

RESOLUTION NO. 15-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN AMENDMENT TO A SITE PLAN LEVEL IV DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF A HOTEL INCLUDING RESTAURANT, RETAIL AND BANQUET FACILITIES ON PROPERTY LOCATED AT 529 NORTH FORT LAUDERDALE BEACH BOULEVARD, FORT LAUDERDALE, FLORIDA IN AN ABA ZONING DISTRICT.

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WHEREAS, pursuant to Resolution No. 08-82 adopted on April 15, 2008, the City Commission granted a development permit for the construction of a hotel including restaurant, retail and banquet facilities known as the "Ocean Wave" on property located at 529 North Fort Lauderdale Beach Boulevard, Fort Lauderdale, Florida (PZ Case No. 122-R-07, now known as PZ Case No. A15001) subject to conditions imposed by the Development Review Committee and City Commission; and

WHEREAS, pursuant to Resolution No. 09-02 adopted on January 6, 2009, the City Commission approved an extension of time of the development permit approval; and

WHEREAS, pursuant to Section 252.363, Florida Statutes, the period remaining to exercise the rights under the development permit have been extended; and

WHEREAS, the applicant, MW Lauderdale LP, submitted an application to amend the development plan pursuant to Section 47-24.2.A.5 and Section 47-12 of the Unified Land Development Regulations ("ULDR") to Ocean Wave in Fort Lauderdale, Florida and located in an ABA zoning district; and

WHEREAS, the City Commission has reviewed the application to amend the development plan submitted by the applicant, as required by the ULDR, and finds that such amended plan conforms 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 pursuant to Section 47-24.2.A.5, Amendments to site plan, and Section 47-12, Central Beach Districts, of the ULDR the amendment to the development plan to Ocean Wave proposed to be located at 529 North Fort Lauderdale Beach Boulevard, Fort Lauderdale, Florida, located in an ABA zoning district is hereby approved, subject to the conditions imposed by the City Commission.

SECTION 2. That pursuant to the provisions of the ULDR of the City of Fort Lauderdale, the proper City officials are hereby authorized to issue the necessary building and use permits subject to the conditions imposed by the City Commission.

SECTION 3. 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 4. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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City Clerk  
JONDA K. JOSEPH