

CITY OF MARGATE, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING WITH CONDITIONS A PLAT NOTE AMENDMENT ON THE "SHERMAN PLAT," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 144, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; TO SUBDIVIDE TRACT "A" INTO PARCELS "A" AND "B" AND ADD A NOTE PROVIDING FOR 135,000 SQUARE FEET OF INDUSTRIAL USE ON PARCEL "B"; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the Code of Ordinances of the City of Margate, Florida ("Code"), the proposal to subdivide Tract "A" of the "SHERMAN PLAT" (144-26) into Parcels "A" and "B" and to amend the plat note to provide for 135,000 square feet of industrial use on Parcel "B" located at 5301 Copans Road, was reviewed by the Development Review Committee ("DRC"); and

WHEREAS, the existing plat note providing for 71,705 square feet of automobile dealership use and a fire station will remain for Parcel "A"; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposal to subdivide Tract "A" into Parcel "A" and "B" and amend the plat note at a duly noticed public hearing on September 7, 2021, and recommended approval subject to conditions relating to limiting traffic traveling northbound on Banks Road and inclusion of buffers on the North end of the property to minimize noise; and

WHEREAS, the City Commission at a duly noticed public hearing, as required by law, and after having received input from and participation by interested members of the public and staff, has determined that the Resolution is consistent with the City's Comprehensive Plan and in the best interest of the City, its residents, and its visitors.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

SECTION 1: The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and incorporated herein by this reference.

SECTION 2: The Mayor and City Commissioners make the following FINDINGS OF FACT based upon the substantial competent evidence provided:

This MATTER came before the City Commission on October 6, 2021, following due public notice. The City Commission having considered the public testimony, evidence in the record, the testimony of the Applicant, the recommendation of the City's Planning and Zoning Board and administrative staff, finds that the application, as conditioned herein, will promote the public health, safety, welfare, of the neighborhood and further, that the application meets the criteria provided in the Code.

Section 3: That the Mayor and City Commission of the City of Margate, Florida, hereby approve subdividing Tract "A" into Parcel "A" and "B", and adding a plat note amendment that provides for 135,000 square feet of industrial use on Parcel "B" and permits the existing plat note of 71,705 square feet of automobile dealership use and a fire station to remain for Parcel "A" on the "SHERMAN PLAT" according to the plat thereof, as recorded in Plat Book 144, Page 26, of the public records of Broward County, Florida as provided for on the Addendum "1" attached and hereby made a part of this Resolution.

SECTION 4: That this subdivision of Tract "A" into Parcel "A" and Parcel "B" and plat note amendment is a development permit as defined in Section 31-41 of the Code of the City of Margate. Therefore, all representations by the applicant are incorporated as binding conditions of approval and shall be attached as "Addendum 2" entitled Conditions of Approval.

SECTION 5: That this Resolution shall become effective upon proper signatures being provided on said Plat Note Amendment.

PASSED, ADOPTED AND APPROVED THIS _____ DAY OF _____, 2021.

ATTEST:

JOSEPH J. KAVANAGH, CMC
CITY CLERK

MAYOR ARLENE SCHWARTZ

RECORD OF VOTE

Caggiano _____
Simone _____
Ruzzano _____
Arserio _____
Schwartz _____

ADDENDUM 1

SUBDIVISION OF TRACT "A" INTO PARCEL "A" AND "B" PLAT NOTE AMENDMENT TO PROVIDE FOR 135,000 SQUARE FEET OF INDUSTRIAL USE ON PARCEL "B" AND FOR THE EXISTING PLAT NOTE OF 71,705 SQUARE FEET OF AUTOMOBILE DEALERSHIP USE AND A FIRE STATION TO REMAIN FOR PARCEL "A" ON THE "SHERMAN PLAT" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 144, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.



