

RESOLUTION NO. 2002-26

A RESOLUTION OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA EXTENDING ZONING IN PROGRESS PURSUANT TO SECTION 39-31 OF THE TOWN CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 12, 2001, the Town Council approved Resolution 2001-72 enacting zoning in progress for all non-residential and non-agricultural structures located in A-1, A-2, A-5, E-1, E-2, RE and RR zoned areas for a period of six (6) months; and

WHEREAS, the completion of the Town's comprehensive plan will help to determine whether non-residential and non-agricultural structures have a significant impact on the residential densities and permitted land uses in the Town's residentially zoned areas; and

WHEREAS, the Town may receive applications for permits and licenses that may violate the Comprehensive Land Use Plan that is currently being prepared; and

WHEREAS, Section 39-31 of the Town Code authorizes the Town Council to enact zoning in progress when a change of text of the Zoning Code relating specifically to density, permitted land uses or a change of zoning district classification is being considered; and

WHEREAS, the Town Council of the Town of Southwest Ranches finds that it is in the best interest of the residents of the Town to hold on the determination of said applications until the Comprehensive Land Use Plan has been completed.

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 pursuant to Section 39-31 of the Town Code, the Town Council is hereby enacting zoning in progress for all non-residential and non-agricultural structures located in A-1, A-2, A-5, E-1, E-2, RE, and RR zoned areas.

Section 3: That zoning in progress provides for a temporary hold on permits for a period of time not to exceed six (6) months after notice of public hearings where

the issuance of such permit or development order would result in the nonconforming or unlawful use of property should such change in the Zoning Code be adopted.

Section 4: That zoning in progress shall not be applied to complete and pending applications that have already appeared before the Town Council on first reading.

Section 5: Severability. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Resolution.

Section 6: 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.

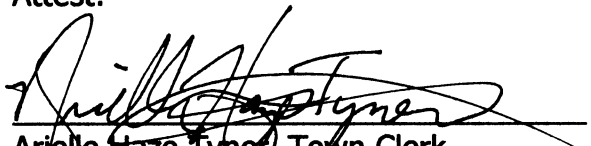
Section 7: Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 10th day of January 2002.



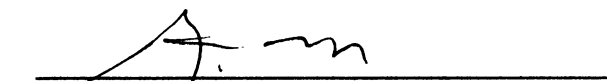
Mecca Fink, Mayor

Attest:



Arielle Haze Tyner, Town Clerk

Approved as to Form and Correctness:



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