

ORDINANCE NO. C-18-43

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-1.6.B. OF THE CITY OF FORT LAUDERDALE, FLORIDA, UNIFIED LAND DEVELOPMENT REGULATIONS THROUGH THE REVISION OF THE OFFICIAL ZONING MAP OF THE CITY OF FORT LAUDERDALE AND SCHEDULE "A" REVISED COMPILATION ATTACHED THERETO AND BY REFERENCE MADE A PART THEREOF, SO AS TO REZONE FROM "RESIDENTIAL SINGLE FAMILY / MEDIUM DENSITY DISTRICT" (RDS-15) AND "RESIDENTIAL LOW RISE MULTIFAMILY / MEDIUM-HIGH DENSITY DISTRICT" (RML-25) TO "RESIDENTIAL SINGLE FAMILY CLUSTER DWELLINGS / MEDIUM DENSITY DISTRICT" (RC-15) A PARCEL OF LAND LEGALLY DESCRIBED AS ALL OF LOT 3, "BONIELLO PARK", ACCORDING TO THE PLAT THEREFORE, AS RECORDED IN PLAT BOOK 45, PAGE 15, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND A PORTION OF THE NORTH ½ OF THE NORTHWEST ¼ OF SECTION 34, TOWNSHIP 49 SOUTH, RANGE 42 EAST SAID LAND SITUATED, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FORT LAUDERDALE AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

WHEREAS, the applicant, Development 4Life Partners, LP, applied for the rezoning of certain property as described in Section 1 herein; and

WHEREAS, on August 15, 2018, the Planning and Zoning Board (PZ Case No. Z17009) denied a request for rezoning of certain property located on the north side of Northwest 17th Street, east of Northwest 6th Avenue, south of Northwest 17th Court and west of Northwest 3rd Avenue from Residential Single Family / Medium Density District (RDS-15) and Residential Low Rise Multifamily / Medium-High Density District (RML-25) to Residential Single Family Cluster Dwellings / Medium Density District (RC-15); and

WHEREAS, at the regular meeting of the City Commission held October 23, 2018, the City Commission voted to hold a public hearing on November 20, 2018, to review the Planning and Zoning Board's denial of applicant's request for rezoning of certain lands herein described; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, November 20, 2018, and Tuesday, December 4, 2018, 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, at the de novo hearing held by the City Commission on November 20, 2018, the City Commission rejected the Planning and Zoning Board's denial of applicant's request for 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. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and hereby made a part of this ordinance.

SECTION 2. That the City of Fort Lauderdale Unified Land Development Regulations ("ULDR") 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 "RESIDENTIAL SINGLE FAMILY / MEDIUM DENSITY DISTRICT" (RDS-15) AND "RESIDENTIAL LOW RISE MULTIFAMILY / MEDIUM-HIGH DENSITY DISTRICT" (RML-25) TO "RESIDENTIAL SINGLE FAMILY CLUSTER DWELLINGS / MEDIUM DENSITY DISTRICT" (RC-15):

A PARCEL OF LAND LEGALLY DESCRIBED AS ALL OF LOT 3, "BONIELLO PARK", ACCORDING TO THE PLAT THEREFORE, AS RECORDED IN PLAT BOOK 45, PAGE 15, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND A PORTION OF THE NORTH ½ OF THE NORTHWEST ¼ OF SECTION 34, TOWNSHIP 49 SOUTH, RANGE 42 EAST SAID

LAND SITUATED, LYING AND BEING IN THE CITY OF FORT
LAUDERDALE, BROWARD COUNTY, FLORIDA

Location: North of Northwest 17th Street, east of Northwest 6th
Avenue, south of Northwest 17th Court and west of
Northwest 3rd Avenue

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

SECTION 3. 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 4. 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 5. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 6. That this Ordinance shall be in full force and effect ten (10) days from the date of final passage.

PASSED FIRST READING this the 20th day of November, 2018.

