

ORDINANCE NO. 2001-12

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF SOUTHWEST RANCHES, SECTION 39-268, ENTITLED "HEIGHT," SUBSECTION (b), TO AMEND THE MAXIMUM HEIGHT OF STRUCTURES IN THE RURAL ESTATE, RURAL RANCHES AND E-2 ZONING DISTRICTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Southwest Ranches incorporated as a municipality effective June 6, 2000; and

WHEREAS, the Broward County Code of Ordinances in effect as of the date of incorporation of the Town of Southwest Ranches became the effective Town Code of Ordinances of the Town; and

WHEREAS, the Town Council of the Town of Southwest Ranches desires to protect its rural, residential lifestyle; and

WHEREAS, building heights are established in zoning districts to define development characteristics and protect the appearance of the community; and

WHEREAS, the Rural Estate, Rural Ranches and E-2 zoning districts are rural, residential zoning districts that allow certain non-residential uses; and

WHEREAS, the Town Council of the Town of Southwest Ranches desires to protect and enhance the residential character and appearance of the Rural Estate, Rural Ranches and E-2 zoning districts by allowing residential uses to appear more prominent through their development characteristics.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2: That Section 39-268(b) of the Town Code of Ordinances is hereby amended as follows:

(b) No non-residential building or structure, or part thereof, in a Rural Estate, Rural Ranches or E-2 district shall be erected or maintained to a height exceeding two (2) stories, except as permitted by section 39-157, exclusions from height limits, and section 39-150, wireless communication facilities. No single-family residential structure or building in the Rural Estate, Rural Ranches or E-2 district shall be erected or maintained to a height exceeding thirty-five (35) feet.

Section 3: Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 4: Severability. If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 5: Effective Date. This Ordinance shall be effective immediately upon its adoption.

PASSED ON FIRST READING this 14th day of June, 2001

PASSED AND ADOPTED ON SECOND READING this 13th day of September, 2001

Mecca Fink, Mayor

Attest:

Arielle Haze Tyner, Town Clerk

Approved as to Form and Correctness:

Gary A. Poliakoff, J.D., Town Attorney