



## Legislation Text

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**TO:** Development Review Committee

**FROM:** Benjamin J. Ziskal, AICP, CeCD, Director of Economic Development

**DATE:** February 28, 2017

**DRC NO. 02-17-02 CONSIDERATION OF A REZONING FOR FELLOWSHIP LIVING FACILITIES INC.**

**LOCATION:** 451, 461, & 471 BANKS ROAD

**ZONING:** COMMUNITY FACILITIES (CF-1) DISTRICT

**LEGAL DESCRIPTION:** A PORTION OF PARCEL A & B, BLOCK 1, LOTS 7 & 8, OF "LAKEWOOD GARDENS" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 78 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

**PETITIONER:** CITY OF MARGATE, ECONOMIC DEVELOPMENT DEPARTMENT

**BACKGROUND:** The petitioner is requesting to rezone 451, 461, and 471 Banks Road from Community Facilities (CF-1) District to Multiple Family Dwelling (R-3) District. The R-3 zoning designation would thereby create a legal nonconforming status which would maintain the surrounding residential neighborhood.

At the 12-23-14 DRC meeting the petitioner, Rick Riccardi, had requested a prior rezoning of these properties from R-3 to CF-1 to allow Fellowship Living Facilities to expand its capacity as a community facility to house men and women in recovery from alcohol and drug addiction. This item was brought forward and approved at the 3-3-15 Planning and Zoning meeting, approved at 1<sup>st</sup> reading at the 3-18-15 City Commission meeting, and approved at 2<sup>nd</sup> reading at the 4-1-15 City Commission meeting via Ordinance 2015-RZ-1. Copies of the minutes from the four meetings are attached.

Subsequent to this approval, staff had advised at a 11-22-16 Reasonable Accommodation meeting that the applicant would rezone these properties back to R-3; thereby, making all three properties legal nonconforming. This legal nonconforming status will maintain the residential neighborhood and be conducive to the surrounding properties and only allow R-3 uses as stipulated in the Code of Ordinances. Because of the legal nonconforming status, any future group care facility and/or hospital use would not be allowed. At the conclusion of this meeting, staff would consider all three buildings as one facility and would be capped at 16 people when rezoned back to R-3.

This item was tabled to at the Development Review Committee meeting held on 2-14-17 to be heard at the next regular scheduled DRC meeting. A draft copy of the meeting minutes is attached.