PASSED SECOND READING this the _____ day of _____, 2018.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI

M.D. O.K



SKETCH AND LEGAL DESCRIPTION

BY

PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



LEGAL DESCRIPTION:

ALL OF LOT 3, "BONIELLO PARK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 45, PAGE 15, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND A PORTION OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 49 SOUTH, RANGE 42 EAST, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 3; THENCE SOUTH 89°58'58" EAST ON THE NORTH LINE OF SAID LOT 3 FOR 90.02 FEET TO THE NORTHEAST CORNER OF SAID LOT 3 AND A POINT ON THE ARC OF A NON-TANGENT CIRCULAR CURVE CONCAVE NORTHEASTERLY, TO WHICH A RADIAL LINE BEARS NORTH 89°58'37" WEST, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF NW 3RD AVENUE AS SHOWN ON SAID PLAT; THENCE ON THE EASTERLY BOUNDARY OF SAID LOT 3, THE FOLLOWING TWO (2) COURSES AND DISTANCES; (1) SOUTHEASTERLY ON SAID WESTERLY RIGHT-OF-WAY LINE AND ON THE ARC OF SAID CURVE HAVING A RADIUS OF 35.00 FEET, A CENTRAL ANGLE OF 89°28'29", FOR AN ARC LENGTH OF 54.66 FEET; (2) SOUTH 00°32'54" WEST 25.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE NORTH 89°58'58" WEST ON THE SOUTH LINE OF SAID LOT 3, ALSO BEING THE NORTH LINE OF LOT 12 OF SAID PLAT OF "BONIELLO PARK" 23.99 FEET TO THE NORTHWEST CORNER OF SAID LOT 12; THENCE SOUTH 00°32'54" WEST ON THE WEST LINE OF SAID LOT 12 FOR 90.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12 AND THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF NW 17TH STREET, SAID LINE LYING 25.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 34, TOWNSHIP 49 SOUTH, RANGE 42 EAST; THENCE NORTH 89°58'58" WEST ON SAID NORTH RIGHT-OF-WAY LINE AND SAID PARALLEL LINE FOR 845.67 FEET TO THE INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF NW 6TH AVENUE AS SHOWN ON "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; THENCE NORTH 00°11'07" WEST ON SAID EAST RIGHT-OF-WAY LINE 199.99 FEET; THENCE NORTH 90°00'00" EAST 71.26 FEET TO THE INTERSECTION WITH THE EAST LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 34; THENCE SOUTH 00°24'17" WEST ON SAID EAST LINE 26.25 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF NORTH 135 FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 34; THENCE NORTH 90°00'00" EAST ON SAID SOUTH LINE 200.00 FEET TO THE INTERSECTION WITH THE EAST LINE OF THE WEST 200 FEET OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 34; THENCE NORTH 00°24'17" EAST ON SAID EAST LINE 135.00 FEET TO THE INTERSECTION WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 34 AND THE WESTERLY EXTENSION OF THE MOST SOUTHERLY LINE OF "MIDDLE RIVER HEIGHTS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 1, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH 90°00'00" EAST ON SAID NORTH LINE, SAID WESTERLY EXTENSION AND SAID SOUTH LINE 476.21 FEET TO THE NORTHWEST CORNER OF AFOREMENTIONED "BONIELLO PARK" PLAT, SAID POINT ALSO BEING THE INTERSECTION OF THE CENTERLINES OF NW 3RD TERRACE AND NW 17TH COURT; THENCE SOUTH 00°32'53" WEST ON THE WEST LINE OF SAID "BONIELLO PARK" 158.98 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA CONTAINING 211,421 SQUARE FEET (4.8536 ACRES).

FILE: D. R. HORTON

SCALE: N/A

DRAWN: BB

ORDER NO.: 642--

DATE: 2/13/18

REZONING FROM RDS-15-RESIDENTIAL SINGLE FAMILY MEDIUM DENSITY TO RC-15-RESIDENTIAL SINGLE FAMILY/CLUSTER DWELLINGS

FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

FOR: GARDENIA PARK

SHEET 1 OF 4

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THRU 4, INCLUSIVE

- ☐ JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
 - ☐ BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
 - ☐ VICTOR R. GILBERT, PROFESSIONAL SURVEYOR AND MAPPER LS6274
- STATE OF FLORIDA

M.D. O.K.



