

ORDINANCE NO. C-16-09

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM "RMM-25" TO "X-P", INCLUDING APPROVAL OF AN ASSOCIATED SITE PLAN, LOT 31, BLOCK 4, "CORAL RIDGE COMMERCIAL BOULEVARD ADDITION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 43, PAGE 13, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED EAST OF BAYVIEW DRIVE, SOUTH OF NORTHEAST 51<sup>ST</sup> STREET, WEST OF NORTHEAST 3<sup>RD</sup> AVENUE AND NORTH OF EAST COMMERCIAL BOULEVARD (NORTHEAST 50<sup>TH</sup> STREET), IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

WHEREAS, the applicant, WB Devine Investments LLC, applied for the rezoning of certain property as described in SECTION 1 herein from "RMM-25" to "X-P" zoning district; and

WHEREAS, in accordance with the Unified Land Development Regulations ("ULDR"), rezoning to an "X-P" District requires the allocation of commercial flexibility and approval of a site plan which meets the criteria provided in the ULDR; and

WHEREAS, the applicant has submitted a site plan as part of the rezoning application to develop a parking lot on the property to be rezoned as described in this ordinance; and

WHEREAS, the Planning and Zoning Board at its meeting of March 16, 2016 (PZ Case No. ZR15007) did recommend to the City Commission that the site plan reviewed in connection with the rezoning application be approved and that the lands herein described should be rezoned from "RMM-25" to "X-P" and that the Official Zoning Map and Schedule "A" attached thereto should be amended to include such lands; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, May 3, 2016 and Tuesday, May 17, 2016 at 6:00 P.M., in the City Commission Room, City Hall, Fort Lauderdale, Florida, for the purpose of hearing any public comment to such rezoning; and

WHEREAS, such public hearing was duly held at the time and place designated after notice of same was given by publication as required by law, and the City Commission determined that the requested rezoning met the criteria for amending the zoning regulations;

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

SECTION 1. That the ULDR of the City of Fort Lauderdale 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, be amended by rezoning in the respects mentioned, the following lands, situate in the City of Fort Lauderdale, Broward County, Florida, to wit:

REZONE FROM "RMM-25" TO "X-P":

LOT 31, BLOCK 4, "CORAL RIDGE COMMERCIAL BOULEVARD ADDITION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 43, PAGE 13, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

Location: 3025 East Commercial Boulevard

Also depicted in Exhibit "A" attached hereto and made a part hereof.

SECTION 2. That the appropriate City officials of the City of Fort Lauderdale shall indicate such zoning upon a copy of the Official Zoning Map, and shall indicate an amendment of Schedule "A" accordingly, upon the records with proper reference to this ordinance and date of passage.

SECTION 3. That the site plan submitted for review as part of this rezoning request consists of a 7,932 square foot medical use building and associated parking, as depicted in Exhibit "B" attached hereto, is hereby approved subject to the conditions imposed by the Development Review Committee, the Planning and Zoning Board and the City Commission. The site plan is also subject to a parking reduction order approved by the Planning and Zoning Board at its meeting of March 16, 2016.

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. All other applicable state or federal permits must be obtained before commencement of the development.


SECTION 5. 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 6. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 7. That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED FIRST READING this the 3<sup>rd</sup> day of May 2016.

PASSED SECOND READING this the 17th day of May, 2016.



\_\_\_\_\_  
Mayor  
JOHN P. "JACK" SEILER

ATTEST:



\_\_\_\_\_  
City Clerk  
JEFFREY A. MODARELLI

S:\CityClerk\REDLINE\2016\May 17\Ordinances\C-16-09.docx



McLAUGHLIN ENGINEERING COMPANY

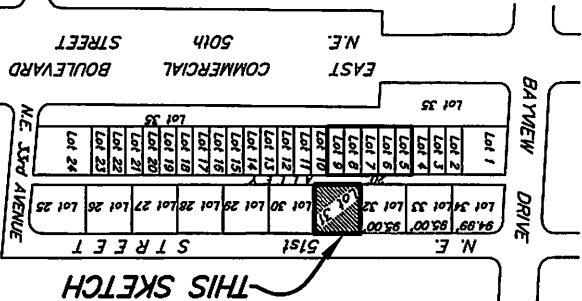
LB#285

ENGINEERING \* SURVEYING \* PLATTING \* LAND PLANNING  
1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA  
33309 PHONE (954) 763-7611 \* FAX (954) 763-7615

SCALE 1" = 40'

SKETCH AND DESCRIPTION  
TO ACCOMPANY  
REZONING PETITION  
FROM RMM-25 TO X-P

N.E. 51st STREET



BLOCK PLAN  
NOT TO SCALE

LEGAL DESCRIPTION:

Lot 31, Block 4, CORAL  
RIDGE COMMERCIAL  
BOULEVARD ADDITION,  
according to the plat  
thereof, as recorded in Plat  
Book 43, Page 13, of the  
public records of Broward  
County, Florida.

Said land situate, lying and  
being in the City of Fort  
Lauderdale, Broward County,  
Florida, and containing  
9,500 square feet or  
0.2181 acres, more or less.

