



# Southwest Ranches Town Council

## REGULAR MEETING Agenda of February 11, 2021

Southwest Ranches Council Chambers  
7:00 PM Thursday

13400 Griffin Road  
Southwest Ranches, FL 33330

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| <b><u>Mayor</u></b><br>Steve Breitkreuz  | <b><u>Town Council</u></b><br>Jim Allbritton<br>Gary Jablonski<br>David Kuczenski | <b><u>Town Administrator</u></b><br>Andrew D. Berns, MPA                    | <b><u>Town Attorney</u></b><br>Keith M. Poliakoff, J.D.                            |
| <b><u>Vice Mayor</u></b><br>Bob Hartmann |   | <b><u>Town Financial<br/>Administrator</u></b><br>Martin Sherwood, CPA CGFO | <b><u>Assistant Town<br/>Administrator/Town Clerk</u></b><br>Russell C. Muniz, MPA |

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In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Town Clerk at (954) 434-0008 for assistance no later than four days prior to the meeting.

1. **Call to Order/Roll Call**
2. **Pledge of Allegiance**

### Quasi-Judicial Hearings

Please be advised that the following item on the Council agenda is quasi-judicial in nature. All witnesses who will testify on any item in this portion of the Agenda will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross-examination if they are not sworn. However, the Council shall not assign un-sworn testimony the same weight or credibility as sworn testimony in its deliberations.

The applicant has the burden of proof. After the applicant's concluding remarks, the hearing will be closed and no additional testimony, material or argument will be allowed unless the Council chooses to request additional testimony. The members of the Town Council will then deliberate.

All evidence relied upon by reasonably prudent persons in the conduct of their affairs may be considered in these proceedings, regardless of whether such evidence would be admissible in a court. Hearsay evidence may supplement or explain other evidence, but shall not alone support a conclusion unless it would be admissible over objection in court. The material in the Town Council agenda will be considered as evidence without authentication.

Anyone representing an organization must present written evidence of his or her authority to speak on behalf of the organization in regard to the matter under consideration. Each person who appears during a public hearing shall identify himself or herself and give their address, and if appearing on behalf of an organization state the name and mailing address of the organization. The Council may, on its own motion or at the request of any person, continue the hearing to a fixed date, time and

place.

No notice shall be required if a hearing is continued to a fixed date, time and place. Any Applicant shall have the right to request and be granted one continuance; however, all subsequent continuance shall be granted at the discretion of the Council and only upon good cause shown.

**3. Waiver of Plat No. WP-26-20**

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-26-20 TO SUBDIVIDE 4.78 NET ACRES OF PROPERTY INTO TWO LOTS OF 2.0 AND 2.78 ACRES; GENERALLY LOCATED ON THE WEST SIDE OF HOLATEE TRAIL APPROXIMATELY 2,000 FEET SOUTH OF PALOMINO DRIVE; LEGALLY DESCRIBED AS THE NORTH HALF OF TRACT 8 LESS THE EAST 20 FEET, EVERGLADE SUGAR AND LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 152 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; SAID LANDS LYING AND BEING IN BROWARD COUNTY, FLORIDA; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

**4. Waiver of Plat No. WP-27-20**

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-27-20 TO SUBDIVIDE 4.42 NET ACRES OF PROPERTY INTO TWO LOTS OF 2.0 AND 2.42 ACRES; GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE MUSTANG AND APPALOOSA TRAILS INTERSECTION; LEGALLY DESCRIBED AS THE SOUTH HALF OF TRACT 37, LESS THE SOUTH 40 FEET AND LESS THE EAST 20 FEET THEREOF, SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST OF THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 39 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS LYING AND BEING SITUATE IN BROWARD COUNTY, FLORIDA; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

**5. Waiver of Plat No. WP-28-20**

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-28-20 TO SUBDIVIDE 4.0 NET ACRES OF PROPERTY INTO TWO LOTS OF 2.0 ACRES EACH; GENERALLY LOCATED SOUTH OF STIRLING ROAD ON THE WEST SIDE OF STALLION WAY, AND GENERALLY DESCRIBED AS LOT 2 AND A PORTION OF LOT 3 OF LANDMARK AT STERLING RANCHES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK

170, PAGE 14 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

**6. Plat Note Amendment Application No. DG-24-20**

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING PLAT NOTE AMENDMENT APPLICATION NO. DG-24-20 TO INCREASE THE NUMBER OF SINGLE-FAMILY RESIDENCES AUTHORIZED ON THE FACE OF THE LANDMARK AT STERLING RANCHES PLAT IN ASSOCIATION WITH WAIVER OF PLAT APPLICATION NO. WP-28-20; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

**7. Public Comment**

- All Speakers are limited to 3 minutes.
- Public Comment will last for 30 minutes.
- All comments must be on non-agenda items.
- All Speakers must fill out a request card prior to speaking.
- All Speakers must state first name, last name, and mailing address.
- Speakers will be called in the order the request cards were received.
- Request cards will only be received until the first five minutes of public comment have concluded.

**8. Board Reports**

**9. Council Member Comments**

**10. Legal Comments**

**11. Administration Comments**

**Ordinance - 2nd Reading**

**12. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN, PERTAINING TO THE US HIGHWAY 27 BUSINESS LAND USE CATEGORY; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; REQUESTING RECERTIFICATION BY THE BROWARD COUNTY PLANNING COUNCIL; AND, PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-4) {Approved on First Reading October 8, 2020}**

**13. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE (“ULDC”) TO CREATE A NEW ZONING CLASSIFICATION ENTITLED, “US HIGHWAY 27 PLANNED BUSINESS DISTRICT;” PROVIDING FOR DISTRICT REGULATIONS AND RELATED AMENDMENTS; PROVIDING FOR CODIFICATION;**

**PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading - October 8, 2020}**

**Resolutions**

- 14. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING A PURCHASE ORDER TO AMERICAN PRIDE MECHANICAL IN THE AMOUNT OF TWENTY EIGHT THOUSAND FOUR HUNDRED AND FORTY EIGHT DOLLARS AND ZERO CENTS (\$28,448.00) TO REPLACE FIVE AIR-CONDITIONER UNITS SERVICING THE TOWN COUNCIL CHAMBERS AND THE TOWN HALL ADMINISTRATIVE OFFICES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

**Discussion**

- 15. Annual Review of Charter Officials - Tabled from January 28, 2021**
- 16. Proposed FY 2021-2022 Budget Calendar**
- 17. Approval of Minutes**
  - a. October 8, 2020 Regular Meeting**
  - b. October 22, 2020 Regular Meeting**
  - c. November 19, 2020 Regular Meeting**
  - d. December 10, 2020 Regular Meeting**
- 18. Adjournment**

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.



