEET TO A POINT LYING 109.1 FEET NORTH OF SAID NORTH RIGHT OF WAY LINE; THENCE NORTH 01°32'25" WEST ALONG A LINE 123 FEET WEST OF AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES TO, SAID EAST LINE OF SAID NORTHWEST ONE QUARTER (NW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4), A DISTANCE OF 26.14 FEET; THENCE NORTH 88°59'36" WEST, A DISTANCE OF 92.07 FEET; THENCE SOUTH 01°32'25" EAST ALONG A LINE 215 FEET WEST OF AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES TO, SAID EAST LINE, A DISTANCE OF 26.86 FEET TO THE NORTHEAST CORNER OF PARCEL "A", FRAM - DAVIE PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 132, PAGE 35 OF SAID PUBLIC RECORDS; THENCE NORTH 88°58'16" WEST ALONG THE NORTH BOUNDARY OF SAID PARCEL "A", AND ALONG THE NORTH BOUNDARY OF PARCEL "A", DAVIE - STRIP PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 140, PAGE 44 OF SAID PUBLIC RECORDS AS MONUMENTED IN THE FIELD, A DISTANCE OF 345.08 FEET; THENCE NORTH 67°31'56" WEST ALONG THE NORTHWEST BOUNDARY OF SAID PARCEL "A", DAVIE - STRIP PLAT AND ALONG THE NORTHEAST BOUNDARY OF PARCEL "A", "MUSIC ARTS PLAT", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 136, PAGE 33 OF SAID PUBLIC RECORDS, A DISTANCE OF 223.29 FEET TO THE NORTH CORNER OF SAID PARCEL "A", "MUSIC ARTS PLAT"; THENCE SOUTH 88°59'36" EAST ALONG THE CENTERLINE OF SAID COUNTY ROAD, A DISTANCE OF 144.77 FEET TO A POINT ON THE EAST BOUNDARY LINE OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE NORTHWEST ONE QUARTER (NW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SAID SECTION 18; THENCE NORTH 01°55'00" WEST ALONG SAID EAST BOUNDARY LINE, A DISTANCE OF 8.61 FEET; THENCE NORTH 88°44'00" WEST, A DISTANCE OF 620.38 FEET TO A POINT ON THE WEST BOUNDARY LINE OF SAID NORTHEAST ONE QUARTER (NE 1/4) OF THE NORTHWEST ONE QUARTER (NW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4); THENCE NORTH 02°17'31" WEST ALONG SAID WEST BOUNDARY LINE, A DISTANCE OF 233.76 FEET TO THE POINT OF BEGINNING (1).

SAID LANDS LYING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND CONTAINING 402,364 SQUARE FEET OR 9.237 ACRES MORE OR LESS.

DESCRIPTION SHIRLEY SMALL PARK REZONING (CB) TO (P)

A PORTION OF THE NORTH HALF (N 1/2) OF NORTHEAST ONE QUARTER (NE 1/4) OF SECTION 18, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING (2) AT THE SOUTHEAST CORNER OF PLAT BOOK 10, PAGE 38, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 29, PAGE 48 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND BEING A POINT ON THE CENTERLINE OF OLD COUNTY ROAD AS SHOWN ON SAID PLAT; THENCE SOUTH 01°32'25" EAST ALONG THE EAST LINE OF SAID NORTHWEST ONE QUARTER (NW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4), A DISTANCE OF 53.59 FEET TO A POINT LYING 110 FEET NORTH OF THE NORTH RIGHT OF WAY LINE FOR DAVIE BOULEVARD; THENCE SOUTH 78°15'37" WEST, A DISTANCE OF 125.00 FEET TO A POINT LYING 109.1 FEET NORTH OF SAID NORTH RIGHT OF WAY LINE; THENCE NORTH 01°32'25" WEST ALONG A LINE 123 FEET WEST OF AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES TO, SAID EAST LINE OF SAID NORTHWEST ONE QUARTER (NW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4), A DISTANCE OF 26.14 FEET; THENCE NORTH 88°59'36" WEST, A DISTANCE OF 92.07 FEET; THENCE SOUTH 01°32'25" EAST ALONG A LINE 215 FEET WEST OF AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES TO, SAID EAST LINE, A DISTANCE OF 26.86 FEET TO THE NORTHEAST CORNER OF PARCEL "A", FRAM - DAVIE PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 132, PAGE 35 OF SAID PUBLIC RECORDS; THENCE NORTH 88°58'16" WEST ALONG THE NORTH BOUNDARY OF SAID PARCEL "A", AND ALONG THE NORTH BOUNDARY OF PARCEL "A", DAVIE - STRIP PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 140, PAGE 44 OF SAID PUBLIC RECORDS AS MONUMENTED IN THE FIELD, A DISTANCE OF 345.08 FEET; THENCE NORTH 67°31'56" WEST ALONG THE NORTHWEST BOUNDARY OF SAID PARCEL "A", DAVIE - STRIP PLAT AND ALONG THE NORTHEAST BOUNDARY OF PARCEL "A", "MUSIC ARTS PLAT", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 136, PAGE 33 OF SAID PUBLIC RECORDS, A DISTANCE OF 223.29 FEET TO THE NORTH CORNER OF SAID PARCEL "A", "MUSIC ARTS PLAT" SAID POINT ALSO LYING ON SAID COUNTY ROAD; THENCE SOUTH 88°59'36" EAST ALONG THE CENTERLINE OF SAID COUNTY ROAD, A DISTANCE OF 746.46 FEET TO THE POINT OF BEGINNING (2).

