

CITY OF MARGATE, FLORIDA

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING WITH CONDITIONS A SPECIAL EXCEPTION USE FOR A 338-UNIT MULTI-FAMILY DEVELOPMENT IDENTIFIED AS THE FOREST APARTMENTS WITHIN THE TOC-G GATEWAY ZONING DISTRICT LOCATED AT 787 SOUTH STATE ROAD 7, SUBJECT TO THE FINDINGS OF THE DEVELOPMENT REVIEW COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE.

---

WHEREAS, pursuant to the Code of Ordinances of the City of Margate, Florida, the ("Code") a proposal to build a 338-unit multifamily development located at 787 South State Road 7, was reviewed by the Development Review Committee ("DRC") and approved with conditions at its June 25, 2024, meeting; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, has also reviewed the proposal to build a 338-unit multifamily development located at 787 South State Road 7 at a duly noticed public hearing on October 1, 2024, and recommended approval; 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 16, 2024, 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 City Commission of the City of Margate, Florida, hereby approves with conditions the special exception use to permit a 338-unit multifamily development located at 787 South State Road 7, as provided for on the Addendum "1" attached and hereby made a part of this Resolution. The City Commission makes the following findings as provided in Section 31-54(C) of the Code of the City of Margate:

- 1) The special exception is consistent with the purposes, goals, objectives and policies of the Margate Comprehensive Plan and the Margate Code of Ordinances.
- 2) The establishment, maintenance or operation of the proposed use if not detrimental to or endangers the public health, safety, or general welfare.
- 3) The establishment maintenance or operation of the proposed use is in the best interest of the City. A genuine need for the use is present in the city to support and justify the approval order and does not create a proliferation of said special exception use.
- 4) The proposed use is compatible with the existing natural environment and community character of the properties within the immediate neighborhood.
- 5) Utilities, roadway capacity, drainage, and other necessary public facilities, including police, fire and emergency services, exist at the city's adopted levels of service, or will be available concurrent with demand as provided for in the requirement of this Code of Ordinances.
- 6) Adequate measures exist or shall be taken to provide ingress and egress to the proposed use, for both vehicles and pedestrians, in a manner that minimums traffic congestion on public streets, and the use may not result in a significantly greater amount of traffic on local streets that would result from development permitted by right.
- 7) There is adequate parking areas and off street truck loading spaces (if applicable) consistent with the parking requirements of the Code, and the layout of the parking and vehicular use areas shall be convenient and conducive to safe operation consistent with city standards to the greatest extent possible.

- 8) The establishment of the special exception use shall not impede the development of surrounding properties for uses permitted in the zoning district nor have a negative impact on the value of those properties.
- 9) The design of the proposed use shall minimize adverse effects, including visual impacts, of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria.
- 10) The City Commission finds that the granting of the application will be in the best interest of the city.

SECTION 4: That this special exception is a development permit as defined in Section 31-33 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 1" entitled Conditions of Approval.

SECTION 5: That this resolution shall become effective immediately upon its passage.

PASSED, ADOPTED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

ATTEST:

\_\_\_\_\_  
 JENNIFER M. JOHNSON  
 CITY CLERK

\_\_\_\_\_  
 MAYOR TOMMY RUZZANO

RECORD OF VOTE

Caggiano \_\_\_\_\_  
 Simone \_\_\_\_\_  
 Arserio \_\_\_\_\_  
 Schwartz \_\_\_\_\_  
 Ruzzano \_\_\_\_\_

ADDENDUM 1

CONDITIONS OF APPROVAL

- 1) RECORD A UNITY OF TITLE FOR THE PORTION OF THE PARKING LOT BEING PURCHASED TO JOIN IT WITH THE RESIDENTIAL DEVELOPMENT (PARCELS 2 & 3 OF THE SUBDIVISION RESURVEY) ,
- 2) RECORD THE EASEMENT AGREEMENT ,
- 3) RECORD THE MASTER PARKING AGREEMENT ,
- 4) RECORD THE DRAINAGE AGREEMENT , AND
- 5) RECORD THE SUBDIVISION RESURVEY