

CITY OF MARGATE, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING WITH CONDITIONS A SUBDIVISION RESURVEY OF MINIMART DEVELOPMENT CORPORATION SUBDIVISION AS RECORDED IN PLAT BOOK 81, PAGE 49 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; 441 SOUTH, LTD. II PLAT AS RECORDED IN PLAT BOOK 124, PAGES 16 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AND THE FOREST PLAT AS RECORDED IN PLAT BOOK 129, PAGES 41-42 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA TO CREATE 4 PARCELS, AS MORE PARTICULARLY DESCRIBED HEREIN, AND REFERRED TO AS "777 PROPERTIES", LOCATED AT 767, 777 & 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 for the subdivision resurvey of the "Minimart Development Corporation Subdivision" (81-49); "441 South, LTD. II" (124-16); and "The Forest" plat (129-41) in order to create four (4) parcels, as more particularly described herein, and referred to as "777 Properties" located at 767, 777 and 787 South State Road 7, was reviewed by the Development Review Committee ("DRC") on June 25, 2024; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, has also reviewed this proposal 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 subdivision resurvey of "Minimart Development Corporation Subdivision" (81-49); "441 South, LTD. II" (124-16); and "The Forest" plat (129-41) in order to create four (4) parcels, as more particularly described herein, and referred to as "777 Properties" located at 767, 777 and 787 South State Road 7. The legal description for the subject property is as provided in Addendum "1" attached and hereby made a part of this Resolution.

SECTION 4: That this subdivision resurvey 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 2" entitled Conditions of Approval.

SECTION 5: That the proper City officials are hereby authorized and directed to sign and record the above subdivision resurvey plan in accordance with this Resolution.

SECTION 6: 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

LEGAL DESCRIPTION

777 PROPERTIES A RESUBDIVISION SURVEY OF PARCEL "A", 441 SOUTH, LTD., II (PLAT BOOK 124, PAGE 41, B.C.R.); AND THE EAST 265 FEET, PARCEL "A", THE FOREST (PLAT BOOK 129, PAGE 16, B.C.R.); AND ALSO PARCEL "B", MINI MART DEVELOPMENT CORP. SUBDIVISION, (PLAT BOOK 81, PAGE 49, B.C.R.) IN SECTION 1, TOWNSHIP 49 SOUTH, RANGE 41 EAST, CITY OF MARGATE, BROWARD COUNTY, FLORIDA

Parcel "A", 441 SOUTH LTD., II, according to the Plat thereof, as recorded in Plat Book 124, at Page 41, of the Public Records of Broward County, Florida.

TOGETHER WITH the East 265 feet of Parcel "A", THE FOREST, according to the Plat thereof, as recorded in Plat Book 129, at Page 16, of the Public Records of Broward County, Florida.

AND TOGETHER WITH Parcel "B", MINI MART DEVELOPMENT CORP. SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 81, at Page 49, of the Public Records of Broward County, Florida.

Said lands situate lying and being in the City of Margate, Broward County, Florida, and containing 869,681 square feet or 19.9651 acres, more or less.

PARCEL #1:

A portion of the East 265.00 feet (as measured at right angles) of Parcel "A", THE FOREST, according to the Plat thereof, as recorded in Plat Book 129, at Page 16, of the Public Records of Broward County, Florida, more fully described as follows:

Commencing at the Southeast corner of said Parcel "A"; thence North $01^{\circ}42'29''$ West, on the East line of said Parcel "A", a distance of 337.73 feet to the Point of Beginning; thence continuing North $1^{\circ}42'29''$ West, on said East line, a distance of 335.31 feet to the Northeast corner of said Parcel "A"; thence South $89^{\circ}39'06''$ West, on the North line of said Parcel "A", a distance of 265.08 feet; thence South $1^{\circ}42'29''$ East, on a line 265.00 feet West of and parallel with (as measured at right angles) the East line of said Parcel "A", a distance of 334.50 feet; thence North $89^{\circ}49'31''$ East, a distance of 265.10 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Margate, Broward County, Florida and containing 88,750 square feet or 2.0374 acres, more or less.