SAID LANDS LYING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND CONTAINING 49912 SQUARE FEET OR 1.1458 ACRES MORE OR LESS.

NOTES:

- 1)DISTANCES ARE BASED UPON SAID PLAT.
- 2)THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3)SUBJECT TO EXISTING EASEMENTS, RIGHT-OF-WAYS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD, IF ANY
- 4)THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
- 5)THIS DOCUMENT CONSISTS OF 4 PAGES AND IS NOT VALID OR COMPLETE WITHOUT ALL PAGES.

I HEREBY CERTIFY THAT THE HEREIN SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, PREPARED UNDER MY RESPONSIBLE CHARGE IN ACCORDANCE WITH THE STANDARDS OF PRACTICE IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES, PURSUANT TO SECTION 472.027.

DATED: OCTOBER 4, 2022

MICHAEL W. DONALDSON
PROFESSIONAL SURVEYOR AND MAPPER NO. 6490
STATE OF FLORIDA

SHEET 1 OF 4

CITY OF FORT LAUDERDALE

EXHIBIT 1

SHIRLEY SMALL PARK
REZONING FROM (RS-8) AND (CB) TO (P)

BY: M.D.	ENGINEERING	DATE: 10/7/22
CHK'D M.D.	DIVISION	SCALE: N.T.S.

Exhibit "A"

