

**RESOLUTION NO. 2010-053**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING NEW HOPE'S, INC. (DE-012-09) DELEGATION REQUEST TO INCREASE THE SONSHINE ACRES PLAT'S RESTRICTIVE NOTE FROM 6,425 SQUARE FEET OF CHURCH USE TO 25,000 SQUARE FEET OF CHURCH USE AND ANCILLARY SCHOOL USE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE DELEGATION REQUEST; AND PROVIDING AN EFFECTIVE DATE THEREFOR.**

**WHEREAS**, the Sunshine Acres Plat is legally described as:

THE EAST ONE-HALF (E ½) OF TRACTS 3 AND 4, "FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1", OF SECTION 5, TOWNSHIP 51 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LESS THE WEST 330.00 FEET THEREOF, AND LESS THE EAST 15.00 FEET OF SAID SECTION 4, (FIVE), SAID LANDS LYING AND BEING IN BROWARD COUNTY, FLORIDA, SAID LANDS CONTAINS 4.804 ACRES MORE OR LESS.

**WHEREAS**, the New Hope Church is located within the Sunshine Acres Plat, originally recorded on December 24, 1985, in Plat Book 125, Page 47; and

**WHEREAS**, the 4.2 acre plat was originally restricted to 46,811 square feet of church use, with residential uses not permitted; and

**WHEREAS**, the plat's use restriction was amended on November 5, 1991 to limit the church use to 6,425 square feet; and

**WHEREAS**, the southern 1.1 acres of the plat contains a building of approximately 5,540 square feet in area, used as the church premises, a paved parking area, and a patio of approximately 2,500 square feet, intended for outdoor gatherings; and

**WHEREAS**, the northern 2.75 ± acres of the plat remain vacant; and

**WHEREAS**, the Applicant is requesting to amend the Sunshine Acres Plat restrictive note from 6,425 square feet of church use to 25,000 square feet of church use and ancillary school use; and

**WHEREAS**, the church plans to construct a 10,000 square-foot addition to the existing building, with a 3,900 square foot second-story, and a detached 5,000 square foot modular building; and

**WHEREAS**, the church also plans to utilize approximately 7,000 square feet for students of the Southwest Ranches Christian Academy; and

**WHEREAS**, the ULDC permits schools as principal or accessory uses in the CF District provided the property is designated Community Facility on the Future Land Use Map; and

**WHEREAS**, since this parcel has a Community Facility land use and zoning the uses described herein are consistent with the Town's Code; and

**WHEREAS**, all other terms and conditions set forth in the original plat approval and resolution are to remain in full force and effect.

**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 April 15, 2010, following the review of the staff report and all written and oral evidence received during the public hearing, the Town Council hereby approves the New Hope, Inc. Delegation Request DE-012-09 to amend the Sunshine Acres Plat's restrictive note from 6,425 square feet of church use to 25,000 square feet of church use and ancillary school use.


**Section 3.** The Mayor, Town Administrator and Town Attorney are each authorized to execute any and all documents necessary to effectuate this delegation request.

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

**PASSED AND ADOPTED** this 15<sup>th</sup> day of April, 2010, on a motion made by Council Member McKay and seconded by Council Member Breitkreuz.

Nelson	<u>AYE</u>
Knight	<u>AYE</u>
Breitkreuz	<u>AYE</u>
Fisikelli	<u>AYE</u>
McKay	<u>AYE</u>

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



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Jeff Nelson, Mayor

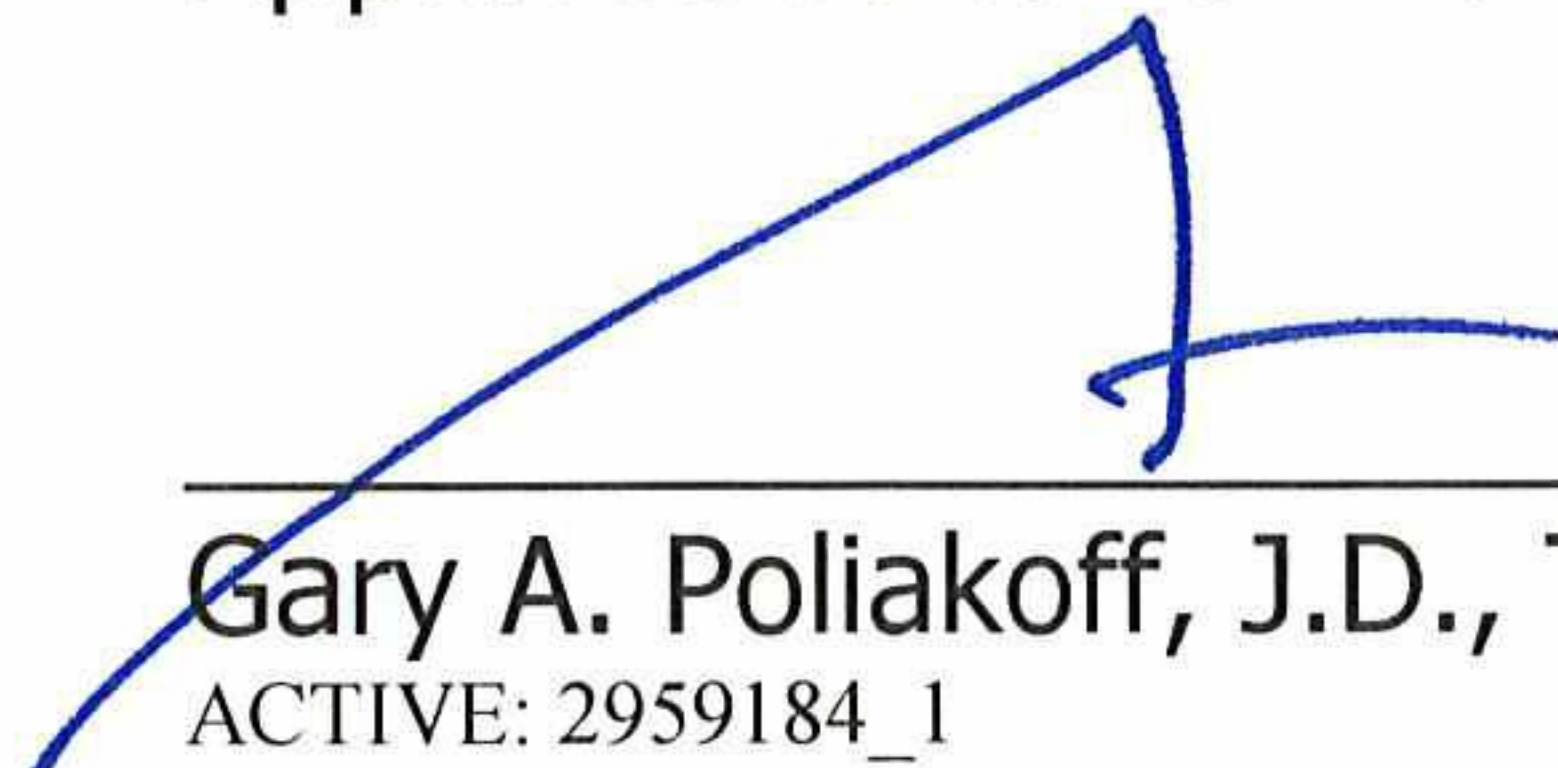
Attest:



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Debra Doré-Thomas, CMC, Town Clerk

Approved as to Form and Correctness:



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Gary A. Poliakoff, J.D., Town Attorney  
ACTIVE: 2959184\_1