SKETCH AND LEGAL DESCRIPTION

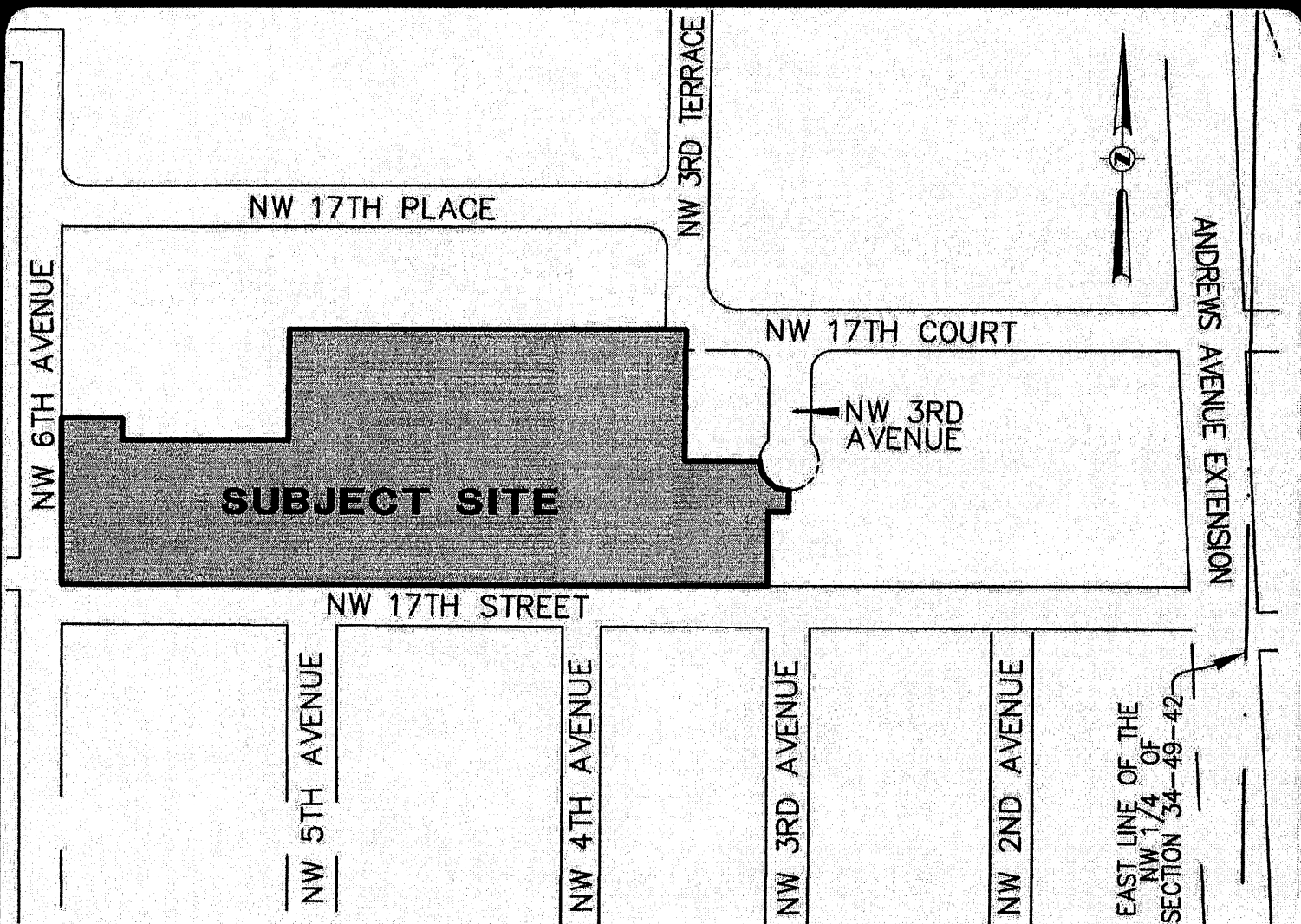
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NOTES:

VICINITY MAP

- 1) BEARINGS ARE BASED ON THE NORTH LINE OF THE SW 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SECTION 34-49-42 BEING N90°00'00"E.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

FILE: D. R. HORTON

SCALE: 1" = 200'

DRAWN: BB

ORDER NO.: 642--

DATE: 2/13/18

REZONING FROM RDS-15 - RESIDENTIAL SINGLE FAMILY MEDIUM DENSITY TO RC-15 - RESIDENTIAL SINGLE FAMILY / CLUSTER DWELLINGS

FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

FOR: GARDENIA PARK

SHEET 2 OF 4

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THRU 4, INCLUSIVE

LEGEND:



CENTERLINE

O.R.B.

