

RESOLUTION NO.

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, MAKING CERTAIN FINDINGS AND ALLOCATING 1.13 ACRES
3 OF INDUSTRIAL TO COMMERCIAL FLEXIBILITY IN ACCORDANCE WITH THE
4 BROWARD COUNTY LAND USE PLAN AND THE BROWARD COUNTY
5 COMPREHENSIVE PLAN MUNICIPAL SERVICES DISTRICT LAND USE AND
6 COMMUNITY PLANNING ELEMENT; AND PROVIDING FOR SEVERABILITY AND AN
7 EFFECTIVE DATE.

8
9 WHEREAS, the Broward County Land Use Plan (BCLUP) provides for a
10 Commerce future land use designation and designates areas for Commerce on the
11 Broward County Future Land Use Plan Map;

12 WHEREAS, the Commerce future land use designation was adopted by the Board
13 of County Commissioners on April 25, 2017, and includes areas previously designated
14 for Commercial, Employment Center, Industrial, and Office Park;

15 WHEREAS, the Broward County Comprehensive Plan Municipal Services District
16 (BMSD) Element and Future Land Use Map have retained future land use designations
17 for Commercial, Employment Center, and Industrial;

18 WHEREAS, the BMSD Element's Industrial future land use designation allows the
19 utilization of flexibility to permit commercial uses on properties with an Industrial land use
20 designation, provided the total area of the proposed commercial uses does not consume
21 more than twenty percent (20%) of the land designated for industrial uses within a

22 flexibility zone and the location of the proposed commercial uses does not preclude or
23 adversely affect the future use of surrounding areas for industrial uses;

24 WHEREAS, in certain circumstances, including when the proposed flexibility
25 allocation is to a site that is adjacent to or within five hundred (500) feet of an
26 Environmentally Sensitive Land, County park, or regional park, BCLUP Policy 2.10.1
27 provides that utilization of the BCLUP “Flexibility Rules” may be subject to a determination
28 by the Board of County Commissioners (“Board”) that such allocation is compatible with
29 adjacent land uses and that impacts on public school facilities have been adequately
30 considered;

31 WHEREAS, Rena Marie Moforis LLC (the “Applicant”) holds fee simple title to that
32 property within the BMSD located at 702 N.W. 27 Avenue, 1-14, and legally defined in
33 Exhibit A, attached hereto and incorporated herein (the “Property”);

34 WHEREAS, the Property has an Industrial future land use designation;

35 WHEREAS, the Applicant has made application for approval of Site
36 Plan 02-SP-25 and for the allocation of 1.13 acres of industrial to commercial flexibility
37 for the purpose of developing a commercial self-storage facility on the Property;

38 WHEREAS, the Property is within the BMSD’s Central County Flex Zone and
39 within three hundred fifty (350) feet of Environmentally Sensitive Land Site 63, referred to
40 as the North Fork Blueway; and

41 WHEREAS, the allocation of flexibility to the Property requires the Board to make
42 certain findings, including compatibility with adjacent land uses and impacts on public
43 school facilities, NOW, THEREFORE,

44 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
45 BROWARD COUNTY, FLORIDA:

46 Section 1. Findings.

47 Consistent with the requirements of the Broward County Land Use Plan and the
48 Broward County Comprehensive Plan Municipal Services District Land Use and
49 Community Planning Element, the Board hereby finds that:

50 a. The total area of the proposed commercial uses does not consume more
51 than twenty percent (20%) of the land designated for industrial uses within the BMSD's
52 Central County Flex Zone;

53 b. The location of the proposed commercial uses does not preclude or
54 adversely affect the future use of surrounding areas for industrial uses;

55 c. The allocation of 1.13 acres of industrial to commercial flexibility to the
56 Property is compatible with adjacent land uses; and

57 d. The impacts on public school facilities have been adequately considered.

58 Section 2. Flexibility Allocation.

59 The Board approves the Applicant's request and allocates 1.13 acres of industrial
60 to commercial flexibility to the Property described in Exhibit A, for the development of a
61 commercial self-storage facility consistent with Site Plan 02-SP-25.

62 Section 3. Severability.

63 If any portion of this Resolution is determined by any court to be invalid, the invalid
64 portion will be stricken, and such striking will not affect the validity of the remainder of this
65 Resolution. If any court determines that this Resolution, in whole or in part, cannot be
66 legally applied to any individual, group, entity, property, or circumstance, such

Exhibit A

Folio Number: 504205000047

Legal Description: A PORTION OF GOVERNMENT LOT 5, IN SECTION 5, TOWNSHIP 50 SOUTH, RANGE 42 EAST, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE NORTH 01°51'20" WEST ALONG THE WEST LINE OF THE SAID NORTHEAST 1/4 FOR 813.50 FEET; THENCE NORTH 87°46'51" EAST 40.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE NORTH 87°46'51" EAST 135.91 FEET; THENCE SOUTH 31°54'52" WEST 15.10 FEET; THENCE NORTH 87°46'51" EAST 135.91 FEET; THENCE NORTH 31°54'52" EAST 127.63 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 40.00 FEET, A CENTRAL ANGLE OF 34°38'37", FOR AN ARC DISTANCE OF 24.18 FEET; THENCE NORTH 02°02'03" WEST 115.26 FEET; THENCE SOUTH 87°57'57" WEST 59.61 FEET; THENCE SOUTH 02°02'03" EAST 39.23 FEET; THENCE SOUTH 87°45'55" WEST 170.15 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF NORTHWEST 27TH AVENUE; THENCE SOUTH 01°51'20" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, 184.17 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN BROWARD COUNTY, FLORIDA AND CONTAINING 41,581 SQUARE FEET (0.955 ACRES), MORE OR LESS.

