

RESOLUTION NO. 2008-040

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE CORTES ESTATE PLAT; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE SAID PLAT; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, the Cortes Estate Plat is legally described as:

A PORTION OF THE SOUTH ½ OF TRACT 22 "THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION OF SECTIONS 6,7,18, 19, 30 AND 31, TOWNSHIP 51 SOUTH, RANGE 41 EAST AND THE EAST HALF OF TOWNSHIP 51 SOUTH, RANGE 40 EAST", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 AT PAGE 39 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA NORTHWEST ¼ OF SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA.

WHEREAS, the subject site consists of 2.588 net acres located along Luray Road approximately 660 feet west of SW 130th Avenue and 1,850 feet east of SW 136th Avenue; and

WHEREAS, the applicant is platting the property in order to build one (1) single-family residence on an existing lot of record; and

WHEREAS, the property has a Rural Ranch (RR) Land Use and a Rural Ranch (RR) zoning designation, both of which allow residential development at one (1) unit per two (2) net acres, or one (1) unit per two and one-half (2.5) gross acres; and

WHEREAS, the lot will contain approximately 2.588 gross acres and will have 147 feet of frontage off of Luray Road, satisfying the minimum width requirement of 125 feet; and

WHEREAS, the lot has direct access to Luray Road; and

WHEREAS, Central Broward Water Control District has approved the plat for first signoff; and

WHEREAS, at the request of FPL, this plat dedicates a ten (10) foot utility easement abutting Luray Road right-of-way and a six (6) foot utility easement running along the east and west perimeter of the proposed plat; and

WHEREAS, the applicant proposes to utilize a well and septic tank for water and sewer; and

WHEREAS, the owner has paid the applicable Park Impact Fees required by the Town's Unified Land Development Code.

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 7th, 2008, following the review of the staff report and all written and oral evidence received during the public hearing, the Town Council hereby approves the Cortes Estate Plat subject to the following stipulated conditions:

- a. That there is sufficient capacity of the regional roadway network as determined by Broward County. In the event that sufficient capacity is not met, then the plat shall be deemed denied by the Town of Southwest Ranches.
- b. That the Town Attorney will review and will approve all necessary legal information, including the Opinion of Title, which must be certified to the Town and updated within 30 days of second and final signoff by the Town.
- c. That a cost estimate must be approved, and security must be provided pursuant to Section 90-160 of the Town's Unified Land Development Code for all offsite and onsite improvements as required by the Town Engineer and the Drainage District prior to second signoff by the Town.
- d. That the applicant shall pay to the Town an amount equal to the total expenses incurred by the Town in processing and finalizing this plat, prior to second and final signoff of the plat. This includes, but may not be limited to, expenses for engineering, planning, legal, advertising, a 5 percent administrative fee, and any related expenses that the Town has or will incur as a direct cost of this plat.
- e. That the applicant acknowledges and understands that the Town Council is concerned about the width of this lot and that if the design of the home

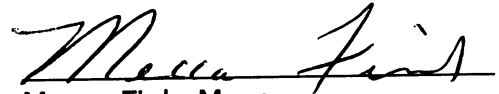
does not meet the requirements of the Unified Land Development Code it shall be deemed to be a self imposed hardship.

Section 3. The Mayor, Town Administrator and Town Attorney are each authorized to execute said plat.


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 7th day of February 2008, on a motion by Council Member Don Maines and seconded by Vice Mayor Jeff Nelson.

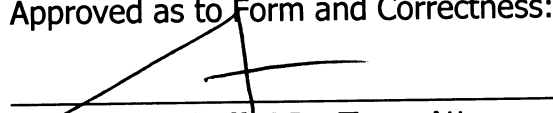
Fink	<u>Y</u>	Ayes	<u>5</u>
Nelson	<u>Y</u>	Nays	<u>0</u>
Breitkreuz	<u>Y</u>	Absent	<u>0</u>
Knight	<u>Y</u>	Abstaining	<u>0</u>
Maines	<u>Y</u>		


Mecca Fink, Mayor

ATTEST:


Susan A. Owens, Town Clerk

Approved as to Form and Correctness:


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

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