PARCEL #2:

A portion of Parcel "A", 441 SOUTH, LTD., II, according to the Plat thereof, as recorded in Plat Book 124, at Page 16, of the Public Records of Broward County, Florida, more fully described as follows:

Beginning at the Southwest corner of said Parcel "A"; thence North $1^{\circ}42'29''$ West, on the West line of said Parcel "A", a distance of

317.68 feet; thence South 89°03'00" East, a distance of 45.52 feet; thence North 89°33'42" East, a distance of 731.89 feet to a point of curvature; thence Easterly on said curve to the right, with a radius of 149.33 feet, a central angle of 30°00'00", an arc distance of 78.19 feet to a point of tangency; thence South 60°26'18" East, a distance of 55.95 feet to a point of curvature; thence Easterly on said curve to the left, with a radius of 150.67 feet, a central angle of 30°00'00", an arc distance of 78.89 feet to a point of tangency; thence North 89°33'42" East, a distance of 32.67 feet; thence South 1°42'29" East, on the East line of said Parcel "A", a distance of 249.98 feet to the Southeast corner of said Parcel "A"; thence South 89°39'06" West, on the South line of said Parcel "A", a distance of 1007.02 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Margate, Broward County, Florida and containing 310,585 square feet or 7.1301 acres, more or less.

PARCEL #3:

A portion of the East 265.00 feet (as measured at right angles) of Parcel "A", THE FOREST, according to the Plat thereof, as recorded in Plat Book 129, at Page 16, of the Public Records of Broward County, Florida, more fully described as follows:

Beginning at the Southeast corner of said Parcel "A"; thence North 1°42'29" West, on the East line of said Parcel "A", a distance of 337.73 feet; thence South 89°49'31" West, a distance of 265.10 feet; thence South 1°42'29" East, on the West line of the said East 265.00 feet of Parcel "A", a distance of 338.53 feet; thence North 89°39'06" East, on the South line of said Parcel "A", a distance of 265.08 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Margate, Broward County, Florida and containing 89,605 square feet or 2.0570 acres, more or less.

PARCEL #4:

All of Parcel "A", 441 SOUTH LTD., II, according to the Plat thereof, as recorded in Plat Book 124, at Page 16, of the Public Records of Broward County, Florida; TOGETHER WITH All of Parcel "B", MINI MART DEVELOPMENT CORP. SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 81, at Page 49, of the Public Records of Broward County, Florida.

LESS:

A portion of Parcel "A", 441 SOUTH, LTD., II, according to the Plat thereof, as recorded in Plat Book 124, at Page 16, of the Public Records of Broward County, Florida, more fully described as follows:

Beginning at the Southwest corner of said Parcel "A"; thence North 1°42'29" West, on the West line of said Parcel "A", a distance of 317.68 feet; thence South 89°03'00" East, a distance of 45.52 feet; thence North 89°33'42" East, a distance of 731.89 feet to a point of curvature; thence Easterly on said curve to the right, with a radius of 149.33 feet, a central angle of 30°00'00", an arc distance of

78.19 feet to a point of tangency; thence South $60^{\circ}26'18''$ East, a distance of 55.95 feet to a point of curvature; thence Easterly on said curve to the left, with a radius of 150.67 feet, a central angle of $30^{\circ}00'00''$, an arc distance of 78.89 feet to a point of tangency; thence North $89^{\circ}33'42''$ East, a distance of 32.67 feet; thence South $1^{\circ}42'29''$ East, on the East line of said Parcel "A", a distance of 249.98 feet to the Southeast corner of said Parcel "A"; thence South $89^{\circ}39'06''$ West, on the South line of said Parcel "A", a distance of 1007.02 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Margate, Broward County, Florida and containing 380,740 square feet or 8.7406 acres, more or less.

ADDENDUM 2

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