

RESOLUTION NO. 2009-001

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A SITE PLAN MODIFICATION FOR THE TOWN'S TEMPORARY PUBLIC SAFETY BUILDING; APPROVING CERTAIN WAIVERS FROM THE TOWN'S UNIFIED LAND DEVELOPMENT CODE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, the Town of Southwest Ranches' temporary public safety building will be developed on the parcel of land legally described as Parcel A, According to the Plat of the Public Facility Safety Complex, as Recorded in Plat Book 174 at Page 57 of the Public Records of Broward County, Florida, said lands lying and being in the Town of Southwest Ranches, Broward County, Florida;

Generally located on the southwest corner of Griffin Road and S.W. 172nd Avenue; and

WHEREAS, on March 8th, 2007, pursuant to Resolution No. 2007-048, the Town Council approved the initial site plan for the temporary public safety building and approved several waivers from various code requirements; and

WHEREAS, on June 5, 2008, pursuant to Resolution 2008-106, the Town Council approved a revised site plan and additional waivers; and

WHEREAS, the Broward County Sheriff's Office recently donated four (4) awnings to the Town; and

WHEREAS, three (3) of the awnings are fifteen (15) feet by forty-five (45) feet in size and will be used for the temporary shelter to the Town's fire fighting apparatus; and

WHEREAS, the fourth awning is fourteen (14) feet by forty (40) feet in size, and will be used to shade the north side of the temporary public safety building; and

WHEREAS, the addition of the awnings increases the site's plot coverage to 14.5 percent; and

WHEREAS, Sec. 045-080(A) of the ULDC limits plot coverage in the RR District to 10 percent of the site area; and

WHEREAS, in order for the Council to approve the site plan modification, it must waive the 10 percent plot coverage limitation; and

WHEREAS, the waiver is authorized under Sec. 005-250, "Town Uses", which provides that the provisions of the ULDC are not intended, and shall not be construed, to preclude the use of any property by the Town of Southwest Ranches in any Town governmental capacity, function or purpose as determined by the Town Council; and

WHEREAS, the Town Council, after having considered the request and evidence submitted, criteria set forth in the Town's Unified Land Development Code, the analysis of the Town Staff, and comments from other interested parties, upon a motion duly made and acted upon, has determined that the Town has demonstrated by competent substantial evidence that conceptual site plan should be approved and that the waivers comply with 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 October 2nd, 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 modified site plan relating to the Town's public safety building.

Section 3. That upon reviewing the testimony and the evidence submitted at a duly noticed public hearing held on October 2nd, 2008, the Town Council concurs with the Staff Report and finds that that in addition to the waivers granted pursuant to Resolution's No. 2007-048 and 2008-106, the Town has demonstrated by competent substantial evidence that the waiver relating to Section 045-080(A) (plot coverage, floor area ratio and pervious area) is warranted and is hereby granted.

Section 4. That this modified site plan approval and waivers relates to the real property described as follows:

PARCEL A, ACCORDING TO THE PLAT OF PUBLIC FACILITY SAFETY COMPLEX, AS RECORDED IN PLAT BOOK 174 AT PAGE 57 OF THE PUBLIC

RECORDS OF BROWARD COUNTY, FLORIDA. SAID LANDS SITUATE IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA.

Generally located on the southwest corner of Griffin Road and S.W. 172nd Avenue.

Section 5. The Mayor, Town Administrator and Town Attorney are hereby authorized to execute any and all documents necessary and proper to effectuate the intent of this Resolution.

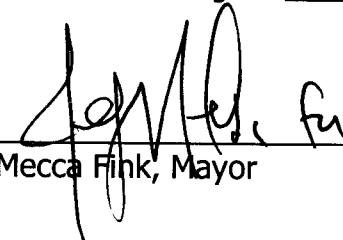
Section 6. Severability. If any word, phrase, clause, sentence or section of this Resolution is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Resolution.

Section 7. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 2nd day of October 2008, on a motion by Council Member Don Maines and seconded by Council Member Aster Knight.

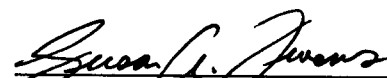
Fink	<u>Y</u>
Maines	<u>Y</u>
Breitkreuz	<u>Y</u>
Knight	<u>Y</u>
Nelson	<u>Y</u>

Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</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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