**Town of Southwest Ranches**  
13400 Griffin Road  
Southwest Ranches, FL 33330-2628

(954) 434-0008 Town Hall  
(954) 434-1490 Fax

**Town Council**  
Steve Breitkreuz, *Mayor*  
Bob Hartmann, *Vice Mayor*  
Jim Allbritton, *Council Member*  
Gary Jablonski, *Council Member*  
David Kuczenski, *Council Member*

Andrew D. Berns, MPA, *Town Administrator*  
Keith M. Poliakoff, JD, *Town Attorney*  
Russell Muniz, MPA, *Assistant Town Administrator/Town Clerk*  
Martin D. Sherwood, CPA, CGMA, CGFO, *Town Financial Administrator*

## **COUNCIL MEMORANDUM**

**TO:** Honorable Mayor Breitkreuz and Town Council  
**VIA:** Andrew Berns, Town Administrator  
**FROM:** Jeff Katims  
**DATE:** 2/11/2021  
**SUBJECT:** Waiver of Plat No. WP-26-20

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### **Recommendation**

Staff recommends approval.

### **Unanimous Vote of the Town Council Required?**

Yes

### **Strategic Priorities**

A. Sound Governance

### **Background**

The Petitioner proposes to split the property into an east lot of 2.0 net acres (Lot 1) and a west flag lot of 2.78 net acres (Lot 2). The property is zoned Rural Ranches, which requires a minimum two net acres of lot area.

Please refer to the staff report for additional information.

### **Fiscal Impact/Analysis**

N/A

### **Staff Contact:**

Jeff Katims

**ATTACHMENTS:**

| Description                                   | Upload Date | Type            |
|---|-------------|-----------------|
| 37949553-v1-WP-26-20 Resolution - TA Approved | 1/28/2021   | Resolution      |
| Staff report                                  | 1/12/2021   | Backup Material |
| Survey showing proposed lot split             | 1/12/2021   | Exhibit         |
| Public notification mailing list and map      | 1/12/2021   | Exhibit         |

**RESOLUTION NO. 2021-\_\_\_**

**A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-26-20 TO SUBDIVIDE 4.78 NET ACRES OF PROPERTY INTO TWO LOTS OF 2.0 AND 2.78 ACRES; GENERALLY LOCATED ON THE WEST SIDE OF HOLATEE TRAIL APPROXIMATELY 2,000 FEET SOUTH OF PALOMINO DRIVE; LEGALLY DESCRIBED AS THE NORTH HALF OF TRACT 8 LESS THE EAST 20 FEET, EVERGLADE SUGAR AND LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 152 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; SAID LANDS LYING AND BEING IN BROWARD COUNTY, FLORIDA; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 115-070 of the Town of Southwest Ranches Unified Land Development Code ("ULDC") requires Town Council approval of a Plat or Waiver of Plat Application prior to the subdivision of a parcel; and

**WHEREAS**, at a duly noticed public hearing held on January 28, 2021 the Town Council reviewed Waiver of Plat Application No. WP-26-20 by MPC Family Holdings, LLP ("Petitioner") to subdivide 4.78 net acres into two lots of 2.0 and 2.78 acres; and

**WHEREAS**, the proposed subdivision complies with the minimum lot size and dimensional requirements of the effective land use plan and zoning designations, has legal and sufficient access, and will not create or exacerbate any nonconformities with the development standards of the ULDC.

**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 January 28, 2021, following the review of the staff report and all written and oral evidence received during the public hearing, the Town Council hereby approves Waiver of Plat Application No. WP-26-20 to subdivide the property described in Exhibit "A" attached hereto and made a part hereof, into two parcels described and depicted in Exhibit "B" attached hereto and made a part hereof.

**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 approval shall expire 180 days from the date of approval if this Resolution is not first recorded in the Public Records of Broward County, Florida.

**Section 5.** This Resolution shall become effective upon its recordation.

**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this \_\_\_ day of \_\_\_\_\_ 2021, on a motion by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Breitkreuz \_\_\_\_\_  
Hartmann \_\_\_\_\_  
Allbritton \_\_\_\_\_  
Jablonski \_\_\_\_\_  
Kuczenski \_\_\_\_\_

Ayes \_\_\_\_\_  
Nays \_\_\_\_\_  
Absent \_\_\_\_\_  
Abstaining \_\_\_\_\_

\_\_\_\_\_  
Steve Breitkreuz, Mayor

ATTEST:

\_\_\_\_\_  
Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

\_\_\_\_\_  
Keith Poliakoff, J.D., Town Attorney  
37949553.1

## **Exhibit "A"**

### **Parent Tract Legal Description**

**THE NORTH 1/2 OF TRACT 8, LESS THE EAST 20 FEET THEREOF, "THE EVERGLADE SUGAR & LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50S., RANGE 40E.", ACCORDING TO THE PLAT THEREOF, 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.**

## **Exhibit "B"**

### **Legal description of Subdivided Lots**

#### **LOT 1**

##### **LEGAL DESCRIPTION:**

**A PORTION OF THE NORTH 1/2 OF TRACT 8, "THE EVERGLADE SUGAR & LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50S., RANGE 40E.", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 152, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 34; THENCE SOUTH 89°43'02" WEST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34 FOR 40.01 FEET; THENCE NORTH 01°47'52" WEST ALONG A LINE LYING 40.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34 FOR 165.09 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF SW 136TH AVENUE (HOLATEE TRAIL) AS RECORDED IN OFFICIAL RECORDS BOOK 4230, PAGE 627, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 89°43'01" WEST ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID TRACT 8 FOR 624.01 FEET; THENCE NORTH 00°17'00" WEST 140.03 FEET; THENCE NORTH 89°43'00" EAST ALONG A LINE LYING 25.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID TRACT 8 FOR 620.30 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SW 136TH AVENUE (HOLATEE TRAIL), THE AFOREMENTIONED LINE LYING 40.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34; THENCE SOUTH 01°47'52" EAST ALONG SAID PARALLEL LINE 140.08 FEET TO THE POINT OF BEGINNING.**

**SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, AND CONTAINING 87,120 SQUARE FEET (2.0000 ACRES), MORE OR LESS.**

**LOT 2**

**LEGAL DESCRIPTION:**

**A PORTION OF THE NORTH 1/2 OF TRACT 8, "THE EVERGLADE SUGAR & LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50S., RANGE 40E.", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 152, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 34; THENCE SOUTH 89°43'02" WEST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34 FOR 40.01 FEET; THENCE NORTH 01°47'52" WEST ALONG A LINE LYING 40.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34 FOR 305.17 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF SW 136TH AVENUE (HOLATEE TRAIL) AS RECORDED IN OFFICIAL RECORDS BOOK 4230, PAGE 627, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 89°43'00" WEST 620.30 FEET; THENCE SOUTH 00°17'00" EAST 140.03 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF SAID TRACT 8; THENCE SOUTH 89°43'01" WEST ALONG SAID SOUTH LINE 631.96 FEET TO A POINT ON A LINE LYING 5.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID TRACT 8; THENCE NORTH 01°48'59" WEST ALONG SAID PARALLEL LINE 165.08 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 8; THENCE NORTH 89°43'00" EAST ALONG SAID NORTH LINE 1256.02 FEET TO A POINT ON THE AFOREMENTIONED WEST RIGHT-OF-WAY LINE AND SAID LINE LYING 40.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34; THENCE SOUTH 01°47'52" EAST ALONG SAID RIGHT-OF-WAY LINE AND PARALLEL LINE 25.01 FEET TO THE POINT OF BEGINNING.**

**SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, AND CONTAINING 120,154 SQUARE FEET (2.7584 ACRES), MORE OR LESS.**

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**TOWN OF SOUTHWEST RANCHES  
TOWN COUNCIL AGENDA REPORT**

February 11, 2021

- SUBJECT:** Waiver of Plat Application WP-26-20
- LOCATION:** 5401 Holatee Trail, generally located on the west side of Holatee Trail, approximately midway between Stirling Road and Palomino Drive.
- OWNER/  
PETITIONER:** MPC Family Holdings, LLP
- AGENT:** Pulice Land Surveyors
- LAND USE PLAN  
DESIGNATION:** Rural Ranch
- ZONING:** Rural Ranches
- PUBLIC NOTICE:** Legal notice in newspaper and mail notice within 1,500-foot radius
- EXHIBITS:** Staff Report, survey, notification map, and mailing list.

**BACKGROUND AND ANALYSIS**

The Petitioner requests approval of a Waiver of Plat to subdivide 4.78 net acres at 5401 Holatee Trail ("Property") into two lots. The Property measures 165 feet wide by 1,266 feet deep, spanning the full east-to-west distance between Holatee Trail and the unimproved "mid-block" right-of-way known as SW 139<sup>th</sup> Avenue. A 1,200 square-foot house and small pond with covered dock occupy the Property. A driveway extends about halfway into the Property along the north lot line.

The Application proposes to split the Property into an east lot of 2.0 net acres (Lot 1) and a west flag lot of 2.78 net acres (Lot 2). Lot 1 has 140 feet of frontage on Holatee Trail. The "flag" portion of Lot 2 is 165 feet wide and the "flagpole" portion that follows the existing driveway is 25 feet wide. The size and dimensions of both lots comply with code requirements, and all structures will continue to comply with setback and plot coverage requirements.

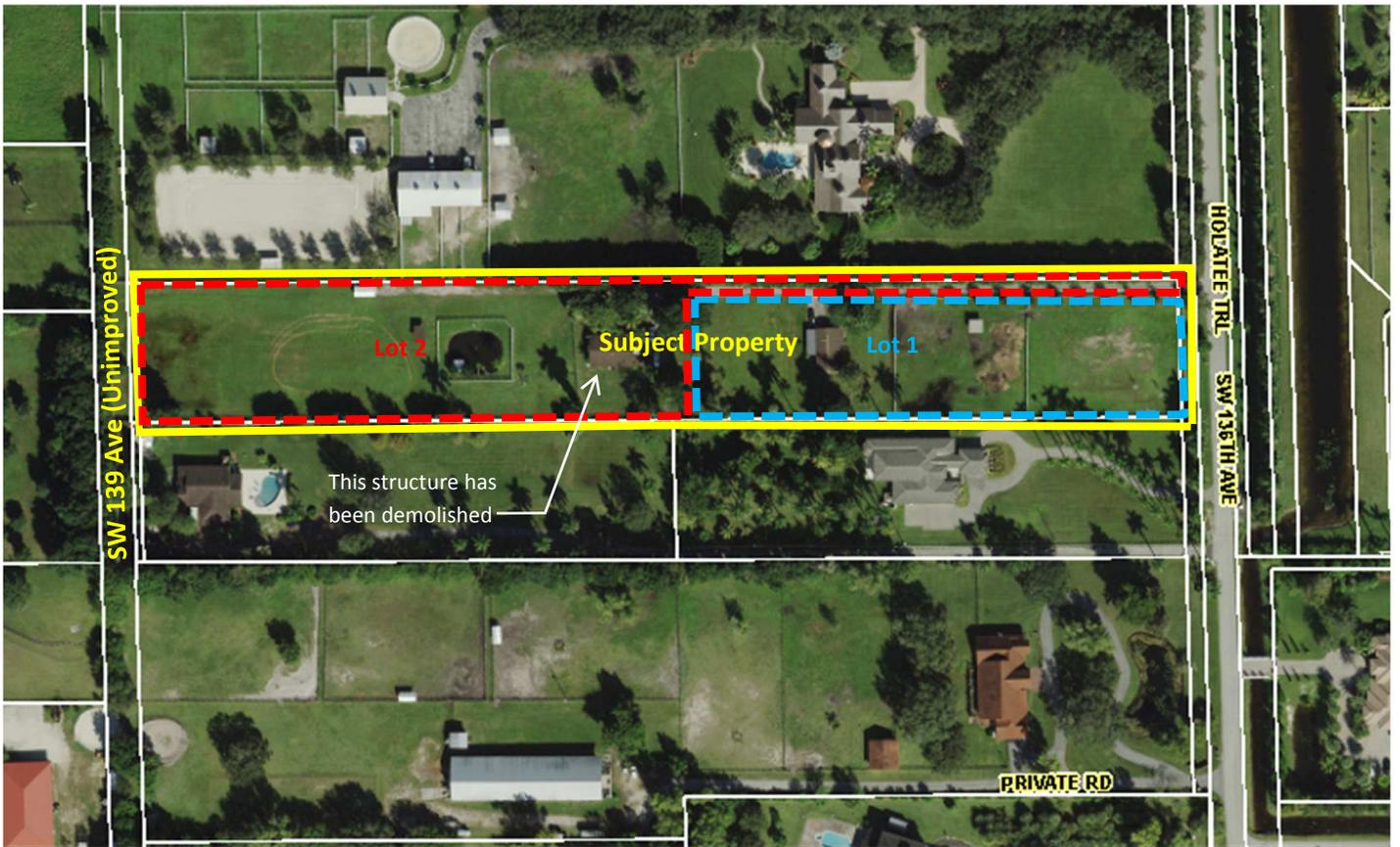
Holatee Trail has sufficient right-of-way where it abuts the Property, consistent with the prevailing right-of-way section north of Hunter Lane. Unimproved SW 139<sup>th</sup> Avenue, which has been added to the Town's Greenways Map as a recreational trail alignment, has a sufficient 40 feet of right-of-way abutting the Property. Accordingly, staff has not requested additional right-of-way for either corridor.

