



City Attorney's Communication #2019-894

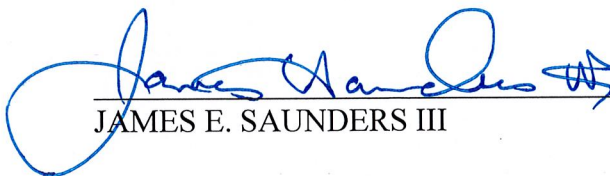
June 6, 2019

TO: Max Wemyss, Planner
FROM: James E. Saunders III, Assistant City Attorney
RE: Ordinance Rezoning 801 NE 33rd Street

As requested in your memorandum dated May 28, 2019, Development Services Memorandum No. 19-141, I have prepared and attached herewith an ordinance captioned as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LOCATED AT 801 N.E. 33rd STREET, ST. ELIZABETH GARDENS, FROM RM-12 (MULTIPLE-FAMILY RESIDENCE) TO RPUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Please feel free to contact me if I may be of further assistance.



JAMES E. SAUNDERS III

/jrm
l:cor/dev-srv/2019-894

Attachment

ORDINANCE NO. 2019-_____

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LOCATED AT 801 N.E. 33rd STREET, ST. ELIZABETH GARDENS, FROM RM-12 (MULTIPLE-FAMILY RESIDENCE) TO RPUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach, Florida; and

WHEREAS, pursuant to Section 155.2305.C of the Pompano Beach Code of Ordinances, notice has been mailed notifying owners of real property within 500 feet of the subject parcel of the first City Commission public hearing on this proposed Ordinance; and

WHEREAS, a public hearing before the City Commission was held pursuant to such notice, at which hearing, the parties in interest and all other citizens so desiring had an opportunity to be, and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. - FINDINGS: The City Commission finds as follows: that the rezoning of the property described in Exhibit "A," attached and made a part of this Ordinance ("TBR Parcel"), is consistent with the Comprehensive Plan; that the rezoning complies with City Code Section 155.3602, General Standards for All Planned Development Districts, as well as all other requirements of the Zoning Code; that the rezoning does not have a potentially injurious effect on land adjacent to the TBR Parcel; and that rezoning is reasonably related to the public health, safety and welfare.

SECTION 2. - REZONING AND APPROVAL OF PLANNED DEVELOPMENT

PLAN: The TBR Parcel is rezoned from a present zoning classification of RM-12 (Multiple-Family Residence 12) to RPUD (Residential Planned Unit Development) as that zoning classification is defined by Chapter 155 of the City of Pompano Beach Code of Ordinances.

Pursuant to the requirements of Sections 155.3602 and 155.3603 of the City of Pompano Beach Code of Ordinances, the Planned Development Plan ("Plan") submitted for the TBR Parcel, and attached and made a part of this Ordinance as Exhibit "B," is adopted. All development of the Property shall proceed in accordance with the Plan, as approved, and Section 155.3603 of the City of Pompano Beach Code of Ordinances.

SECTION 3. - SEVERABILITY: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 4. - RECORDATION: This Ordinance shall be recorded with Broward County Records in accordance with Section 155.2405.F., Recordation.

SECTION 5. - EFFECTIVE DATE: This Ordinance shall become effective upon passage.

PASSED FIRST READING this ____ day of _____, 2019.

PASSED SECOND READING this ____ day of _____, 2019.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK