

RESOLUTION NO. 16-

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 31-UNIT CONDOMINIUM PROJECT LOCATED AT 435 BAYSHORE DRIVE, FORT LAUDERDALE, FLORIDA, IN AN "IOA" ZONING DISTRICT.

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WHEREAS, pursuant to Resolution No. 14-67 adopted on April 15, 2014, the City Commission granted a development permit to Royal Atlantic Developers, LLC, for the construction of a 10-story condominium project consisting of 31 residential units located at 435 Bayshore Drive, Fort Lauderdale, Florida (the "Real Property"), in an Intracoastal Overlook Area ("IOA") zoning district (PZ Case No. 68-R-13, now known as PZ Case No. 68R13A1) subject to conditions imposed by the Development Review Committee ("DRC") and City Commission; and

WHEREAS, Royal Atlantic Developers, LLC conveyed the Real Property to Atlantic Residents Development, LLC; and

WHEREAS, Atlantic Residents Development, LLC conveyed the Real Property to Costa Bahia, LLC ("Applicant") and in conjunction with the conveyance of the Real Property assigned all of its right, title and interest in this development approval to the Applicant; and

WHEREAS, the Applicant submitted an application to amend the site plan pursuant to Section 47-24.2.A.5 and Section 47-12 of the Unified Land Development Regulations ("ULDR"); and

WHEREAS, the City Commission has reviewed the application to amend the site 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 site plan for the Royal Atlantic proposed to be located at 435 Bayshore Drive, Fort Lauderdale, Florida, located in an IOA zoning district as depicted on the site plan attached as Exhibit 1 of Commission Agenda Memorandum No. 16-0575 is hereby approved, subject to the conditions imposed by the City Commission and DRC at final review and approval.

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 \_\_\_\_\_, 2016.

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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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City Clerk  
JEFFREY A. MODARELLI