LOT 30

100.00' S00°14'13"E

N89°45'47"E 95.00'

25.0'

N00°14'13"W 100.00'

LOT 32

LOT 31  
BLOCK 4  
9,500 SQUARE FEET  
0.2181± ACRES

95.00' S89°45'47"W

ALLEY

LOT 7 LOT 8 LOT 9 LOT 10 LOT 11

BLOCK 4

CERTIFICATION

Certified Correct. Dated at  
Fort Lauderdale, Florida this  
6th day of January, 2016.

McLAUGHLIN ENGINEERING COMPANY  
JERALD A. McLAUGHLIN  
Registered Land Surveyor No. 5269  
State of Florida

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not obstructed for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co. surveyors seal.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown refer to record plat (43/13 B.C.R.) and assume the North line of Lot 31, as North 89°45'47" East.

FIELD BOOK NO.

JOB ORDER NO. V-1038

REF. DWG.: 02-3-060

DRAWN BY: JMMJf

CHECKED BY: J.S.T.

C:\JMMJf\2016\1038(REZONE)





DESIGNED	DRAWN	DECIDED
JA	JA	LM

DATE	DESCRIPTION
1/21/2015	DRC COMMENT RESPONSES

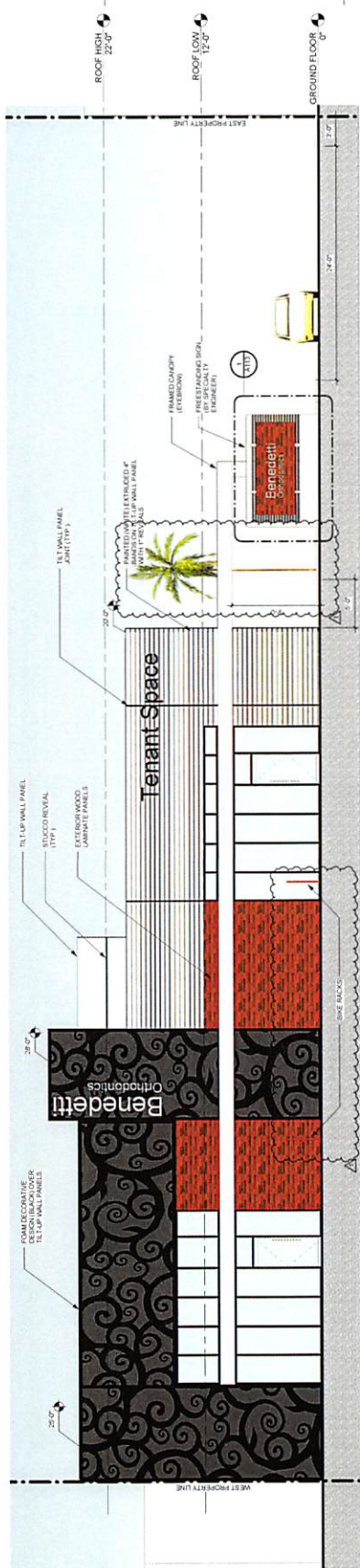
DATE	COMM
10/29/15	15059

**Benedetti**  
**Orthodontics**

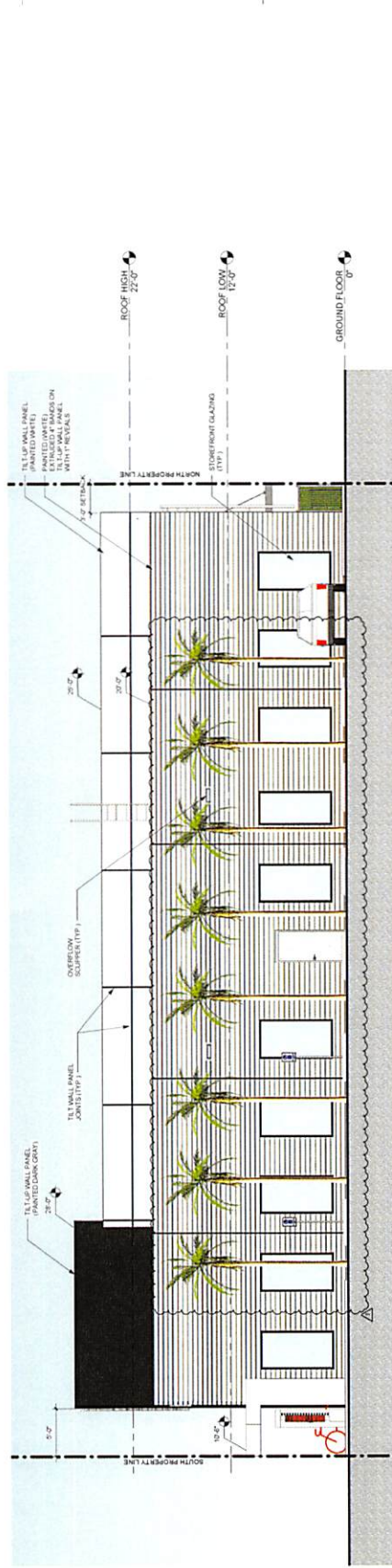
3025 East Commercial Boulevard, Fort  
Lauderdale, FL 33308