Letters of no-objection have been provided by all applicable utilities including Central Broward Water Control District.

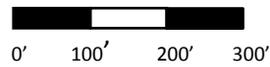
**RECOMMENDATION**

Staff recommends approval of Application No. WP-26-20. Pursuant to ULDC Sec. 115-090, the approval shall not become effective until the resolution approving the Application has been recorded in the Public Records of Broward County, Florida. Approval will expire within six (6) months from date of approval unless the resolution and required attachments have been recorded.

# WAIVER OF PLAT APPLICATION NO. WP-26-20 LOCATION MAP AND AERIAL



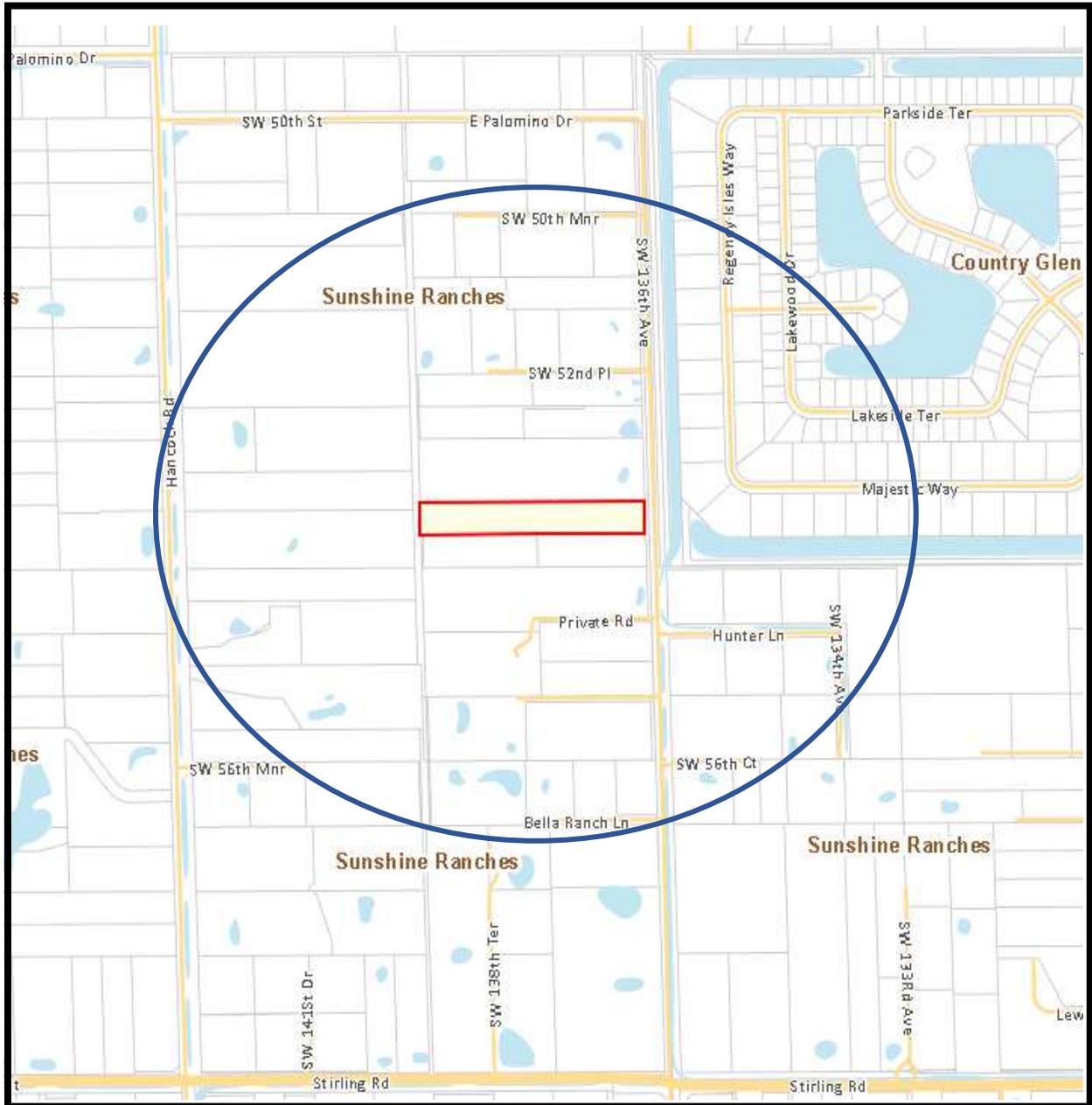
Graphic Scale





# 5104 HOLATEE TRAIL – WAIVER OF PLAT

Mailing List – 1,500 radius



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1. HOLT, M D & MARIE J  
13760 E PALOMINO DR SOUTHWEST RANCHES FL 33330
2. MBM FARM LLC  
49 NURMI DR FORT LAUDERDALE FL 33301
3. DEHOWITT, DEBORA K - DEBORA K DEHOWITT REV TR  
13600 E PALOMINO DR SOUTHWEST RANCHES FL 33330
4. KNIGHT 5100 LLC - ALAN J MARCUS PA  
20803 BISCAYNE BLVD #301 AVENTURA FL 33180
5. STEVENS, SUSAN BREWER - SUSAN STEVENS REV TR  
13820 SW 50 MNR SOUTHWEST RANCHES FL 33330
6. JERILYN MILLER  
13800 SW 50 MNR SOUTHWEST RANCHES FL 33330
7. JOYCE LENORE KUTCHER  
5151 SW 136 AVE SOUTHWEST RANCHES FL 33330
8. RODRIGUEZ, DENNIS & CASEY LEIGH JOLLEY  
5101 SW 136 AVE SOUTHWEST RANCHES FL 33330
9. KNIGHT 5100 LLC - ALAN J MARCUS PA  
20803 BISCAYNE BLVD #301 AVENTURA FL 33180
10. SESSA, JUDITH K - JUDITH K SESSA REV TR  
5200 HANCOCK ROAD SOUTHWEST RANCHES FL 33330
11. COHN, MICHAEL & BETH  
13911 SW 52 PL SOUTHWEST RANCHES FL 33330
12. MICHAEL PFEIFFER  
13811 SW 52 PL SOUTHWEST RANCHES FL 33330
13. STEVENS, LUCY - STEVENS FAM REV TR  
5171 SW 136 AVE SOUTHWEST RANCHES FL 33330
14. NEGRET, RICHARD & CAPRIO, SAMANTHA  
3200 SW 116 AVE DAVIE FL 33330
15. BROKKEN, T D & SALLY  
5200 SW 136 AVE SOUTHWEST RANCHES FL 33330
16. ROBERT L & JANET E THOMAS  
5261 SW 136 AVE SOUTHWEST RANCHES FL 33330

17. EVELYN & YSMEL CRUZ  
5271 SW 136 AVE SOUTHWEST RANCHES FL 33330
18. 5300 HANCOCK LAND TR - JACOBS, ERIC A TRS  
1691 MICHIGAN AVE STE 360 MIAMI BEACH FL 33139
19. 5353 HANCOCK ROAD LLC  