PLAT NOTE AMENDMENT
SHERMIAN PLAT ("Plat")
207-MP-86

The note on the Plat note currently is as follows:

This Plat is restricted to 71,705 square feet of automobile dealership use and a fire station on Tract A

The Applicant is requesting that the note on the Plat be amended as follows;

This Plat is restricted to 71,705 square feet of automobile dealership use and a fire station on Parcel A and 135,000 square feet of Industrial on Parcel B

SURVEYOR'S NOTES

1. The purpose of this sketch is to depict the elements of the description appearing hereon, and is provided as an aid in its depiction. This sketch is not a survey. Uses inconsistent with its intended purpose are prohibited.
2. Measurements shown hereon are expressed in U.S. survey feet and decimal parts thereof.
3. The bearings shown hereon are based on the West line of the northwest 1/4 of Section 25-51-40, North 1°49'55" West.
4. This drawing is not valid unless bearing the signature and original raised seal of a Florida licensed Surveyor and Mapper. Unsigned copies may be provided for information purposes only.
5. Sun-Tech Engineering, Inc. reserved the right to utilize any and all information obtained in the preparation of this sketch for any other purposes.
6. The undersigned Surveyor has not been provided a current title commitment or abstract of matters affecting boundary or title to the subject property. It is possible that there are instruments which affect the subject property which are unknown to the reviewing Surveyor.
7. Sun-Tech Engineering, Inc. is authorized to provide Surveying and Mapping Services by the State of Florida Department of Business and Professional regulation, License No. LB.7019, pursuant to the provisions of Chapter 472, Florida Statutes.
8. Some features may be drawn "out of scale" for the purposes of clarity. Written dimensions take precedence over scaled dimensions.
9. This sketch and description consists of 4 sheets and each sheet shall not be considered full, valid and complete unless attached to each other.
10. Sources of information used in the preparation of this map of survey are as follows:
 - A. Record Plat entitled "SHERMAN PLAT", Plat Book 144, page 26;

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY that the herein captioned Sketch of Description is true and correct to the best of my knowledge and belief, as prepared under my direction, supervision and responsible charge.

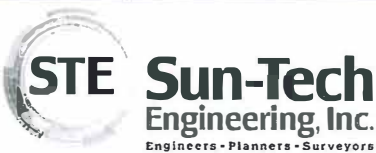
Sun-Tech Engineering, Inc.

Date of Preparation: January 20, 2021

Donald L. Cooper
 Donald L. Cooper, P.S.M.
 Professional Surveyor and Mapper
 Florida Registration No. 6269

7.22.2021
 Date

| DATE | REVISION | BY | CHK. |
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 JOB No.:
19-3970

LEGAL DESCRIPTION PARCEL A

All of Tract "A", "**SHERMAN PLAT**", according to the Plat thereof as recorded in Plat Book 144, page 26, of the Public Records of Broward County, Florida.

LESS AND EXCEPT THEREFROM:

A portion Tract "A", "**SHERMAN PLAT**", according to the Plat thereof as recorded in Plat Book 144, page 26, of the Public Records of Broward County, Florida, being more particularly described as follows:

BEGIN at an easterly corner of said Tract "A", said point being an intersection of the southerly Right-of-Way line of N.W. 24th Street, as depicted in Official Records 26983, page 590, of the Public Record of Broward County, Florida, with the westerly Right-of-Way line of Banks Road, as shown said Plat, (said point being on the arc of a non-tangent curve with a radial line through said point bearing North 76°55'31" West); thence southerly along said westerly Right-of-Way line the following four (4) courses and distances; thence southwesterly along the arc of said curve being concave to the southeast, having a radius of 1485.63 feet, a central angle of 10°33'12", an arc distance of 273.64 feet; thence South 4°08'34" West, 200.00 feet to a point on the arc of a non-tangent curve, (a radial line through said point bears North 84°53'10" East); thence southeasterly along the arc of said curve being concave to the northeast, having a radius of 1504.63 feet, a central angle of 11°36'51", an arc distance of 305.00 feet; thence South 16°02'50" West, 37.89 feet to a point on the northerly Right-of-Way line of Copans Road, as shown on said Plat, (said point being on the arc of a non-tangent curve with a radial line through said point bearing South 41°10'38" East); thence westerly along said Northerly Right-of-Way line the following six (6) courses and distances; thence southwesterly along the arc of said curve being concave to the northwest, having a radius of 1372.00 feet, a central angle of 4°03'25", an arc distance of 97.15 feet; thence South 61°50'58" West, 100.00 feet to a point on the arc of a non-tangent curve, (a radial line through said point bears South 32°57'19" East); thence southwesterly along the arc of said curve being concave to the northwest, having a radius of 1360.00 feet, a central angle of 9°08'31", an arc distance of 217.00 feet; thence radial to the next curve, South 23°48'49" East, 12.00 feet to a point on the arc of a non-tangent curve; thence westerly along the arc of said curve being concave to the northwest, having a radius of 1372.00 feet, a central angle of 2°31'16", an arc distance of 60.37 feet; thence South 77°40'39" West, 30.42 feet; thence North 00°36'06" West, 337.97 feet; thence South 89°23'54" West, 22.51 feet; thence North 00°36'06" West, 549.44 feet to a point on the aforesaid southerly Right-of-Way line of S.W. 24th Street, (said point being on the arc of a non-tangent curve with a radial line through said point bearing South 40°04'33" East); thence along said southerly Right-of-Way line the following six (6) courses and distances; thence northeasterly along the arc of said curve being concave to the northwest, having a radius of 350.00 feet, a central angle of 4°20'52", an arc distance of 26.56 feet; thence tangent to said curve, North 45°34'35" East, 152.44 feet to a point on the arc of a tangent curve; thence northeasterly along the arc of said curve being concave to the southeast, having a radius of 300.00 feet, a central angle of 59°01'44", an arc distance of 309.07 feet; thence tangent to said curve, South 75°23'41" East, 35.53 feet; thence South 30°24'19" East, 21.21 feet; thence South 76°55'31" East, 12.00 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Margate, Broward County, Florida and containing 863,050 square feet, 19.8129 acres, more or less.

