

RESOLUTION NO. 15-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE ISSUANCE OF A BEACH DEVELOPMENT PERMIT FOR SITE PLAN LEVEL IV DEVELOPMENT OF A 10-STORY, 175-ROOM HOTEL TO BE LOCATED ON PROPERTY LEGALLY DESCRIBED AS ALL OF LOTS 16 THROUGH 20, BLOCK 6, LAUDER DEL MAR, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 30 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND REFERRED TO AS "AC MARRIOTT".

WHEREAS, Section 47-24.1 of the Unified Land Development Regulations of the City of Fort Lauderdale, Florida, (hereinafter "ULDR") provides that no development of property in the City shall be permitted without first obtaining a development permit from the City of Fort Lauderdale in accordance with the provisions and requirements of the ULDR; and

WHEREAS, Section 47-12.6 of the ULDR provides that no development of property in the central beach area of the City shall be permitted without first obtaining a beach development permit from the City of Fort Lauderdale in accordance with the provisions and requirements of the ULDR; and

WHEREAS, OTO Development submitted an application for a beach development permit for a 10-story, 175-room hotel project, with reduced side and rear yard setbacks, located on property legally described as all of Lots 16 through 20, Block 6, Lauder Del Mar, according to the plat thereof, as recorded in Plat Book 7, Page 30 of the Public Records of Broward County, Florida; and

WHEREAS, the Development Review Committee (PZ Case No. R15013) at its meeting of March 10, 2015, recommended approval of the proposed development permit to the Planning and Zoning Board; and

WHEREAS, the Planning and Zoning Board at its meeting of September 16, 2015, recommended approval of the proposed development permit to the City Commission; and

WHEREAS, the City Commission reviewed the beach development permit application submitted by the applicant, as required by the ULDR, and finds that the proposed development is consistent with the development standards for the proposed development under the provisions of the A-1-A Beachfront Area ("ABA") zoning district and the design and community compatibility criteria provided in Section 47-25.3;

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

SECTION 1. That each WHEREAS clause set forth above is true and correct and incorporated herein by this reference.

SECTION 2. That the beach development permit for the development of a 10-story, 175-room hotel project, with reduced side and rear yard setbacks, located on property legally described as all of Lots 16 through 20, Block 6, Lauder Del Mar, according to the plat thereof, as recorded in Plat Book 7, Page 30 of the Public Records of Broward County, Florida, and depicted on the site plan attached to Commission Agenda Memorandum No. 15-1272, is hereby approved subject to the modifications and conditions imposed by the Development Review Committee, Planning and Zoning Board and City Commission, including and not limited to the conditions imposed at the November 3, 2015 Commission meeting.

SECTION 3. That pursuant to the provisions of the ULDR of the City of Fort Lauderdale, Florida, the proper City officials are hereby authorized to issue the necessary building and use permits.

SECTION 4. 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 5. 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.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI

L:\COMM 2015\Resolution\Nov 3rd\dms OTO-AC Hotel site plan Approval.docx