

RESOLUTION NO. 2008-072

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE SEAVISIONS SITE PLAN TO DEVELOP A 4,000 SQUARE-FOOT CORAL FARM BUILDING LOCATED ON THE SOUTH SIDE OF EAST PALOMINO DRIVE, EAST OF SW 142ND AVENUE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATORS 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 Seavisions Site Plan is described as:

THE WEST 330 FEET OF TRACT 2, SECTION 34, TOWNSHIP 50 SOUTH, RANGE 40 EAST, OF "EVERGLADES SUGAR AND LAND CO. SUBDIVISION," AS RECORDED IN PLAT BOOK 1, PAGE 152 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA. LESS THE NORTH 30.00 FEET FOR ROAD RIGHT OF WAY, AS RECORDED IN RECORDS BOOK 4230, PAGE 627 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

WHEREAS, the property is generally located at 13810 East Palomino Drive; and

WHEREAS, the property contains approximately 2.275 acres in area; and

WHEREAS, the site is zone Rural Ranches (RR) and contains a Rural Ranch (RR) land use designation; and

WHEREAS, the site is currently occupied by a single family home with ancillary improvements; and

WHEREAS, the applicant is seeking to keep the single family home and to develop a 4,000 square-foot coral farm building containing 1,613 square feet of office and display area, and 2,387 square feet of coral growing area; and

WHEREAS, fish breeding is a permitted use in the RR district, and the growing of coral may be considered part of that permitted use; and

WHEREAS, the applicant will be providing a fifty (50) foot setback from the west side property line; and

WHEREAS, the applicant will install a five (5) foot landscape strip between the paved parking area and the west property line; and

WHEREAS, a retaining wall, that will vary in height, will be installed on the west property line adjacent to a cocoplum hedge; and

WHEREAS, the applicant will also be providing some landscaping between the west side of the building and the parking area that will consist of live oak, dwarf ilex holly shrubs and golden duranta ground cover; and

WHEREAS, landscape accents around the building will include sabal palm, cypress and live oak trees; and

WHEREAS, the applicant will work with the Town's Landscape Inspector in successfully relocating four native trees; and

WHEREAS, the site plan provides six (6) parking spaces with no parking lot lighting; and

WHEREAS, the Seavisions building shall not exceed 27 feet 8 inches in height and shall have a maximum of 8.1 percent plot coverage and a 65.5 percent pervious area; and

WHEREAS, water and sewer for the site will be provided via well and septic tank and the Central Broward Water Control District has reviewed and approved the site plan; and

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 July 10, 2008, 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 Seavisions Site Plan subject to the following agreed upon conditions:

- a. The applicant provides additional tree cover on the west side of the building and along the west property line in order to soften the industrial proportions and appearance of the Seavisions building. The applicant shall work with the Town's Landscape Inspector to determine the

appropriate landscaping, which may also include the use of vines on the side of the building.

b. The site shall conform to the Town's Code in regards to tree preservation and abuse and all other applicable Code regulations.

c. The retaining wall shall be designed to be a functional, yet decorative element of the site plan. The applicant shall submit specifications for staff approval prior to permit approval.

d. The Town's Planning Department shall approve the elevations that best assimilate the proposed building with the surrounding neighborhood.

e. No signage has been provided and the applicant has stipulated that the Town Council shall approve any and all signage on the property through a site plan modification.

f. Construction drawings shall comply with remaining DRC technical issues.

g. The Applicant shall pay to the town of Southwest Ranches an amount equal to the total expenses incurred by the town in the processing and finalizing of this application, prior to the issuance of the first building permit. This includes, but may not be limited to, expenses for engineering, planning, legal, advertising, five (5) percent administrative fee, and any related expenses that the Town has or will incur as a direct cost of this application.

h. In no event shall this operation or use generate more than ten (10) trips a day.

i. Deliveries shall not occur prior to 9:00 a.m. or later than 5:00 p.m. Monday thru Friday. Weekend deliveries are prohibited.

j. Any change in use, or operation, shall require Town Council approval of a site plan modification.

k. This property shall not be open to the general public, and may not be utilized as an educational facility or other public attraction.

l. To help further buffer this property from the surrounding area, the applicant shall work with the Town's Landscape Inspector to increase the landscaping, especially towards the front of the building. Further, the applicant's indicated landscaping shall be in accordance with the Town's

Landscape Inspector comments dated 6/10/08 prior to issuance of C.O., temporary or otherwise.

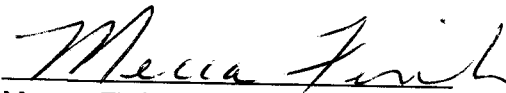
m. The parking area shall be a pervious stabilized surface instead of asphalt or the like, if in accordance with Federal law.

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.

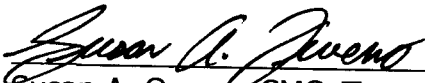
Section 4. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 10th day of July, 2008, on a motion by Council Member Steve Breitkreuz and seconded by Council Member Aster Knight.

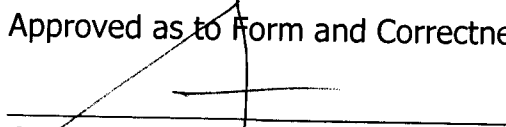
Fink	<u>Y</u>	Ayes	<u>5</u>
Nelson	<u>Y</u>	Nays	<u>0</u>
Breitkreuz	<u>Y</u>	Absent	<u>0</u>
Knight	<u>Y</u>	Abstaining	<u>0</u>
Maines	<u>Y</u>		


Mecca Fink, Mayor

ATTEST:


Susan A. Owens, CMC, Town Clerk

Approved as to Form and Correctness:


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

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