

RESOLUTION NO. 2011- 055

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE CHINESE AMERICAN BENEVOLENT ASSOCIATION'S, INC. DELEGATION REQUEST (DE-017-11), TO AMEND ITS PLAT NOTE TO ALLOW FOR SINGLE-FAMILY RESIDENTIAL USE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS DELEGATION REQUEST; AND PROVIDING AN EFFECTIVE DATE THEREFORE.

WHEREAS, the Chinese American Benevolent Association ("CABA") Cultural Plat is legally described as:

THE SOUTH ONE-HALF (S¹/₂) LESS THE NORTH 264 FEET THEREOF (AS MEASURED ALONG THE WEST LINE), OF TRACT 57 IN SECTION 3, TOWNSHIP 51 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT OF "EVERGLADES SUGAR AND LAND CO. SUBDIVISION" OF SAID SECTION 3, AS RECORDED IN PLAT BOOK 2, PAGE 39, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; LESS ALL THAT PART THEREOF LYING WITHIN 60,000 FEET OF THE SOUTH LINE OF SAID SECTION 3 AND LESS ALL THAT PART THEREOF LYING WITHIN 30.00 FEET OF THE WEST LINE OF THE SE ¹/₄ OF SAID SECTION 3 CONTAINING 2.393 ACRES SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

WHEREAS, the CABA Cultural Center Plat was recorded in Plat Book 55, Page 16, on December 7, 1993; and

WHEREAS, the Plat restricted the property to 4,000 square feet of community center use, with residential uses not permitted without the approval of the Board of County Commissioners; and

WHEREAS, the property contains a building of approximately 4,000 square feet that was originally intended to be a meeting and administrative facility for the Chinese American Benevolent Association; and

WHEREAS, the property also contains wetland area on its north and west sides that cover approximately 0.75 acres; and

WHEREAS, on April 15, 2010, pursuant to Resolution 2010-054, the applicant obtained Town Council approval to amend its plat note from commercial to residential use; and

WHEREAS, since the applicant failed to record its plat note amendment within eighteen months from the date of the Town Council's approval, the plat note amendment application has expired; and

WHEREAS, the applicant desires to renew the Town's approval so that it can finalize and record its plat note amendment; and

WHEREAS, all other terms and conditions set forth in Resolution 2010-054 shall 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 May 12, 2011, following the review of the staff report and all written and oral evidence received during the public hearing, the Town Council hereby approves the Chinese American Benevolent Association, Inc. Delegation Request DE-017-11 to modify its plat note

FROM: 4,000 square feet of community center use, residential use not permitted without the approval of the Board of County Commissioners;


TO: allow single family residential use, consistent with the RR zoning district requirement.

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

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 12th day of May, 2011, on a motion by Council Member Doug McKay and seconded by Council Member Gary Jablonski.

Nelson	<u>AYE</u>	Ayes	<u>5</u>
Fisikelli	<u>AYE</u>	Nays	<u>0</u>
Breitkreuz	<u>AYE</u>	Absent	<u>0</u>
Jablonski	<u>AYE</u>	Abstaining	<u>0</u>
McKay	<u>AYE</u>		


Jeff Nelson, Mayor

ATTEST:


Erika Gonzalez-Santamaria, CMC, Town Clerk

Approved as to Form and Correctness:


Keith M. Poliakoff, J.D., Town Attorney
ACTIVE: 3375411_1