

CITY OF MARGATE, FLORIDA

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

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING A MODIFICATION TO THE NONVEHICULAR ACCESS LINE AND A PLAT NOTE AMENDMENT TO ALLOW FOR CITY PARK AND RECREATIONAL USES ON PARCEL "A" OF THE "HAIG & DUKE PLAT", LOCATED AT 1675 BANKS ROAD, SUBJECT TO THE FINDINGS OF THE DEVELOPMENT REVIEW COMMITTEE AND THE PLANNING AND ZONING BOARD; PROVIDING FOR AN EFFECTIVE DATE.

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**WHEREAS**, on February 28, 2017, the City's Development Review Committee reviewed an application to amend the "Haig & Duke" plat, consisting of amendments of a Plat Note Amendment and extension of Non-Vehicular Access Line ("NVAL"); and

**WHEREAS**, the NVAL will be extended by vacating the existing NVAL and dedicating a new NVAL onto the plat sketch; and

**WHEREAS**, the Plat Note Amendment will add language to allow for City park and recreational uses on Parcel "A" of the "Haig & Duke" Plat, and recommended approval provided the plat note restriction is amended as follows:

**From:**

"7. This plat is restricted to 24,800 square feet of warehouse use. Banks, stand alone office uses and commercial/retail uses are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

Any structure within this plat must comply with Section IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.

This note is required by Chapter 5, Article IX, Broward County Code of Ordinances and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner including an owner or owners of property within the plat who took title to the property with reference to this plat.

8.

- a) If a building permit for a principal building (excluding dry models, sales and construction offices) and first inspection approval are not issued by December 14, 2009, which date is five (5) years from the date of approval of this plat by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County makes a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate governmental entity documenting compliance with this requirement within the above referenced time frame; and/or
- b) If project water lines, sewer lines, drainage and the rock base for internal roads are not issued by December 14, 2009, which date is five (5) years from the date of approval of this plat by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County makes a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. This requirement may be satisfied for a phase of the project, providing a phasing plan has been approved by Broward County. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate government entity, document compliance with this requirement within the above referenced time from."

**To:**

"7. This plat is restricted to City Park/Recreational uses.

Any structure within this plat must comply with Section IV D. i.f., Development Review Requirements of the Broward County Land Use Plan, regarding hazards to air navigation.

This note is required by Chapter 5, Article IX, Broward County Code of Ordinances and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner including an owner or owners of property within this plat who took title to the property with reference to this plat.

8.

- a) If a building permit for a principal building or recreational uses (excluding dry models, sales and construction offices) and first inspection approval are not issued by \_\_\_\_\_, which date is five (5) years from the date of approval of this plat note amendment by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such a time as Broward County makes a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate governmental entity documenting compliance with this requirement within the above referenced time frame; and/or
  
- b) If project water lines, sewer lines, drainage and the rock base for internal roads are not issued by \_\_\_\_\_, which date is five (5) years from the date of approval of this plat note amendment by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County makes a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. This requirement may be satisfied for a phase of the project, providing a phasing plan has been approved by Broward County. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate government entity documenting compliance with this requirement within the above reference time frame."; and

**WHEREAS**, on April 4, 2017, the City's Planning and Zoning Board reviewed an application to amend the Haig & Duke plat as described above and recommended approval of such amendments.

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

**SECTION 1:** That the City Commission of the City of Margate, Florida, approves the above described Plat Note Amendment and modification to existing NVAL to allow for City park and recreational uses on Parcel A of the "HAIG & DUKE PLAT" located at 1675 Banks Road.

**SECTION 2:** That the above referenced modification to the NVAL is depicted on the sketches attached hereto, designated as Addendum "A" and Addendum "B", and made a part of this Resolution.

**SECTION 3:** That the applicant shall meet all conditions of approval imposed at the February 28, 2017 Development Review Committee and the April 4, 2017 Planning and Zoning Board meetings.

**SECTION 4:** That this Resolution shall become effective upon proper signatures being provided on said Plat Note Amendment and Non-Vehicular Access Line (NVAL) modification.

PASSED, ADOPTED AND APPROVED THIS \_\_\_\_ DAY OF MAY, 2017.

ATTEST:

\_\_\_\_\_  
JOSEPH J. KAVANAGH  
CITY CLERK

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

**RECORD OF VOTE**

Caggiano	_____
Simone	_____
Peerman	_____
Schwartz	_____
Ruzzano	_____