7270 NW 12 ST STE 380 MIAMI FL 33126
20. STEVENS, MARK A H/E & MOCNY, TONY J  
5401 HANCOCK ROAD SOUTHWEST RANCHES FL 33330
21. JEFFREY S & LANA D EICHEL  
5330 HANCOCK RD SOUTHWEST RANCHES FL 33330
22. R & R'S ZEN RANCH LLC  
5261 SW 136 AVE SOUTHWEST RANCHES FL 33330
23. JOAQUIN & MAGALY RIVAS  
5291 SW 136 AVE SOUTHWEST RANCHES FL 33330
24. MANUEL & REBECCA BAEZ  
5335 SW 136 AVE SOUTHWEST RANCHES FL 33330
25. DONNA LYNNE FIOCCO  
3160 HUNTER RD WESTON FL 33331
26. LANCE J & LINDA HOFFMAN  
5431 SW 136 AVE SOUTHWEST RANCHES FL 33330
27. DWIGHT & JACQUELINE BENJAMIN  
5421 HOLATEE TRL SOUTHWEST RANCHES FL 33330
28. ENGSTROM, KIRK E H/E - ENGSTROM, MARY JO  
5450 HANCOCK ROAD SOUTHWEST RANCHES FL 33330
29. CAROLYN DITZIAN  
5501 SW 136 AVE SOUTHWEST RANCHES FL 33330
30. CAILIS, EMANUEL G - EMANUEL G CAILIS REV LIV TR  
5470 HANOCK RD SOUTHWEST RANCHES FL 33330
31. AMBER FINKEL TR - FINKEL, AMBER TRS  
3021 SW 116 AVE DAVIE FL 33330
32. L & M PROPERTY FL LLC  
10400 W STATE ROAD 84 #112 DAVIE FL 33324

33. STRAUCH, AXEL - AXEL STRAUCH REV TR  
13902 CASA MOORREYE DR SOUTHWEST RANCHES FL 33330
34. SHAHIN HASSAN  
5533 SW 136 AVE SOUTHWEST RANCHES FL 33330
35. SHAHIN HASSAN  
5533 SW 136 AVE SOUTHWEST RANCHES FL 33330
36. THOMAS J & PATRICIA G WAREHAM  
5440 SW 136 AVE SOUTHWEST RANCHES FL 33330
37. THOMAS M JR & JEAN T BONE  
13421 SW 55 ST SOUTHWEST RANCHES FL 33330
38. THOMAS C & CINDY SAMARTINO  
13401 SW 55 ST SOUTHWEST RANCHES FL 33330
39. PILGRIM, BETH TERI & SAUTTER, ROBIN BABETTE  
5600 SW 134 AVE SOUTHWEST RANCHES FL 33330
40. EVANS FINANCIAL SERVICES LTD - FRANK, WEINBERG & BLACK, PL  
3195 SE GRAN PARK WAY STUART FL 34997
41. FULLER, RHONDA C - RHONDA C FULLER REV LIV TR  
5500 SW 136 AVE SOUTHWEST RANCHES FL 33330
42. DE BLASIO, PATRICK G III & DAWN M  
13500 SW 55 ST SOUTHWEST RANCHES FL 33330
43. NOT AVAILABLE
44. NATHAN & JACQUELINE FINKEL  
5550 HANCOCK RD SOUTHWEST RANCHES FL 33330
45. NATHAN & JACQUELINE FINKEL  
5550 HANCOCK RD SOUTHWEST RANCHES FL 33330
46. 5560 HANCOCK LLC  
2532 SAFFIRE WAY LEWISVILLE TX 75056
47. DUANE, MICHAEL & DUANE-DRAY, VALERIE  
17321 SW 58 ST SOUTHWEST RANCHES FL 33331
48. TERRELL W JR & MICHELLE DUKE  
5745 SW 130 AVE SOUTHWEST RANCHES FL 33330

