

RESOLUTION NO. 2022-036

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-31-21 TO SUBDIVIDE 4.39 GROSS ACRES OF PROPERTY INTO TWO LOTS OF 2.03 AND 2.26 NET ACRES; GENERALLY LOCATED AT THE NORTHEAST QUADRANT OF THE SW 54TH PLACE INTERSECTION WITH SW 208 LANE; LEGALLY DESCRIBED AS TRACT 64 LESS THE WEST 25 FEET, IN SECTION 34, TOWNSHIP 50 SOUTH, RANGE 39 EAST, "EVERGLADES LAND COMPANY'S SUBDIVISION", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 1, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, SAID LANDS LYING AND BEING IN BROWARD COUNTY, FLORIDA, AND LESS THAT PORTION OF TRACT 64 DESCRIBED IN EXHIBIT "A" HERETO; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 115-070 of the Town of Southwest Ranches Unified Land Development Code ("ULDC") requires Town Council approval of a Plat or Waiver of Plat Application prior to the subdivision of a parcel; and

WHEREAS, at a duly noticed public hearing held on February 10, 2022, the Town Council reviewed Waiver of Plat Application No. WP-31-21 by Mary Katherine Boyett-Martell and Lawrence Martell ("Petitioner") to subdivide 4.29 acres into two lots of 2.03 and 2.26 net acres; and

WHEREAS, the proposed subdivision will comply with the minimum lot size and dimensional requirements of the effective land use plan and zoning designations, has legal and sufficient access, and will not create or exacerbate any nonconformities with the development standards of the ULDC, subject to the conditions of approval set forth herein.

NOW, THEREFORE BE IT RESOLVED 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 Resolution.

Section 2. That, at a duly noticed public hearing held on February 10, 2022, following the review of the staff report and all written and oral evidence received during the public hearing, the Town Council hereby approves Waiver of Plat Application No. WP-31-21 to subdivide the property described in Exhibit "A" attached hereto and made a part hereof, into two parcels described and depicted in Exhibit "B" attached hereto and made a part hereof, subject to the condition that the building on the North Parcel shall be removed upon either cessation of its use as an office for the nursery or cessation of principal agricultural use on the North Parcel.

Section 3. The Mayor, Town Administrator and Town Attorney are each authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

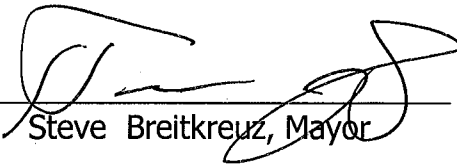
Section 4. This approval shall expire 180 days from the date of approval if this Resolution is not first recorded in the Public Records of Broward County, Florida.

Section 5. This Resolution shall become effective upon its recordation.


PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 10th day of February, 2022, on a motion by Vice Mayor Jablonski and seconded by Council Member Hartmann.

Breitkreuz	<u>Yes</u>	Ayes	<u>5</u>
Jablonski	<u>Yes</u>	Nays	<u>0</u>
Allbritton	<u>Yes</u>	Absent	<u>0</u>
Hartmann	<u>Yes</u>	Abstaining	<u>0</u>
Kuczenski	<u>Yes</u>		

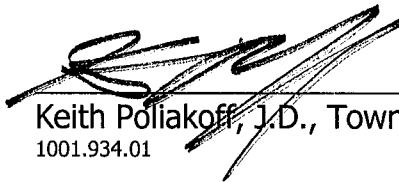
(Signatures on the Following Page)


Steve Breitkreuz, Mayor

ATTEST:


Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:


Keith Poliakoff, J.D., Town Attorney
1001.934.01

Attestation that all conditions of approval have been satisfied,
authorizing recordation of this Resolution.



Keith Poliakoff, J.D., Town Attorney

Exhibit "A"