OFFICIAL RECORDS BOOK

M.D. O.K.



SKETCH AND LEGAL DESCRIPTION

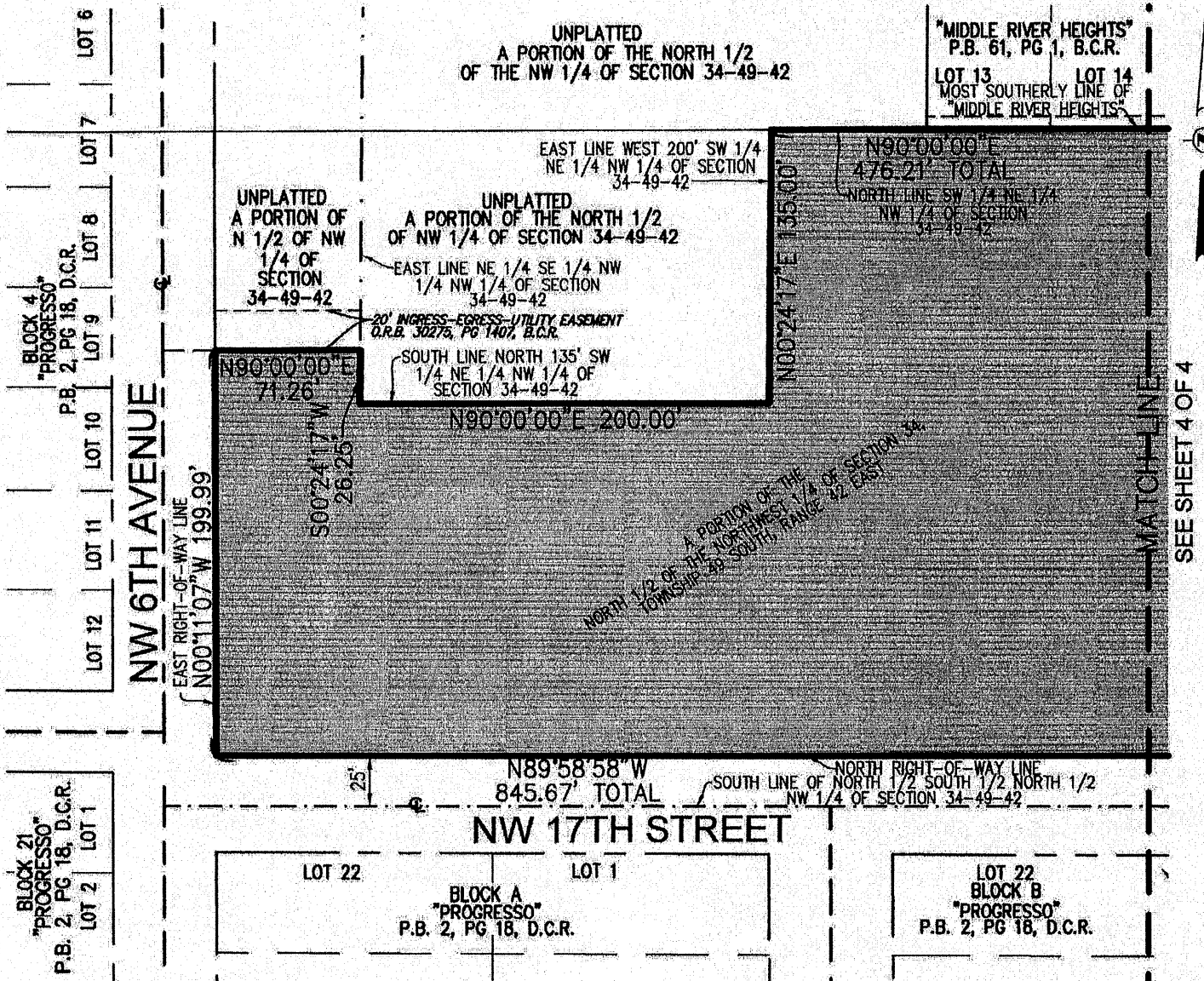
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FILE: D. R. HORTON

