

**RESOLUTION NO. 2020-126**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE PLAT NOTE AMENDMENT DELEGATION REQUEST APPLICATION (DR-072-20) SUBMITTED BY KIMLEY-HORN AND ASSOCIATES, INC. ON BEHALF OF DANIA BEACH MARINA CORP. FOR PROPERTY PLATTED UNDER THE BRYAN ROAD WAREHOUSES PLAT LOCATED AT 90 N. BRYAN ROAD IN THE CITY OF DANIA BEACH, FLORIDA, AS SUCH PROPERTY IS LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Kimley-Horn and Associates, Inc. on behalf of DANIA BEACH MARINA CORP. ("Applicant"), is requesting approval of a plat note delegation request for the property located at 90 N. Bryan Road in the City of Dania Beach, Florida, as such property is legally described in Exhibit "A"; and

**WHEREAS**, the City Code of Ordinances, Chapter 28 "Land Development Code" (the "LDC"), Part 6 "Development Review Procedures and Requirements", Article 640 "Plats", Section 640-70 "Amendment of plat" states that subsequent to City Commission approval of a plat, the plat may be amended by the City Commission; and

**WHEREAS**, the Applicant is requesting approval of a plat note amendment delegation request to amend the Bryan Road Warehouses Plat ("Plat"), recorded in Plat Book 170, Page 112 of the Public Records of Broward County, Florida to allow the construction of up to 380 high rise units and 35,000 square feet of commercial use on Parcel "A" of the Plat ("Plat Note Amendment"); and

**WHEREAS**, staff recommended approval of the requested application in the staff report dated October 13, 2020; and

**WHEREAS**, the City Commission conducted a duly noticed public hearing in accordance with Article 610 of the LDC; and

**WHEREAS**, the City Commission finds that the approval of the Plat Note Amendment Delegation Request (DR-072-20) will protect the health, safety, and welfare of the residents of the City, and furthers the purpose, goals, objectives and policies of the Comprehensive Plan;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:**

**Section 1.** That the foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and they are made a specific part of this Resolution.

**Section 2.** That pursuant to Chapter 28, “Land Development Code,” Part 6 “Development Review Procedures and Requirements,” Section 640-70 “Amendment of plat”, the City approves Plat Note Amendment Delegation Request (DR-072-20) to modify the plat note restriction as follows:

FROM: This plat is restricted to 40,000 square feet of industrial use and 1,298 square feet of commercial use.

TO: This plat is restricted to 380 high rise units and 35,000 square feet of commercial use.

**Section 3.** That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

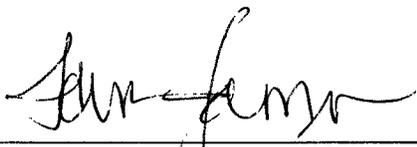
**Section 4.** That this Resolution shall be in force and take effect immediately upon its passage and adoption.

**PASSED AND ADOPTED** on January 12, 2021.

ATTEST:

  
THOMAS SCHNEIDER, CMC  
CITY CLERK



  
TAMARA JAMES  
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

  
THOMAS J. ANSBRO  
CITY ATTORNEY

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

ALL OF PARCEL A, BRYAN ROAD WAREHOUSES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 170, PAGE 112, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.