

ORDINANCE NO. C-20-41

AN ORDINANCE 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 CITY OF FORT LAUDERDALE AND SCHEDULE "A" REVISED COMPILATION ATTACHED THERETO AND BY REFERENCE MADE A PART THEREOF, SO AS TO REZONE FROM "RMH-60 – RESIDENTIAL MULTI-FAMILY HIGH RISE/HIGH DENSITY" DISTRICT TO "CB – COMMUNITY BUSINESS" DISTRICT, THROUGH THE ALLOCATION OF COMMERCIAL FLEXIBILITY, ALL OF LOT 90, BLOCK 1, "LAUDERDALE BEACH", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH ALL OF LOT 2, BLOCK 23, "LAUDERDALE BEACH EXTENSION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 22, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF NORTH OCEAN BOULEVARD (A1A), NORTH OF NORTHEAST 27<sup>TH</sup> STREET, EAST OF NORTHEAST 33<sup>RD</sup> AVENUE AND SOUTH OF NORTHEAST 30<sup>TH</sup> STREET, ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicants, Preste Corporation, Royal Quality Homes, LLC, and Ocean Reef Investments, LLC, applied for the rezoning of certain property as more particularly described in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, in accordance with the City of Fort Lauderdale, Florida Unified Land Development Regulations ("ULDR"), rezoning to a Community Business ("CB") District requires the allocation of commercial flexibility and approval of a site plan which meets the criteria provided in the ULDR; and

WHEREAS, the site plan submitted as part of the rezoning application proposes the development of a 28,795 square-foot supermarket with rooftop parking; and

WHEREAS, on September 16, 2020, the Planning and Zoning Board (PZ Case No. PLN-SITE-19110004) recommended to the City Commission of the City of Fort Lauderdale ("City Commission") that certain lands herein described should be rezoned in the respects mentioned 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 Thursday, November 5, 2020, at 6:00 P.M., and Tuesday, November 17, 2020, 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. The City Commission finds that the application for rezoning meets the criteria of Section 47-24.4 of the ULDR as enunciated and memorialized in the minutes of its meeting of November 5, 2020, and November 17, 2020, a portion of those findings expressly listed as follows:

1. The underlying land use is Commercial and Residential High. The proposed rezoning is consistent with the underlying land use subject to allocation of commercial flex on the residential land use portion.
2. The proposed rezoning is generally consistent with the character of development in the surrounding area, which includes predominantly multi-family residential and commercial uses such as restaurants, retail, and hotels. The proposed project is similar to existing commercial uses and will not adversely impact the character of the area.
3. The proposed rezoning will permit a use suitable and similar to those uses existing in the area. The properties to the north are zoned CB and contain existing residential development and commercial uses. Properties to the west and south are zoned RMH-60 and contain residential uses. Properties to the east are zoned RMM-25 with a range of residential density from single family lots to multifamily development. The proposed rezoning is generally compatible with surrounding districts and uses.

SECTION 2. That the City of Fort Lauderdale 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 from "RMH-60 – Residential Multi-Family High Rise/High Density" District to "CB – Commercial Business" District, through the allocation of commercial flexibility, the following lands, situated in the City of Fort Lauderdale, Broward County, Florida, to wit:

ALL OF LOT 90, BLOCK 1, "LAUDERDALE BEACH", ACCORDING  
TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 2,  
OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA,  
TOGETHER WITH ALL OF LOT 2, BLOCK 23, "LAUDERDALE

BEACH EXTENSION", ACCORDING TO THE PLAT THEREOF,  
RECORDED IN PLAT BOOK 29, PAGE 22, OF THE PUBLIC  
RECORDS OF BROWARD COUNTY, FLORIDA

Location: West of North Ocean Boulevard (A1A), north of  
Northeast 27<sup>th</sup> Street, east of Northeast 33<sup>rd</sup> Avenue  
and south of Northeast 30<sup>th</sup> Street

More specifically described 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 in accordance with Section 47-28.1.G. – Allocation of commercial use on  
residential land use designated parcels of the ULDR, the site plan included as part of Exhibit 3 to  
Commission Agenda Memorandum No. 20-0770 is hereby approved.

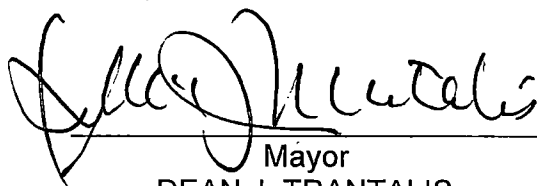
SECTION 5. That if any clause, section or other part of this Ordinance shall be held invalid or  
unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be  
affected thereby, but shall remain in full force and effect.

