

RESOLUTION NO. 16-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A 200,000 BARREL CAPACITY FUEL STORAGE TANK AS A USE AT THE MARATHON SPANGLER TERMINAL LOCATED AT 909 S.E. 24<sup>TH</sup> STREET, FORT LAUDERDALE, FLORIDA IN THE PORT EVERGLADES DEVELOPMENT DISTRICT.

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WHEREAS, Section 47-15, Port Everglades Development District, of the Unified Land Development Regulations (hereinafter "ULDR") of the City of Fort Lauderdale, Florida provides the uses, standards and process for approval of development of property in the Port Everglades Development District (hereinafter "PEDD") zoning district; and

WHEREAS, Section 47-15.20, Limitations on permitted and conditional uses, of the ULDR requires City Commission approval of certain permitted and conditional uses within the PEDD zoning district; and

WHEREAS, Marathon Petroleum Corporation, LP submitted an application for approval of a 200,000 barrel capacity fuel storage tank as a use at the Marathon Spangler Terminal located at 909 S. E. 24<sup>th</sup> Street, Fort Lauderdale, Florida in the PEDD zoning district; and

WHEREAS, the City Commission has reviewed the application and the information provided in Commission Agenda Memorandum 16-0397 ("Memorandum") in accordance with the requirements of Section 47-15; and

WHEREAS, the City Commission has considered the compatibility of the proposed use with other uses in the vicinity and the potentially harmful or dangerous effects of such use on persons and property as required by the ULDR;

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

SECTION 1. That the above recitals are true and correct and incorporated into this Resolution by this reference.

SECTION 2. That a 200,000 barrel capacity fuel storage tank is hereby approved as a use at

the Marathon Spangler Terminal located at 909 S. E. 24<sup>th</sup> Street, Fort Lauderdale, Florida in the PEDD zoning district, subject to the conditions imposed by the Department and City Commission.

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 subject to the conditions imposed by the Department and City Commission.

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

SECTION 6. That this Resolution shall be in full force and effect immediately upon and after its passage.

ADOPTED this the \_\_\_\_ day of \_\_\_\_\_, 2016.

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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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City Clerk  
JEFFREY A. MODARELLI

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