Parent Tract Legal Description

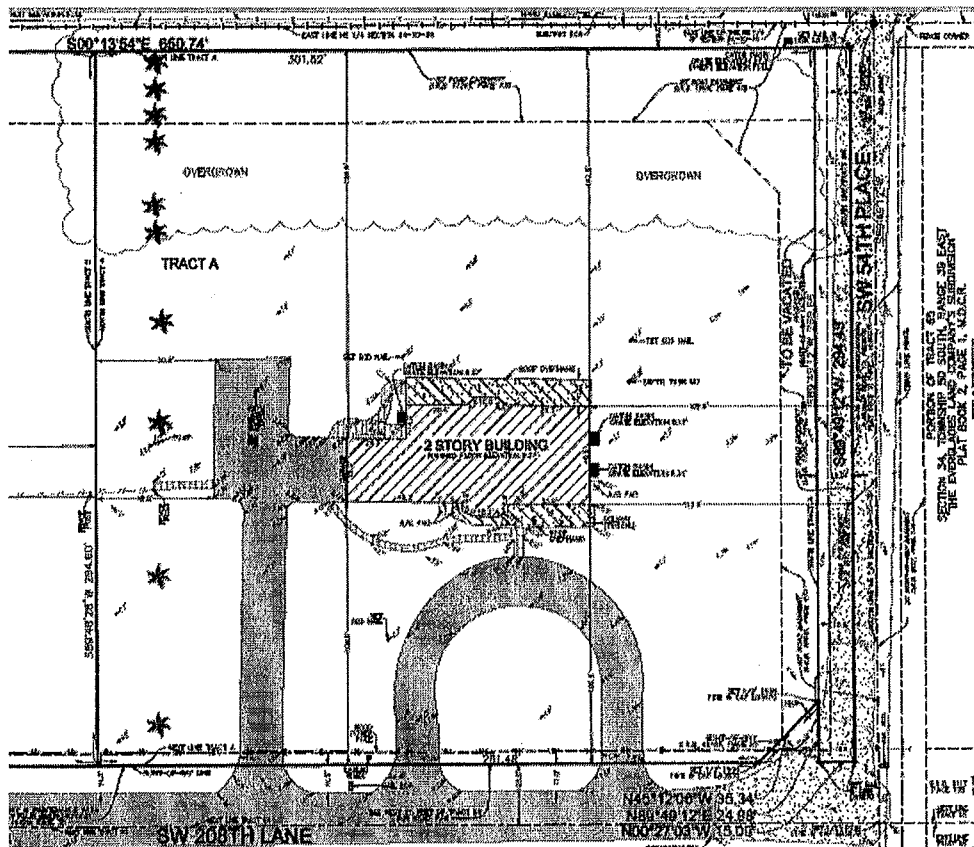
TRACT 64, LESS THE WEST 25 FEET THEREOF, IN SECTION 34, TOWNSHIP 50 SOUTH, RANGE 39 EAST, "EVERGLADES LAND COMPANY'S SUBDIVISION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 1, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, SAID LANDS LYING AND BEING IN BROWARD COUNTY, FLORIDA, ALSO LESS THAT PORTION OF SAID TRACT 64 LYING SOUTHWESTERLY OF A CHORD BASED ON A CIRCULAR CURVE CONCAVE TO THE NORTHEAST HAVING, A RADIUS OF 25 FEET, BEING TANGENT TO A LINE 25 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID TRACT 64, AND TANGENT TO A LINE 15 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID TRACT 64, SAID LAND CONTAINING 191,385 SQUARE FEET (4.3936 ACRES) MORE OR LESS.

Exhibit "B"