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 (10) days from the date of final  
passage.

PASSED FIRST READING this 5th day of November, 2020.

PASSED SECOND READING this 17th day November, 2020.

  
\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:



\_\_\_\_\_  
City Clerk

JEFFREY A. MODARELLI

C-20-41



**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

Michael Donaldson  
Digitally signed by Michael Donaldson  
Date: 2020.08.17  
11:32:18 -04'00'

SCALE 1" = 80'

**SKETCH AND DESCRIPTION  
TO ACCOMPANY REZONING PETITION  
FROM RMH-60 TO CB**

**LEGAL DESCRIPTION:**

Lot 90, Block 1, LAUDERDALE BEACH, according to the plat thereof recorded in Plat Book 4, Page 2, of the public records of Broward County, Florida.

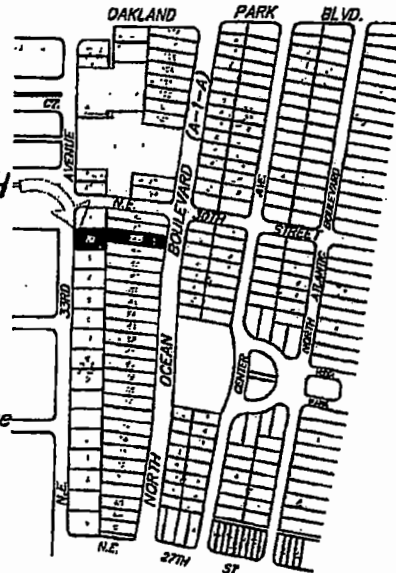
**TOGETHER WITH:**

Lot 2, Block 23, LAUDERDALE BEACH EXTENSION, UNIT "B", according to the plat thereof recorded in Plat Book 29, Page 22, of the public records of Broward County, Florida.

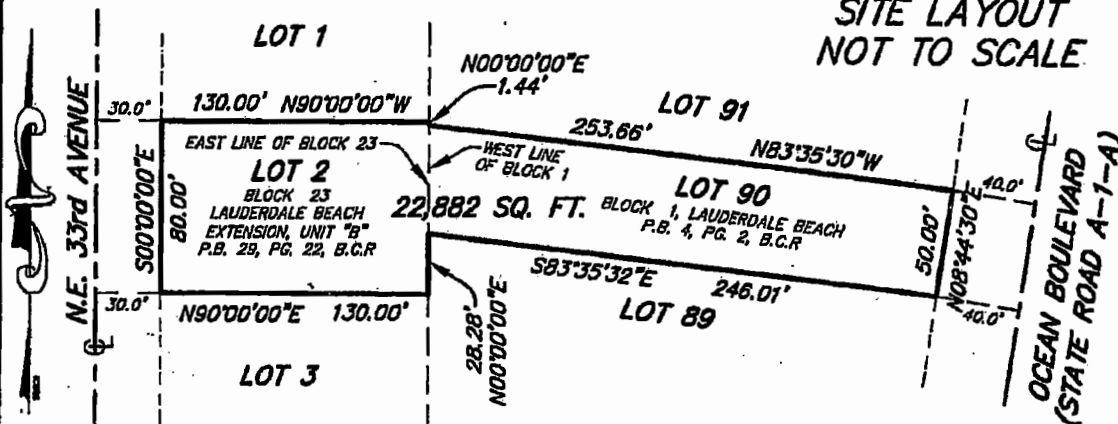
Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida, and containing 22,882 square feet or 0.5253 acres more or less.

THIS SKETCH

**EXHIBIT "A"**



**SITE LAYOUT  
NOT TO SCALE**



**CERTIFICATION**

Certified Correct. Dated at  
Fort Lauderdale, Florida this  
6th day of November, 2019.

**NOTES:**

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an appropriate surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the West line of said Lot 2, as South 00°00'00" East.

McLAUGHLIN ENGINEERING COMPANY

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

FIELD BOOK NO. \_\_\_\_\_

DRAWN BY: JMMjr

JOB ORDER NO. V-4865

CHECKED BY: \_\_\_\_\_

REF. DWG.: 96-3-125

C: \JMMjr\2019\V4865 (REZONE)

EXHIBIT "A"