

RESOLUTION NO. 2008 - 070

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA REPEALING RESOLUTION NO. 2008-046 WHICH ESTABLISHED A ZONING IN PROGRESS, PURSUANT TO SECTION 005-240 OF THE TOWN'S UNIFIED LAND DEVELOPMENT CODE, TO ESTABLISH MINIMUM PLOT SIZES FOR NEW AGRICULTURAL USES OF LAND; PROHIBITING THE ESTABLISHMENT OF ANY AGRICULTURAL USE ON ANY PLOT OF LAND SMALLER THAN 2.3 ACRES IN NET AREA WITHIN THE RURAL ESTATE DISTRICT, OR 4.5 ACRES IN NET AREA WITHIN ALL OTHER ZONING DISTRICTS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, March 7th, 2008 the Town Council enacted Resolution No. 2008-046, which established a zoning in progress to establish minimum lot sizes for new agricultural uses of land and to prohibit the establishment of any agricultural use on any plot smaller than 2.3 acres in net area within the Rural Estates District, or 4.5 acres in net area within all other zoning district; and

WHEREAS, after reviewing this issue in further detail, the Town Council desires to terminate the zoning in progress.

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 Ordinance.

Section 2: That the Town Council hereby revokes Resolution No. 2008-046, which established a zoning in progress to establish minimum lot sizes for new agricultural uses of land and to prohibit the establishment of any agricultural use on any plot smaller than 2.3 acres in net area within the Rural Estates District, or 4.5 acres in net area within all other zoning district.

Section 3: 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 4: 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Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.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 5: Effective Date. That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 5th day of June 2008, on a motion by Council Member Aster Knight and seconded by Council Member Don Maines.

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. Oweris, CMC, Town Clerk

Approved as to Form and Correctness:



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

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