

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  $01^{\circ}51'20''$  WEST ALONG THE WEST LINE OF THE SAID NORTHEAST 1/4 FOR 813.50 FEET; THENCE NORTH  $87^{\circ}46'51''$  EAST 40.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE NORTH  $87^{\circ}46'51''$  EAST 135.91 FEET; THENCE SOUTH  $31^{\circ}54'52''$  WEST 15.10 FEET; THENCE NORTH  $87^{\circ}46'51''$  EAST 135.91 FEET; THENCE NORTH  $31^{\circ}54'52''$  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  $34^{\circ}38'37''$ , FOR AN ARC DISTANCE OF 24.18 FEET; THENCE NORTH  $02^{\circ}02'03''$  WEST 115.26 FEET; THENCE SOUTH  $87^{\circ}57'57''$  WEST 59.61 FEET; THENCE SOUTH  $02^{\circ}02'03''$  EAST 39.23 FEET; THENCE SOUTH  $87^{\circ}45'55''$  WEST 170.15 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF NORTHWEST 27TH AVENUE; THENCE SOUTH  $01^{\circ}51'20''$  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.