THIS DRAWING IS NOT VALID WITHOUT SHEETS 1 & 3-4



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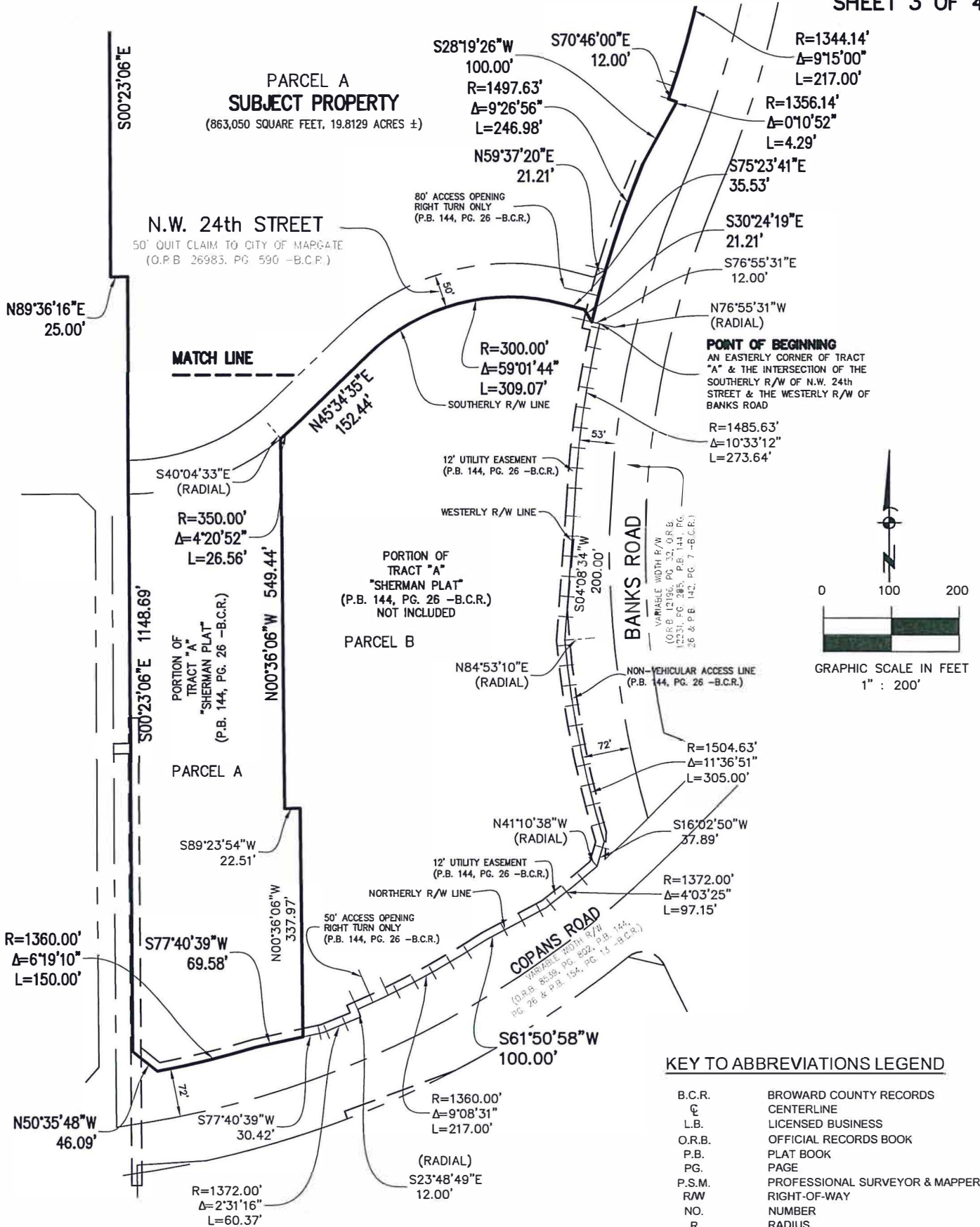