CAM # 23-0126

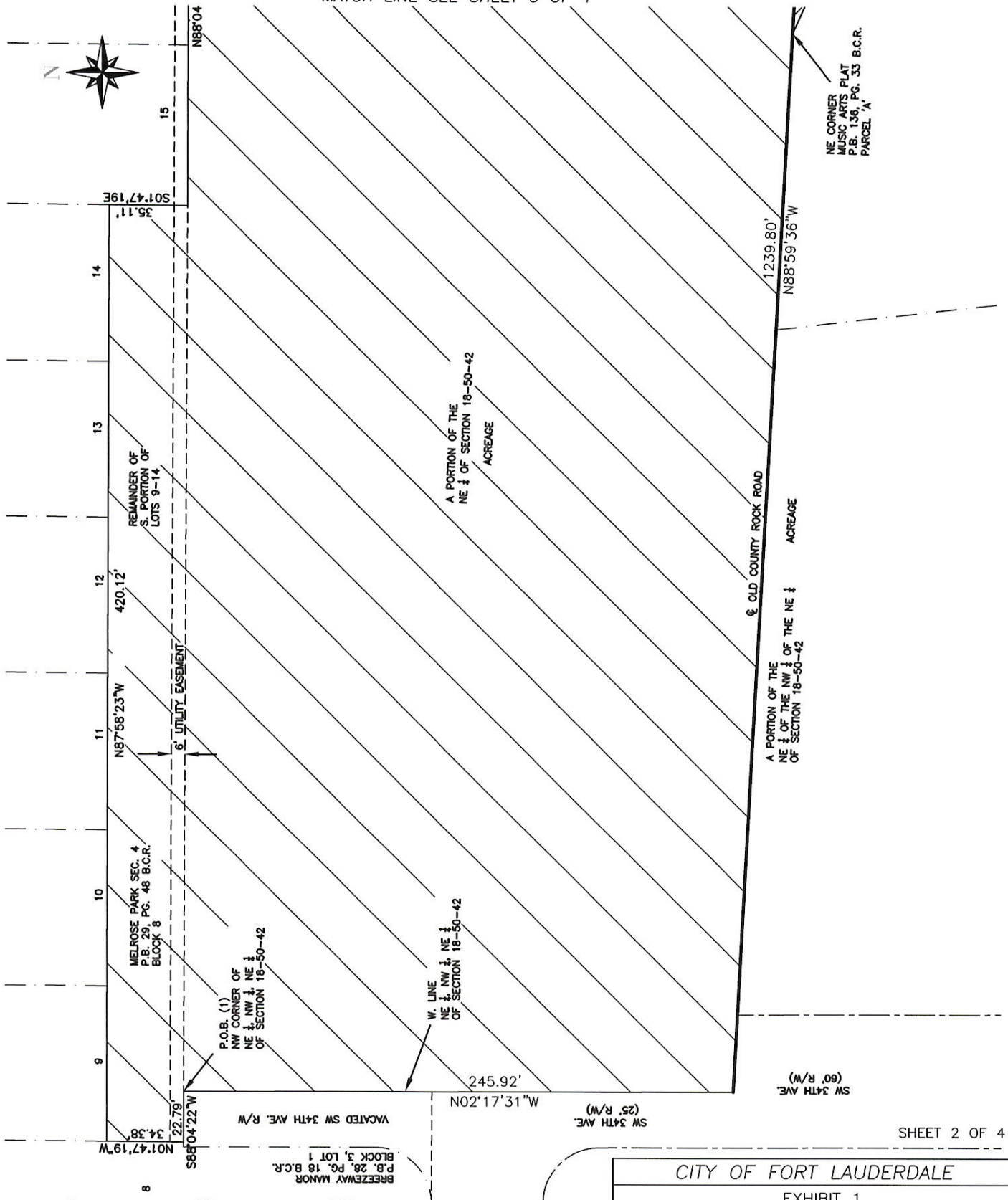
Exhibit 7

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SKETCH AND DESCRIPTION

REZONING PETITION FROM (RS-8) AND (CB) TO (P)

MATCH LINE SEE SHEET 3 OF 4



SHEET 2 OF 4

CITY OF FORT LAUDERDALE

EXHIBIT 1

SHIRLEY SMALL PARK
REZONING FROM (RS-8) AND (CB) TO (P)

BY: M.D.	ENGINEERING	DATE: 10/7/22
CHK'D M.D.	DIVISION	SCALE: 1"=60'