Legal description of Subdivided Lots

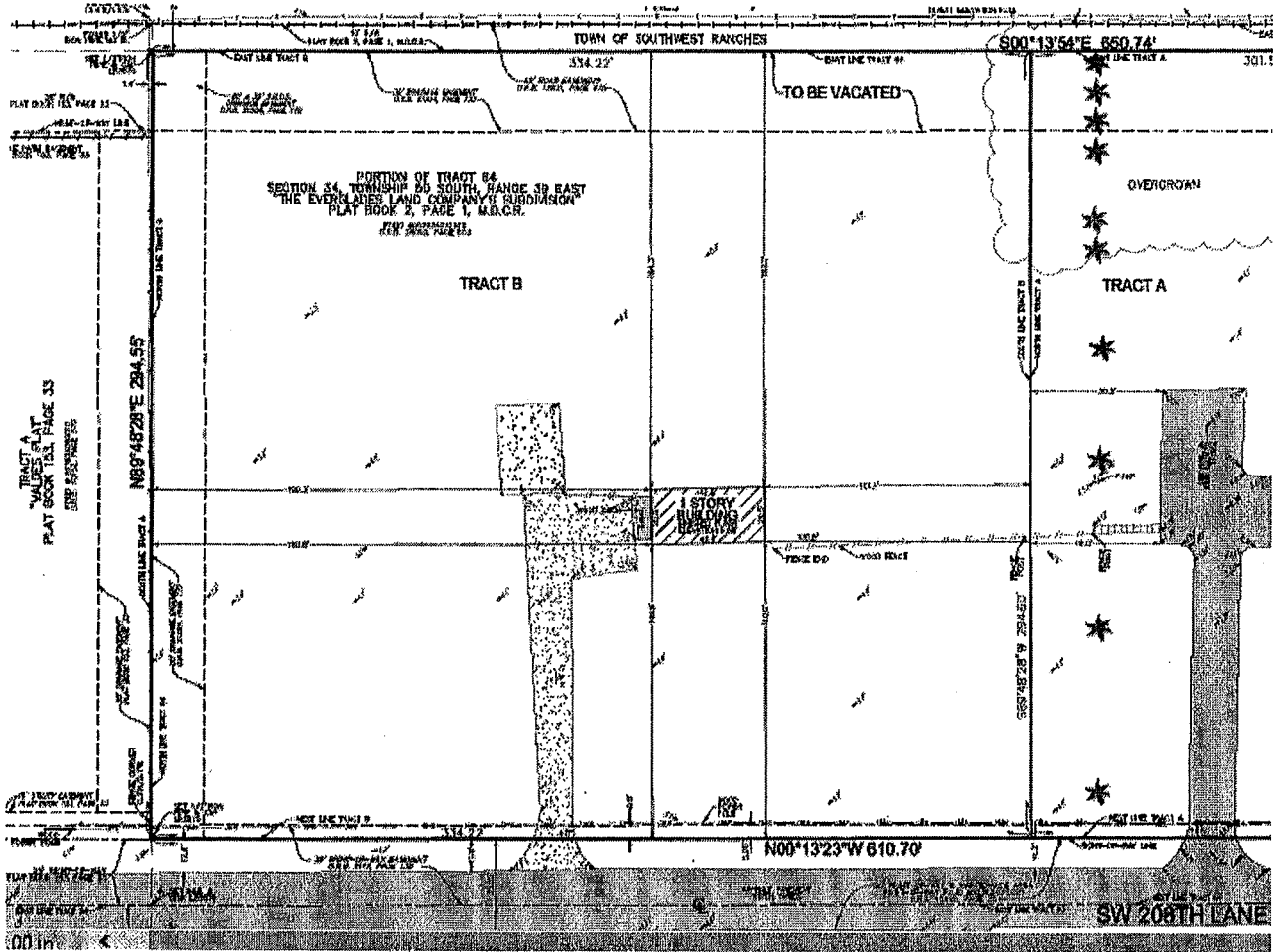
TRACT A (SOUTH PARCEL)

TRACT 64, LESS THE WEST 25 FEET, THE SOUTH 15 FEET, AND THE NORTH 334.22 FEET THEREOF, IN SECTION 34, TOWNSHIP 50 SOUTH, RANGE 39 EAST, "EVERGLADES LAND COMPANY'S SUBDIVISION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 1, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, SAID LANDS LYING AND BEING IN BROWARD COUNTY, FLORIDA, AND ALSO LESS THAT PORTION OF SAID TRACT 64 LYING SOUTHWESTERLY OF A CHORD BASED ON A CIRCULAR CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 25 FEET, BEING TANGENT TO A LINE 25 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID TRACT 64, AND TANGENT TO A LINE 15 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID TRACT 64. SAID LAND CONTAINING 88,515 SQUARE FEET (2.0320 ACRES) MORE OR LESS.



TRACT B (NORTH PARCEL)

THE NORTH 334.22 FEET OF TRACT 64, LESS THE WEST 25 FEET THEREOF, IN SECTION 34, TOWNSHIP 50 SOUTH, RANGE 39 EAST, "EVERGLADES LAND COMPANY'S SUBDIVISION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 1, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, SAID LANDS LYING AND BEING IN BROWARD COUNTY, FLORIDA. SAID LAND CONTAINING 98,452 SQUARE FEET (2.2601 ACRES) MORE OR LESS.



RESOLUTION NO. 2022-036

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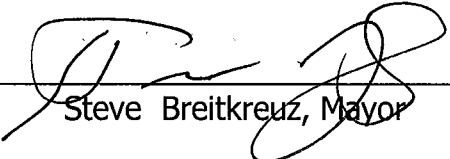
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Breitkreuz	<u>Yes</u>	Ayes	<u>5</u>
Jablonski	<u>Yes</u>	Nays	<u>0</u>
Allbritton	<u>Yes</u>	Absent	<u>0</u>
Hartmann	<u>Yes</u>	Abstaining	<u>0</u>
Kuczenski	<u>Yes</u>		

(Signatures on the Following Page)




Steve Breitkreuz, Mayor

ATTEST.



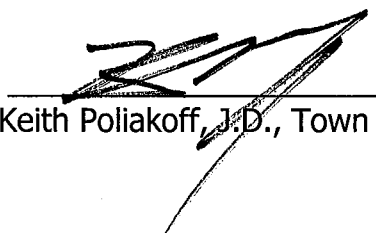
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Approved as to Form and Correctness:



Keith Poliakoff, J.D., Town Attorney
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