49. M-N-C PROPERTY HOLDINGS LLC  
5600 SW 136 AVE SOUTHWEST RANCHES FL 33330
50. PETER & PATRICIA BLEI  
5501 SW 134 AVE SOUTHWEST RANCHES FL 33330
51. ANDREW M GLOMB  
14130 SW 56 MNR SOUTHWEST RANCHES FL 33330
52. DANIEL LANDIS  
14010 SW 56 MNR SOUTHWEST RANCHES FL 33330
53. 13607 BELLA RANCH LANE TR - ROSARIO, ALEJANDRO EMANUEL  
13607 BELLA RANCH LN SOUTHWEST RANCHES FL 33330
54. MARTIN J LOPEZ  
12831 MUSTANG TRL SOUTHWEST RANCHES FL 33330
55. BELLA RANCH ESTATE I LLC  
1500 WESTON RD #200 WESTON FL 33326
56. BURNS, JOE D & KIM M - JOE & KIM BURNS REV TR  
5701 SW 136 AVE SOUTHWEST RANCHES FL 33330
57. PAUL & PAT STEARNS  
5700 SW 136 AVE SOUTHWEST RANCHES FL 33330
58. GRUENHAGEN, DEBORAH A - DEBORAH A GRUENHAGEN TR ETAL  
5702 SW 136 AVE SOUTHWEST RANCHES FL 33330
59. ATKIN, THOMAS & SUZANNE - THOMAS & SUZANNE ATKIN REV TR  
13550 SW 56 CT SOUTHWEST RANCHES FL 33330
60. STIRLING ESTATE TR - GORDON, JOAN TRS  
13851 STIRLING RD SOUTHWEST RANCHES FL 33330
61. ARMAN & KIMBERLY PRADHAN  
13801 STIRLING RD SOUTHWEST RANCHES FL 33330
62. JAIME & SYLVIA M LOPEZ  
5851 HOLATEE TRL SOUTHWEST RANCHES FL 33330



**Town of Southwest Ranches**  
13400 Griffin Road  
Southwest Ranches, FL 33330-2628

**(954) 434-0008 Town Hall**  
**(954) 434-1490 Fax**

**Town Council**  
**Steve Breitkreuz, Mayor**  
**Bob Hartmann, Vice Mayor**  
**Jim Allbritton, Council Member**  
**Gary Jablonski, Council Member**  
**David Kuczenski, Council Member**

**Andrew D. Berns, MPA, Town Administrator**  
**Keith M. Poliakoff, JD, Town Attorney**  
**Russell Muniz, MPA, Assistant Town Administrator/Town Clerk**  
**Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator**

## **COUNCIL MEMORANDUM**

**TO:** Honorable Mayor Breitkreuz and Town Council  
**VIA:** Andrew Berns, Town Administrator  
**FROM:** Jeff Katims  
**DATE:** 2/11/2021  
**SUBJECT:** Waiver of Plat No. WP-27-20

---

### **Recommendation**

### **Strategic Priorities**

### **Background**

Petitioner requests Waiver of Plat approval to subdivide 4.42 acres into two parcels of 2.0 acres (North Parcel "A") and 2.42 acres (South Parcel "B"). Proposed Parcel "A" is undeveloped. The existing house, barn and two sheds are located on proposed Parcel "B". The property is zoned Rural Ranches district, which requires a minimum 2.0 net acres of lot area.

Please refer to the staff report for additional information.

### **Fiscal Impact/Analysis**

N/A

### **Staff Contact:**

Jeff Katims

### **ATTACHMENTS:**

| Description | Upload Date | Type |
|-------------|-------------|------|
|-------------|-------------|------|

|   |           |                 |
|---|-----------|-----------------|
| Resolution  | 1/12/2021 | Resolution      |
| Staff report                                      | 1/12/2021 | Backup Material |
| Survey with proposed lot split (Preferred Option) | 1/12/2021 | Exhibit         |
| Survey with alternative lot line configuration    | 1/12/2021 | Exhibit         |
| Mailing List, Radius Map PLACEHOLDER              | 1/12/2021 | Exhibit         |

**RESOLUTION NO. 2021-\_\_\_**

**A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-27-20 TO SUBDIVIDE 4.42 NET ACRES OF PROPERTY INTO TWO LOTS OF 2.0 AND 2.42 ACRES; GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE MUSTANG AND APPALOOSA TRAILS INTERSECTION; LEGALLY DESCRIBED AS THE SOUTH HALF OF TRACT 37, LESS THE SOUTH 40 FEET AND LESS THE EAST 20 FEET THEREOF, SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST OF THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 39 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS LYING AND BEING SITUATE IN BROWARD COUNTY, FLORIDA; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 115-070 of the Town of Southwest Ranches Unified Land Development Code ("ULDC") requires Town Council approval of a Plat or Waiver of Plat Application prior to the subdivision of a parcel; and

**WHEREAS**, at a duly noticed public hearing held on February 11, 2021 the Town Council reviewed Waiver of Plat Application No. WP-27-20 by Marianne Allen ("Petitioner") to subdivide 4.48 net acres into two lots of 2.0 and 2.42 acres; and

**WHEREAS**, the proposed subdivision complies with the minimum lot size and dimensional requirements of the effective land use plan and zoning designations, has legal and sufficient access, and will not create or exacerbate any nonconformities with the development standards of the ULDC.

**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 February 11, 2021, following the review of the staff report and all written and oral evidence received during the public hearing, the Town Council hereby approves Waiver of Plat Application No. WP-

27-20 to subdivide the property described in Exhibit "A" attached hereto and made a part hereof, into two parcels described and depicted in Exhibit "B" attached hereto and made a part hereof.