CAM # 23-0126

Exhibit 7

Page 6 of 8

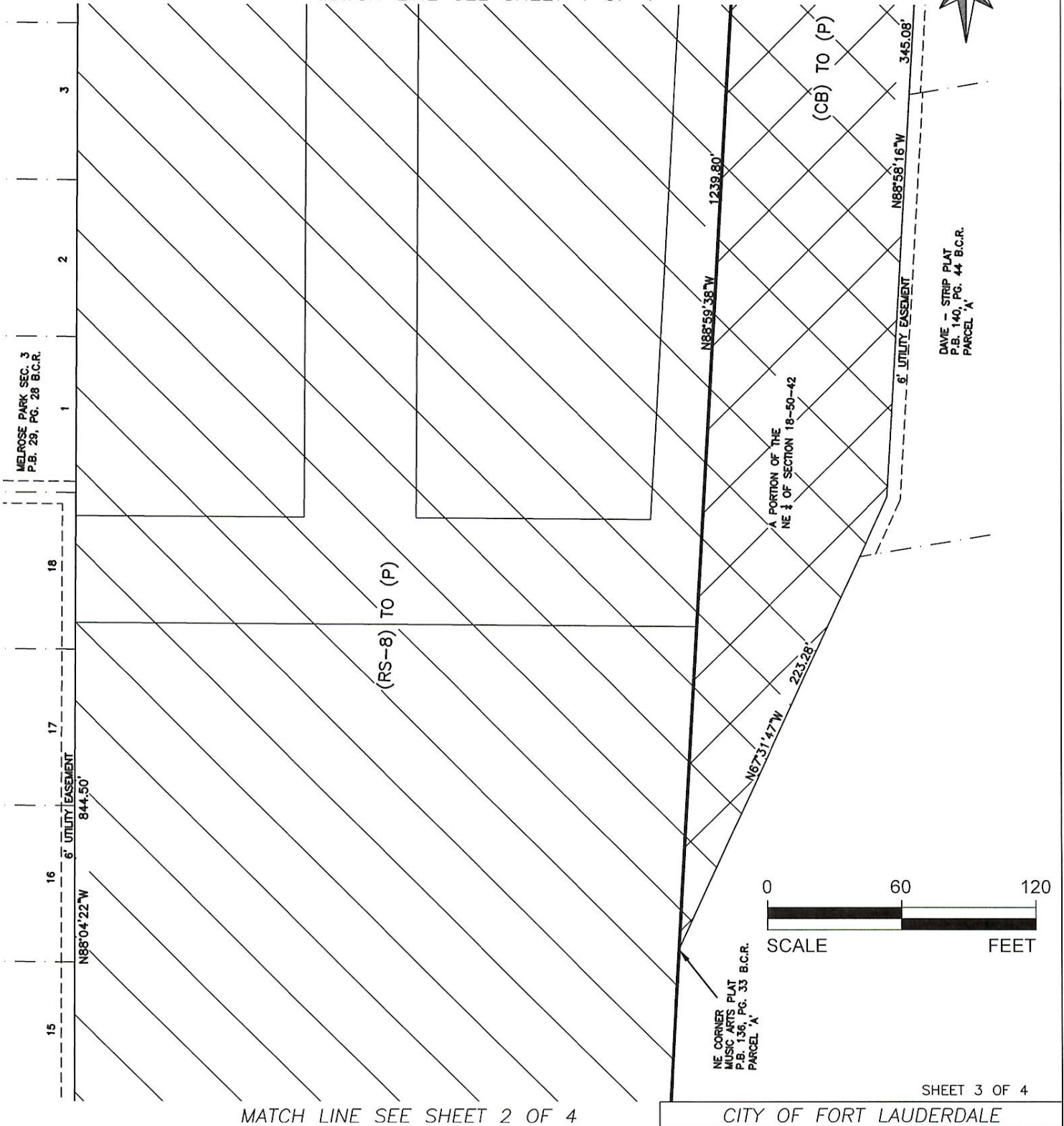
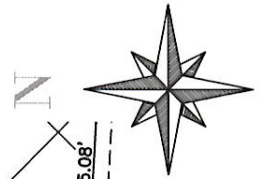
THIS IS NOT A SURVEY

SKETCH AND DESCRIPTION

REZONING PETITION FROM (RS-8) AND (CB) TO (P)

THIS IS NOT A SURVEY

MATCH LINE SEE SHEET 4 OF 4



SHEET 3 OF 4

CITY OF FORT LAUDERDALE

EXHIBIT 1

SHIRLEY SMALL PARK

REZONING FROM (RS-8) AND (CB) TO (P)

BY: M.D.	ENGINEERING	DATE: 10/7/22
CHK'D M.D.	DIVISION	SCALE: 1"=60'

