

1 CITY OF MARGATE, FLORIDA

2 ORDINANCE NO. _____

3 AN ORDINANCE OF THE CITY OF MARGATE,
4 FLORIDA AMENDING SECTION 40.502 OF THE
5 MARGATE UNIFIED LAND DEVELOPMENT CODE, THE
6 OFFICIAL ZONING MAP OF THE CITY OF
7 MARGATE, FLORIDA, OF THE CITY OF MARGATE
8 CODE OF ORDINANCES, TO PROVIDE FOR THE
9 REZONING OF 21.3 ACRES OF REAL PROPERTY
10 LOCATED AT 7870 MARGATE BOULEVARD,
11 MARGATE, FLORIDA, AS MORE PARTICULARLY
12 DESCRIBED HEREIN, AND REFERRED TO AS "NOVE
13 OF MARGATE," FROM RECREATIONAL S-1
14 DISTRICT AND MULTIPLE DWELLING R-3A TO
15 PLANNED UNIT DEVELOPMENT ("PUD");
16 PROVIDING FOR REPEAL; PROVIDING FOR AN
17 EFFECTIVE DATE.
18
19

20 WHEREAS, Fimiani Development Corporation ("Applicant")
21 seeks to redevelop the golf course located on the south
22 side of Margate Boulevard between NW 76th Avenue and NW
23 79th Avenue in the City of Margate, Florida, which consists
24 of 21.96 gross acres/21.3 net acres in area, more
25 particularly described in the legal description, which is
26 attached hereto as Exhibit "A," and incorporated herein by
27 reference the ("Property"); and
28

29 WHEREAS, the Applicant seeks to redevelop the property
30 to a community identified as Nove of Margate, to include no
31 more than 132 townhouses on the Property; and
32

33 WHEREAS, Applicant agrees to record a restrictive
34 covenant in the public records of Broward County, Florida,
35 which would dedicate 1.21 net acres of the Property for use
36 as a public park that will be maintained by the Applicant,
37 or successor or assigns, as part of the City of Margate's
38 Amendment to the Land Use Plan ("Application"); and
39

40 WHEREAS, the Applicant has filed a concurrent
41 application for land use plan amendment, and approval of
42 this rezoning is contingent upon the approval of that land
43 use plan amendment; and

1
2 WHEREAS, on September 26, 2023, the Margate
3 Development Review Committee reviewed the Application, and
4 recommended conditional approval; and
5

6 WHEREAS, the Margate Planning and Zoning Board, which
7 serves as the Local Planning Agency, held a public hearing
8 on November 9, 2023 regarding the Application, and
9 recommended that the City Commission approve the
10 Application.
11

12 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION
13 OF THE CITY OF MARGATE, FLORIDA:
14

15 SECTION 1: That Section 40.502 of the Margate Unified
16 Land Development Code, the Official Zoning Map of the City
17 of Margate, of the Code of Ordinances of the City of
18 Margate, be, and the same is amended to conform to the
19 following:
20

- 21 A. That the zoning classification of the real
22 property described in Exhibit "A," to this
23 Ordinance, which is attached hereto, and
24 incorporated herein by reference, is hereby
25 amended to Planned Unit Development PUD.
26
- 27 B. The rezoning of the real property described
28 in Exhibit "A" to PUD is conditioned on the
29 representations made in the PUD Development
30 Plan for the Nove of Margate PUD, submitted
31 with this application for rezoning, to
32 include no more than 132 townhouses and the
33 associated amenities for this development.
34
- 35 C. The rezoning is conditioned on the recording
36 of a restrictive covenant to dedicate 1.21
37 net acres of the Property for use as a
38 public park that will be maintained by the
39 Applicant, or successor or assigns, as part
40 of the City of Margate's Amendment to the
41 Land Use Plan for the subject real property.
42
- 43 D. As a condition of approval, applicant shall
44 contribute an amount equal to \$50,000 to the
45 City of Margate for roadway median

1 improvements, which funds shall be used in
2 the vicinity of the Nove of Margate Planned
3 Unit Development along Margate Boulevard.
4 The funds shall be deposited with the City
5 prior to the issuance of the first building
6 permit for this project.
7

8 SECTION 2: All ordinances or parts of ordinances in
9 conflict herewith are and the same is hereby repealed to
10 the extent of such conflict.
11

12 SECTION 3: This Ordinance is contingent upon the
13 approval of the concurrently filed land use plan amendment
14 for the subject real property, and shall take effect on the
15 same day that said ordinance for land use plan amendment
16 becomes effective.
17

18 PASSED ON FIRST READING THIS 6th day of December 2023.

19 PASSED ON SECOND READING THIS ____ day of _____ 2024.

20 ATTEST:

21
22
23 _____
24 JENNIFER M. JOHNSON
25 CITY CLERK
26

27 _____
28 MAYOR TOMMY RUZZANO

29 RECORD OF VOTE - 1ST READING RECORD OF VOTE - 2ND READING

30 Caggiano	<u>Yes</u>	Caggiano	_____
31 Simone	<u>Yes</u>	Simone	_____
32 Arserio	<u>Yes</u>	Arserio	_____
33 Schwartz	<u>No</u>	Schwartz	_____
34 Ruzzano	<u>No</u>	Ruzzano	_____

EXHIBIT A

SUBJECT PROPERTY
7870 MARGATE BLVD
LEGAL DESCRIPTION:

PARCEL 3, ORIOLE GOLF AND TENNIS CLUB SECTION TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 78, PAGE 21, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

A PORTION OF PARCEL 4 OF SAID PLAT, ORIOLE GOLF AND TENNIS CLUB SECTION TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 78, PAGE 21 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 48 SOUTH, RANGE 41 EAST; THENCE SOUTH $00^{\circ}03'23''$ WEST, 292.60 FEET ALONG THE WEST BOUNDARY OF SAID SECTION TO THE POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF MARGATE BLVD. ACCORDING TO SAID PLAT; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE OF MARGATE BLVD. THE FOLLOWING FOUR (4) COURSES: SOUTH $89^{\circ}56'37''$ EAST, 15.94 FEET; THENCE ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 664.05 FEET, A DELTA OF $39^{\circ}51'40''$, AN ARC DISTANCE OF 461.98 FEET; THENCE TANGENT TO SAID CURVE SOUTH $50^{\circ}04'57''$ EAST, 725.16 FEET; THENCE ALONG THE ARC OF A TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 776.33 FEET, A DELTA OF $22^{\circ}15'10''$, AN ARC DISTANCE OF 301.52 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 3 AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID CURVE, HAVING A RADIUS OF 776.33 FEET, A DELTA OF $11^{\circ}58'05''$, AN ARC DISTANCE OF 162.16 FEET (THE PRECEDING COUSE BEING COINCIDENT WITH THE SAID SOUTH RIGHT-OF-WAY LINE OF MARGATE BLVD.) THENCE SOUTH $20^{\circ}36'41''$ WEST, 134.67 FEET; THENCE NORTH $88^{\circ}35'00''$ WEST, 115.00 FEET TO A POINT OF THE EAST LINE OF SAID PARCEL 3; THENCE NORTH $01^{\circ}25'00''$ EAST ALONG THE EAST LINE OF SAID PARCEL 3, A DISTANCE OF 156.02 FEET TO THE POINT OF BEGINNING.