SCALE: 1" = 150' DRAWN: BB

ORDER NO.: 642--

DATE: 2/13/18

REZONING FROM RDS-15 - RESIDENTIAL SINGLE FAMILY MEDIUM DENSITY
TO RC-15 - RESIDENTIAL SINGLE FAMILY / CLUSTER DWELLINGS

FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

FOR: GARDENIA PARK

SHEET 3 OF 4

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CENTERLINE

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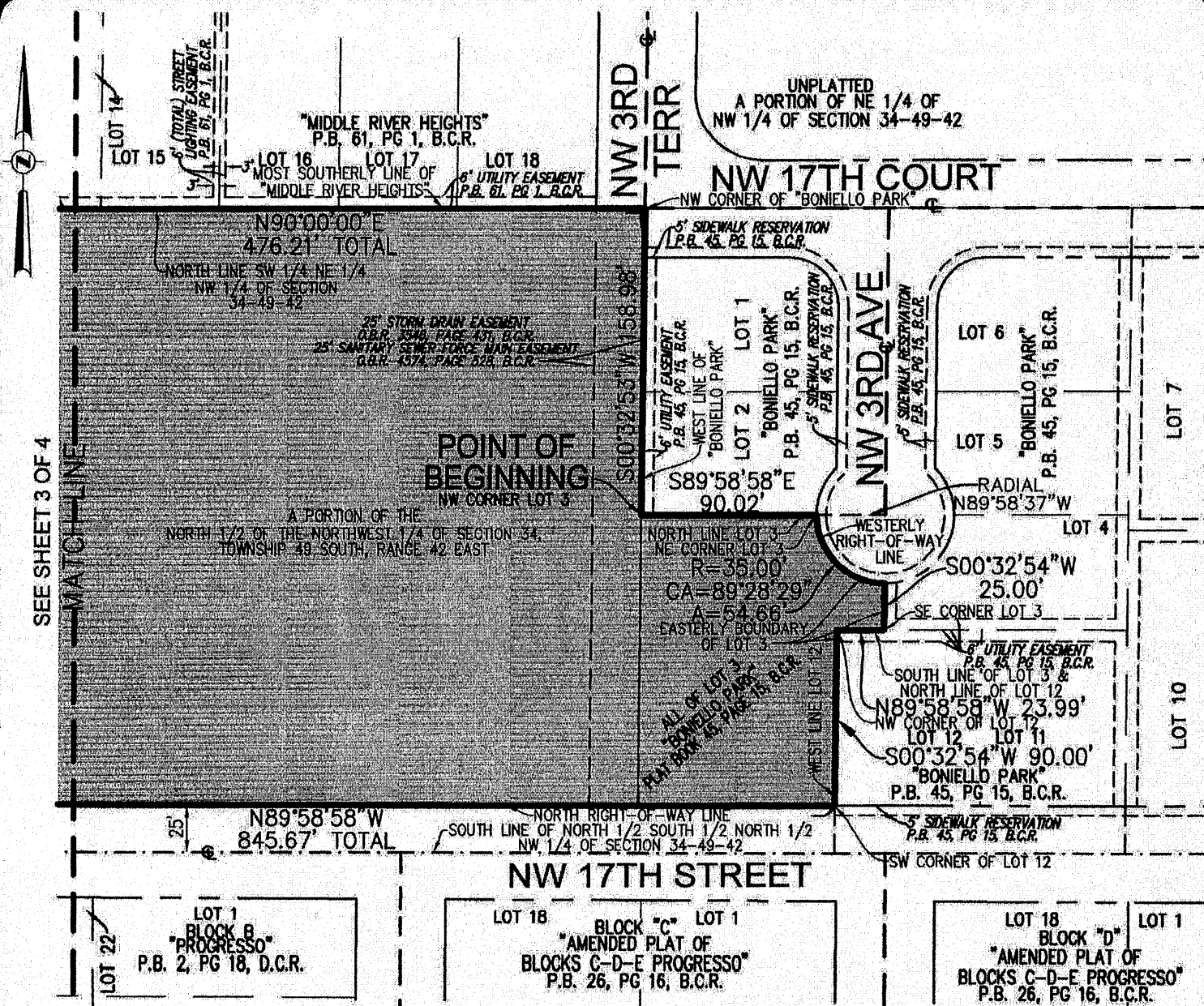


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FOR: GARDENIA PARK

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LEGEND:

Q CENTERLINE
O.R.B. OFFICIAL RECORDS BOOK