**Section 3.** The existing 24.5'x12' and 10'x15.7 wood sheds shown on the Petitioner's as-built survey from Atlantic Coast Surveying Co., dated 09/17/20, and located 3.6' and 12.9' respectively from the west property line, are farm structures that do not conform to the minimum side setback requirement of the ULDC. Upon cessation of the property's agricultural property tax exemption, the northernmost structure measuring 24.5'x12' shall be removed and the southernmost structure measuring 10'x15.7' shall be removed or relocated via building permit in conformity with minimum setback requirements of the ULDC pending a Town determination that it is structurally sound for relocation.

**Section 4.** 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 5.** This approval shall expire 180 days from the date of approval if this Resolution is not first recorded in the Public Records of Broward County, Florida.

**Section 6.** This Resolution shall become effective upon its recordation.

**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this \_\_\_ day of \_\_\_\_\_ 2021, on a motion by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Breitkreuz \_\_\_\_\_  
Hartmann \_\_\_\_\_  
Allbritton \_\_\_\_\_  
Jablonski \_\_\_\_\_  
Kuczynski \_\_\_\_\_

Ayes \_\_\_\_\_  
Nays \_\_\_\_\_  
Absent \_\_\_\_\_  
Abstaining \_\_\_\_\_

\_\_\_\_\_  
Steve Breitkreuz, Mayor

ATTEST:

\_\_\_\_\_  
Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

\_\_\_\_\_  
Keith Poliakoff, J.D., Town Attorney

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## **Exhibit "A"**

### **Parent Tract Legal Description**

**THE SOUTH HALF OF TRACT 37, LESS THE SOUTH 40 FEET AND LESS THE EAST 20 FEET THEREOF, SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST OF THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION, ACCORDING TO TTHE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 39 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS LYING AND BEING SITUATE IN BROWARD COUNTY, FLORIDA**

## **Exhibit "B" (Alternative 1)**

### **Legal description of Subdivided Lots**

#### **PARCEL A**

LEGAL DESCRIPTION:

**THE NORTH 280.93 FEET OF THE SOUTH 1/2 OF TRACT 37, LESS THE EAST 20 FEET THEREOF, SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST OF THE EVERGLADES SUGAR AND LAND COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 39 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.**

#### **PARCEL B**

LEGAL DESCRIPTION:

**THE SOUTH 1/2 OF TRACT 37, LESS THE NORTH 280.93 FEET, LESS THE SOUTH 40 FEET AND LESS THE EAST 20 FEET THEREOF, SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST OF EVERGLADES SUGAR AND LAND COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 39 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.**

## **Exhibit "B" (Alternative 2)**

### **Legal description of Subdivided Lots**

#### **PARCEL A**

LEGAL DESCRIPTION:

**THE NORTH 281.56 FEET OF THE SOUTH ½ OF TRACT 37, LESS THE WEST 40.61 FEET OF THE SOUTH 4.84 FEET; LESS THE EAST 20 FEET THEREOF, SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST OF THE EVERGLADES SUGAR AND LAND COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 39 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.**

#### **PARCEL B**

LEGAL DESCRIPTION:

**THE SOUTH ½ OF TRACT 37, LESS THE NORTH 281.56 FEET, LESS THE SOUTH 40 FEET AND LESS THE EAST 20 FEET THEREOF; TOGETHER WITH THE WEST 40.61 FEET OF THE SOUTH 4.84 FEET OF THE NORTH 281.56 FEET OF THE SOUTH HALF OF TRACT 37, SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST OF EVERGLADES SUGAR AND LAND COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 39 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.**

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**TOWN OF SOUTHWEST RANCHES  
TOWN COUNCIL AGENDA REPORT**

February 11, 2021

- SUBJECT:** Waiver of Plat Application WP-27-20
- LOCATION:** 12701 Mustang Trail; located at the northwest corner of the Mustang Trail and Appaloosa Trail intersection.
- OWNER/  
PETITIONER:** Marianne Allen
- AGENT:** Karla Ramcharitar, KR Consultants
- LAND USE PLAN  
DESIGNATION:** Rural Ranch
- ZONING:** Rural Ranches
- PUBLIC NOTICE:** Legal notice in newspaper and mail notice within 1,500-foot radius
- EXHIBITS:** Staff Report, surveys, notification map, and mailing list.

**BACKGROUND AND ANALYSIS**

The Petitioner requests approval of a Waiver of Plat to subdivide 4.42 acres ("Property") into two parcels of 2.0 acres (North Parcel "A") and 2.42 acres (South Parcel "B"). Proposed Parcel A is undeveloped. The existing house, barn and two sheds are located on proposed Parcel B. Both proposed parcels satisfy the minimum 2.0 net acres of required lot area and well exceed the minimum 125 feet of lot width required in the Rural Ranches district.

Proposed Parcel A has potential access to both Mustang Trail and Appaloosa Trail, and proposed Parcel B has access to Appaloosa Trail. The subdivision will not cause the improvements on Parcel B to exceed the maximum plot coverage allowance. No additional right-of-way is required for either roadway.

The Application proposes a straight property line running east to west that leaves a 20.8-foot setback to the northernmost shed, whereas a minimum 25-foot rear setback is required. The Petitioner requests the Council approve this configuration on the basis that the shed is and will continue to be a farm building, which is exempted by state law from setback requirements. The Town Attorney has opined that the Council may approve this configuration given that proposed Parcel B is a farm, but is not obligated to approve it under the Right to Farm Act since the Petitioner would be creating this situation via subdivision.