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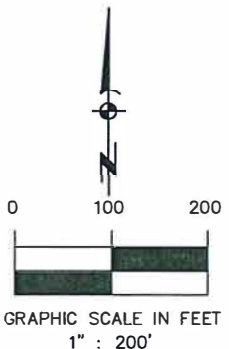
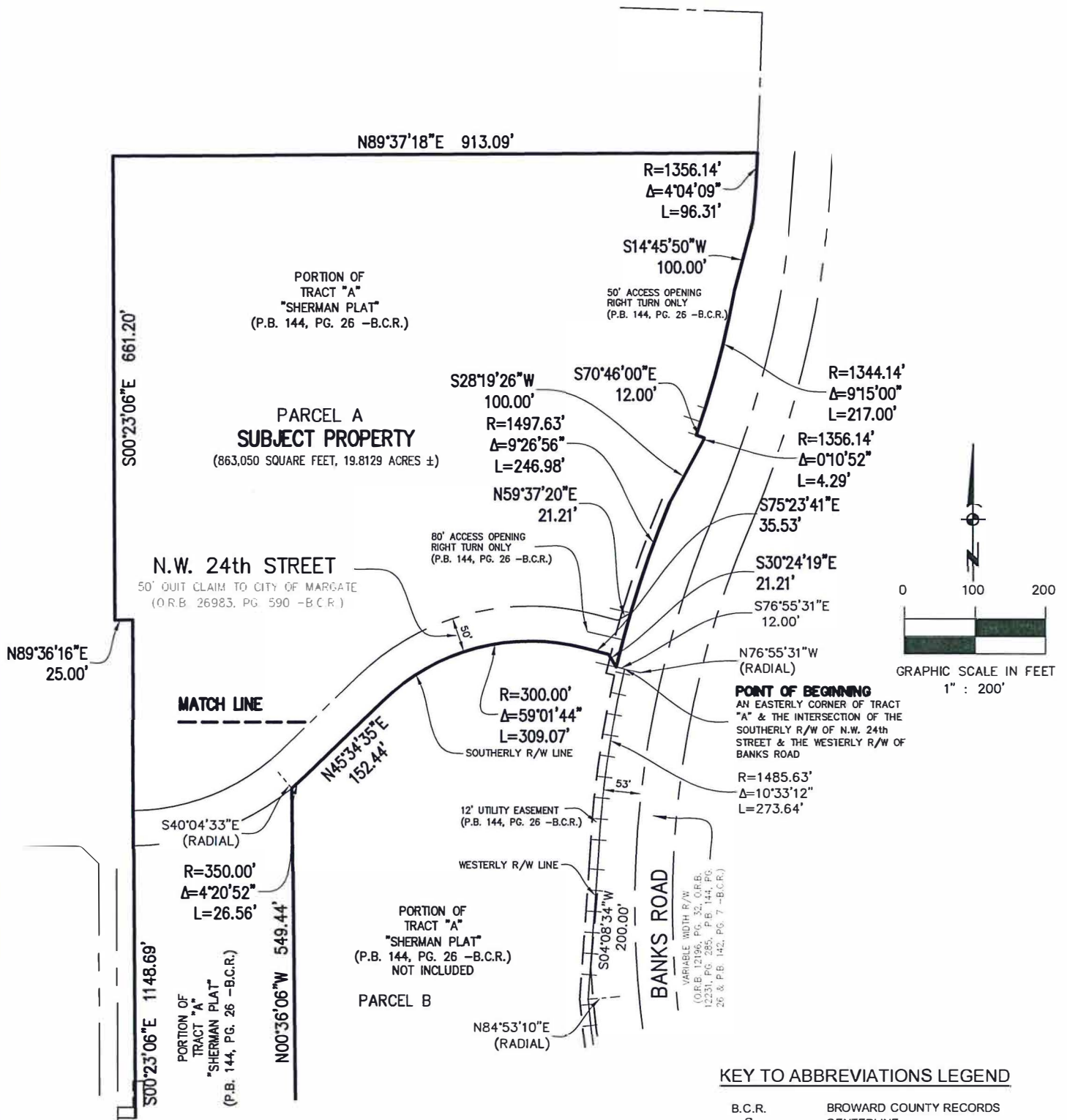


