

RESOLUTION NO. 2005-54

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, GRANTING A DEVELOPED AREA DETERMINATION FOR THE PROPERTY GENERALLY LOCATED AT 16541 SW 62nd STREET; AND AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO SUPPORT THE COUNCIL'S FINDINGS; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, Porfirio and Maria Gallegos are the current owners of the property legally described as FLA FRUIT LANDS CO SU NO 1 2-17 D 5-51-40 PT OF TRACT 14 DESC'D AS, COMM AT N 1/4 COR OF SEC 5, S 673.06, ELY 15, CONT ELY 792.79 TO POB, CONT ELY 255.93, SLY 139.48, WLY 255.92, NLY 139.49 TO POB AKA: LOT 4 TRACT 14

Generally described as 16541 SW 62nd Street; and

WHEREAS, the Gallegos' seek to develop a single family dwelling unit on this parcel, however, the parcels .97 gross acre size is less than the Rural Estates minimum land use and zoning requirement of 1.0 acre; and

WHEREAS, although an initial review of this site would indicate that the lot does not conform with the current land use and zoning requirements, Section 2.4(A) of the Broward County Administrative Rules Document provides that zoning that is consistent with the already established density of a developed area shall be deemed to be in substantial conformity with the local land use plan; and

WHEREAS, the Administrative Rules defines a developed area as any residential zoning district in which the predominant density has been established by the development of dwelling units as of November 22, 1977 by existing buildings, buildings under construction, or by active building permits; and

WHEREAS, at a duly noticed public hearing held on April 14, 2005, the Town Council reviewed the parcel to determine whether the parcel lies within a "Developed Area" as defined by Section 2.4 of the Administrative Rules Document;

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 April 14th, 2005, following the review of the staff report and all written and oral evidence received during the public hearing, the Town Council hereby finds that the property generally located at 16541 SW 62nd Street lies within a "Developed Area" as defined by Section 2.4 of the Administrative Rules Document and accordingly finds that this .97 gross acre parcel may be developed with a single family dwelling unit.

Section 3. The Mayor, Town Administrator and Town Attorney are each authorized to execute said any and all documents necessary to support the Council's findings.

Section 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 14th day of April 2005, on a motion by Council Member Knight and seconded by Vice Mayor Blanton.

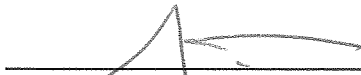
Fink	<u>Y</u>	Ayes	<u>5</u>
Knight	<u>Y</u>	Nays	<u>0</u>
Blanton	<u>Y</u>	Absent or	
Maines	<u>Y</u>	Abstaining	<u>0</u>
Nelson	<u>Y</u>		


Mecca Fink, Mayor

ATTEST:


Shari Canada, Town Clerk

Approved as to Form and Correctness:


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