CAM # 23-0126

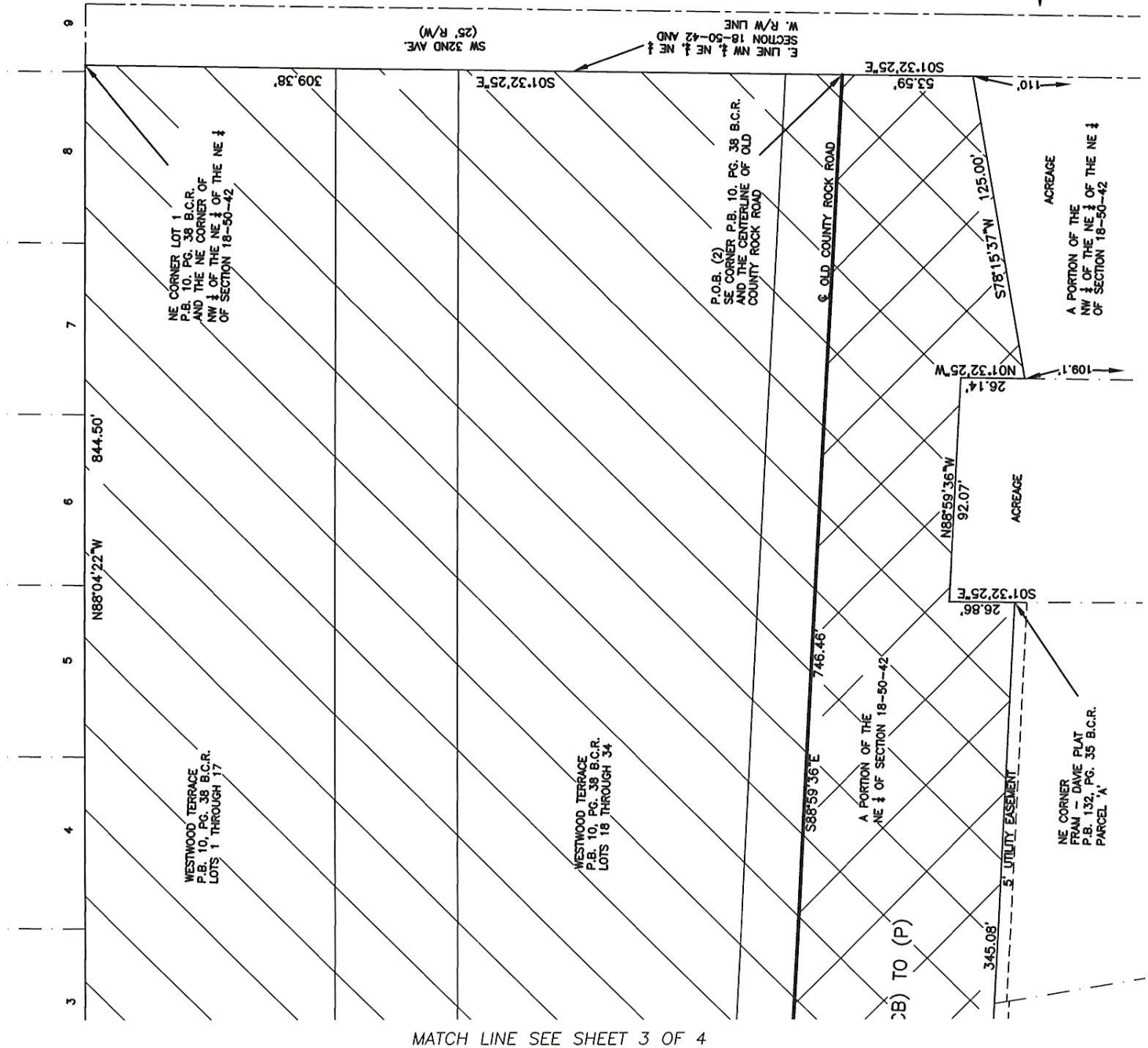
Exhibit 7

Page 7 of 8

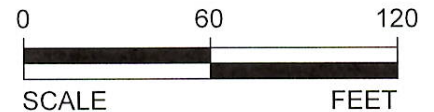
SKETCH AND DESCRIPTION

REZONING PETITION FROM (RS-8) AND (CB) TO (P)

THIS IS NOT A SURVEY



MATCH LINE SEE SHEET 3 OF 4



LEGEND:

PG. PAGE
P.B. PLAT BOOK
B.C.R. BROWARD COUNTY RECORDS
R/W RIGHT OF WAY
N.T.S. NOT TO SCALE
(P) PARKS, RECREATION AND OPEN SPACE

(CB) COMMUNITY BUSINESS
(RS-8) RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY

SHEET 4 OF 4

CITY OF FORT LAUDERDALE

EXHIBIT 1

SHIRLEY SMALL PARK
REZONING FROM (RS-8) AND (CB) TO (P)

BY: M.D.	ENGINEERING	DATE: 10/7/22
CHK'D M.D.	DIVISION	SCALE: 1"=60'

CAM # 23-0126

Exhibit 7

Page 8 of 8