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SURVEYOR'S NOTES

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9. This sketch and description consists of 3 sheets and each sheet shall not be considered full, valid and complete unless attached to each other.
10. Sources of information used in the preparation of this map of survey are as follows:
 - A. Record Plat entitled "SHERMAN PLAT", Plat Book 144, page 26;

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY that the herein captioned Sketch of Description is true and correct to the best of my knowledge and belief, as prepared under my direction, supervision and responsible charge.

Sun-Tech Engineering, Inc.

Date of Preparation: January 20, 2021

Donald L. Cooper
 Donald L. Cooper, P.S.M.
 Professional Surveyor and Mapper
 Florida Registration No. 6269

7.22.2021
 Date

| DATE | REVISION | BY | CHK. |
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LEGAL DESCRIPTION PARCEL B

A portion Tract "A", "**SHERMAN PLAT**", according to the Plat thereof as recorded in Plat Book 144, page 26, of the Public Records of Broward County, Florida, being more particularly described as follows:

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Said lands situate, lying and being in the City of Margate, Broward County, Florida and containing 405,267 square feet, 9.3097 acres, more or less.

THIS DRAWING IS NOT VALID WITHOUT SHEET 1 & 3



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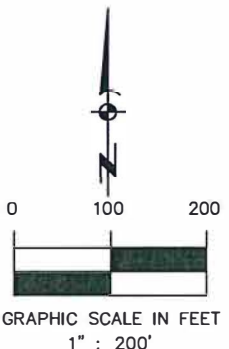
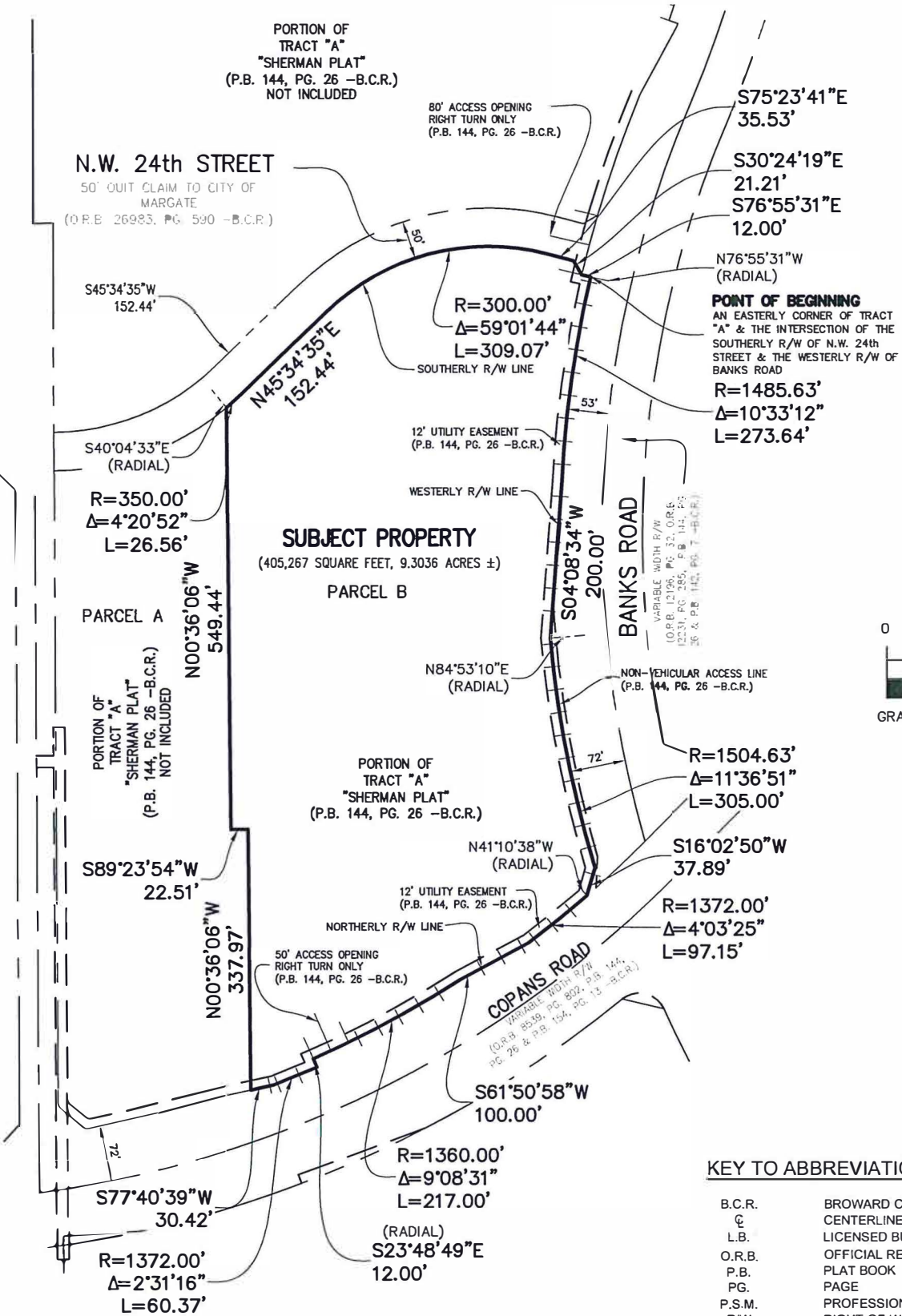
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19-3070



KEY TO ABBREVIATIONS LEGEND

| | |
|--------|--------------------------------|
| B.C.R. | BROWARD COUNTY RECORDS |
| ⊕ | CENTERLINE |
| L.B. | LICENSED BUSINESS |
| O.R.B. | OFFICIAL RECORDS BOOK |
| P.B. | PLAT BOOK |
| PG. | PAGE |
| P.S.M. | PROFESSIONAL SURVEYOR & MAPPER |
| R/W | RIGHT-OF-WAY |
| NO. | NUMBER |
| R | RADIUS |
| Δ | CENTRAL ANGLE |
| L | ARC LENGTH |
| NVAL | NON-VEHICULAR ACCESS LINE |
| O.R.I. | OFFICIAL RECORDS INSTRUMENT |

THIS DRAWING IS NOT VALID WITHOUT SHEETS 1 & 2

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ADDENDUM 2

CONDITIONS OF APPROVAL

- a. Applicant shall make efforts to limit trucks traveling northbound on Banks Road after 24th Avenue, including placing signage on their property providing for no left turns onto Banks Road from 24th, petition Broward County for signage on the center island prohibiting u-turns, working with the City for additional signage and implementation of traffic control measures to minimize large trucks driving on Banks Road subject to traffic circulation plan as part of the site plan review.
- b. The Applicant shall work with staff during the site plan review to include buffers (landscaping and/or masonry wall) with a natural aesthetic on the North end of the property near the rear access to minimize noise.