ELEVATIONS - SOUTH AND EAST

A110



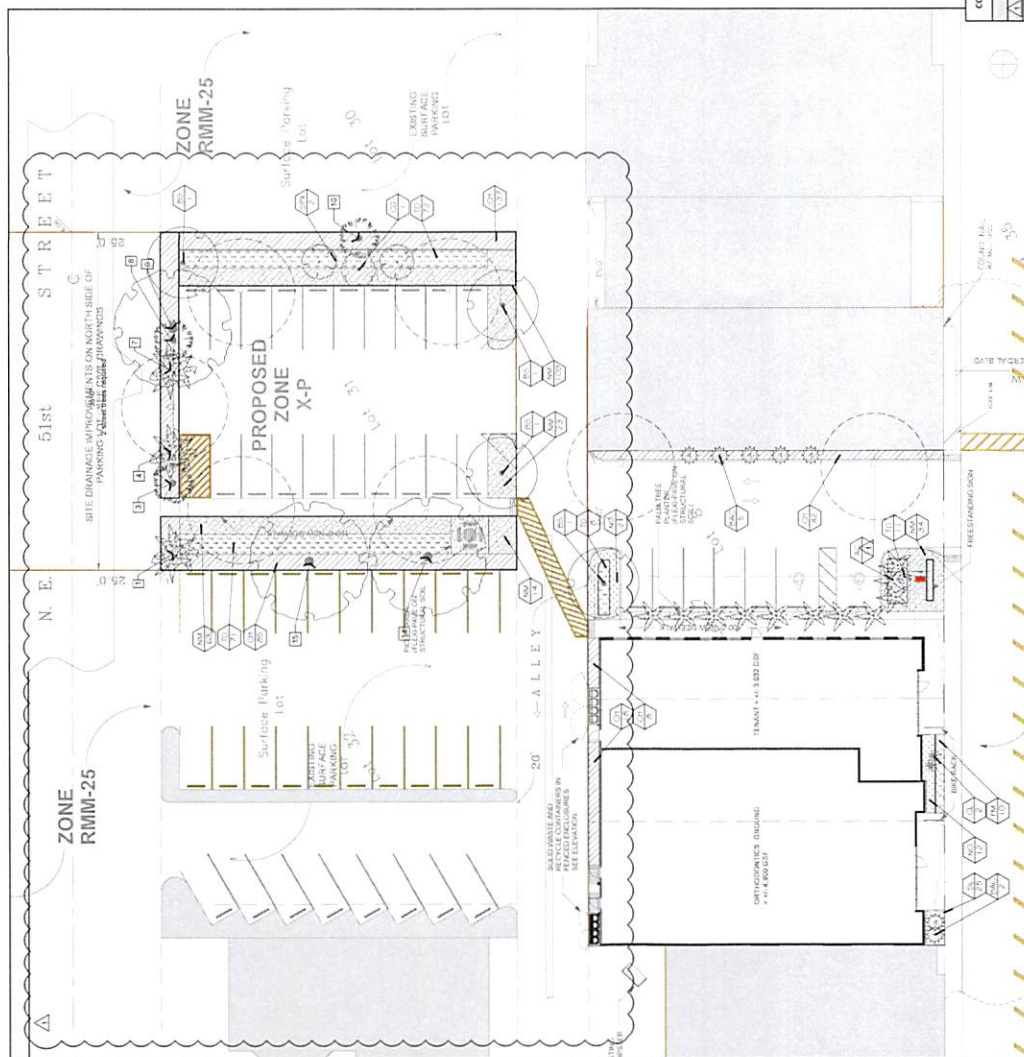
SOUTH ELEVATION



EAST ELEVATION







PLANT SCHEDULE									
QTY	TOTAL NAME / COMMON NAME	CONT.	CAL PER	PLANTED SIZE	NATIVE	NO. DROUGHT			
1	<i>Quercus agrifolia</i> / California Red Oak	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
2	<i>Quercus laevis</i> / Swamp White Oak	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
3	<i>Quercus macrocarpa</i> / Swamp Chestnut Oak	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
4	<i>Quercus prinus</i> / White Oak	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
5	<i>Quercus rubra</i> / Red Oak	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
6	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
7	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
8	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
9	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
10	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
11	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
12	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
13	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
14	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
15	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
16	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
17	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
18	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
19	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
20	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
21	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
22	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
23	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
24	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
25	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
26	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
27	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
28	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
29	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
30	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
31	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
32	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
33	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
34	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
35	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
36	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
37	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
38	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
39	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
40	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
41	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
42	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
43	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
44	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
45	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
46	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
47	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
48	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
49	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			
50	<i>Quercus sp.</i> / Quercus sp.	15 gal	1000	5" CA	NATIVE	NO DROUGHT			

## PLANT SCHEDULE

## SITE PLAN

[illegible]