

RESOLUTION NO. 2007 - 021

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE BELLA RANCH ESTATES, LLC SITE PLAN TO CONSTRUCT A TOTAL OF FOUR SINGLE FAMILY DWELLING UNITS, ONE ON EACH OF THE FOUR LOTS DESIGNATED IN THE HUMPHRIES HIDEAWAY PLAT, LOCATED ON THE WEST SIDE OF SW 136th AVENUE, APPROXIMATELY THIRTEEN HUNDRED (1,300) FEET NORTH OF STIRLING ROAD; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, the Bella Ranch Estates Site Plan is described as:

Parcels A, B, C & D, HUMPHRIES HIDEAWAY, according to the Plat thereof, as recorded in Plat Book 169, Page 3 of the Public Records of Broward County, Florida.; and

WHEREAS, the property is generally located on the west side of 136th Avenue, approximately thirteen hundred (1,300) feet north of Stirling Road; and

WHEREAS, on July 14, 2005 the Town Council approved Resolution No. 2005-98, a delegation request to divide the 8.03 net acre property into 4 lots; and

WHEREAS, in conformity with the delegation request, the applicant is requesting site plan approval to construct a total of four single family dwelling units, one on each of the four lots; and

WHEREAS, access to the site will be from SW 136th Avenue via a fifty foot private roadway, drainage and utility easement, which will be called Bella Ranch Lane; and

WHEREAS, the roadway is to be maintained by the subdivision homeowners pursuant to a private roadway easement and maintenance agreement (O.R.B. 42442, Pg 420, BCR); and

WHEREAS, a 10-foot utility easement has been provided for access to all lots; and

WHEREAS, a drainage easement runs the entire length of the south border of the plat, and a berm is provided around the perimeter; and

WHEREAS, the entrance to the subdivision shall not be gated and no entry feature has been proposed; and

WHEREAS, street lighting, sidewalks, and curb and gutter shall not be permitted; and

WHEREAS, all landscaping shall conform with the Town's requirements; and

WHEREAS, since the Town's trail system runs north/south along the west side of SW 136th Avenue, and crosses over the proposed ingress/egress easement of this subdivision, the applicant has agreed to provide and to maintain a 12-foot wide stabilized path through the swale of the 50-foot easement that accesses SW 136th Avenue from the subdivision.

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 December 14th, 2006, following the review of the staff report and all written and oral evidence received during the advertised public hearing, the Town Council hereby approves the Bella Ranch Estates, LLC Site Plan subject to the following agreed upon conditions:

- a. Construction drawings and permits shall comply with all remaining DRC technical requirements.
- b. Prior to the issuance of the first building permit, the applicant shall provide proof of payment of any applicable Town impact fees.
- c. Prior to the issuance of the first single-family building permit, the applicant shall construct all required site improvements as delineated by the DRC.
- d. In the event the Town's waste hauler declines to pickup waste on Bella Ranch Lane, all waste shall be placed on the South side of the access easement off of 136th Avenue.

e. In the event the United States Post Office declines to deliver mail on Bella Ranch Lane, all mailboxes shall be placed on the North side of the access easement off of 136th Avenue.

f. There shall be no private restrictions on animals kept within the property.

g. There shall be no entrance security gate or street lighting.

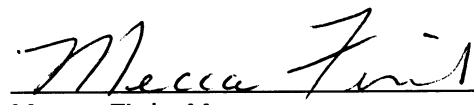
h. The owner shall provide and shall maintain a 12-foot wide stabilized path through the swale of the 50-foot easement that accesses SW 136th Avenue from the subdivision.

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.

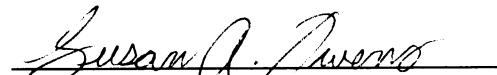
Section 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 14th day of December 2006, on a motion by Council Member Aster Knight and seconded by Council Member Jeff Nelson.

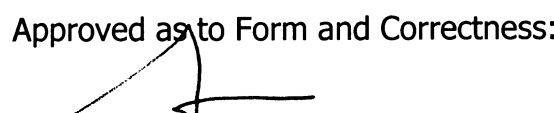
Fink	<u>Y</u>	Ayes	<u>5</u>
Maines	<u>Y</u>	Nays	<u>0</u>
Breitkreuz	<u>Y</u>	Absent	<u>0</u>
Knight	<u>Y</u>	Abstaining	<u>0</u>
Nelson	<u>Y</u>		


Mecca Fink, Mayor

ATTEST:


Susan A. Owens, Town Clerk

Approved as to Form and Correctness:


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

FTL_DB: 1024551_1

SP-022-06 Bella Ranch Estates