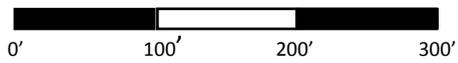
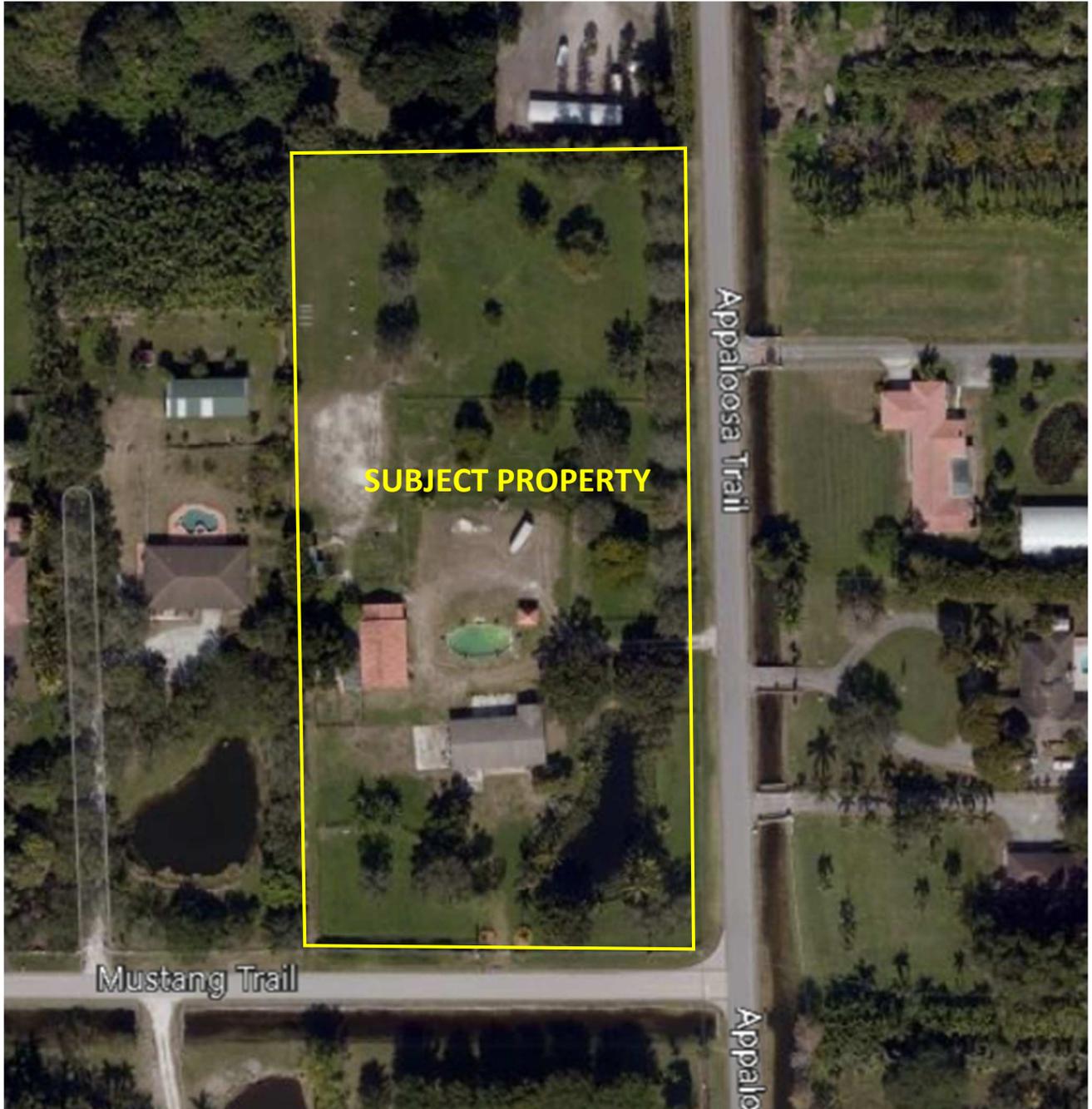
In the event that Council does not approve the requested property line configuration, the Application includes an alternative configuration that jogs the proposed property line to accommodate the 25 foot rear setback that is required for non-farm buildings.

Letters of no objection are on file from all applicable utilities, including Central Broward Water Control District.

**RECOMMENDATION**

Staff recommends approval of Application No. WP-27-20. Pursuant to ULDC Sec. 115-090, the approval of Application No. WP-27-20 shall not become effective until the resolution approving the Application has been recorded in the Public Records of Broward County, Florida. Approval will expire within six (6) months from date of approval unless the resolution and required attachments have been recorded.

**WAIVER OF PLAT APPLICATION NO. WP-27-20  
LOCATION MAP AND AERIAL**



Graphic Scale







**MAILING LIST AND RADIUS MAP WILL BE PROVIDED ONCE AVAILABLE.**



**Town of Southwest Ranches**  
**13400 Griffin Road**  
**Southwest Ranches, FL 33330-2628**

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**Town Council**  
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**David Kuczenski, Council Member**

**Andrew D. Berns, MPA, Town Administrator**  
**Keith M. Poliakoff, JD, Town Attorney**  
**Russell Muniz, MPA, Assistant Town Administrator/Town Clerk**  
**Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator**

## **COUNCIL MEMORANDUM**

**TO:** Honorable Mayor Breitkreuz and Town Council  
**VIA:** Andrew Berns, Town Administrator  
**FROM:** Jeff Katims  
**DATE:** 2/11/2021  
**SUBJECT:** Waiver of Plat No. WP-28-20

---

### **Recommendation**

Staff recommends approval with procedural conditions relating to accompanying Application No. DG-24-20 (plat note amendment).

### **Unanimous Vote of the Town Council Required?**

Yes

### **Strategic Priorities**

A. Sound Governance

### **Background**

Petitioner proposes to divide Lot 2 of the Landmark at Sterling Ranches Plat into two lots of 2.0 net acres each. The property is zoned Rural ranches district, which requires a minimum 2.0 net acres of land area per lot.

Since the Landmark at Sterling Ranches was platted for four lots and is restricted to four single-family homes, an application to amend this restriction and allow five single-family homes within the plat accompanies this Waiver of Plat application..

### **Fiscal Impact/Analysis**

N/A

**Staff Contact:**

Jeff Katims

**ATTACHMENTS:**

| Description                       | Upload Date | Type            |
|-----------------------------------|-------------|-----------------|
| Resolution                        | 1/12/2021   | Resolution      |
| Staff report                      | 1/12/2021   | Backup Material |
| Survey showing proposed lot split | 1/12/2021   | Exhibit         |
| Mailing List and Radius Map       | 1/12/2021   | Exhibit         |

**RESOLUTION NO. 2021-\_\_\_**

**A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-28-20 TO SUBDIVIDE 4.0 NET ACRES OF PROPERTY INTO TWO LOTS OF 2.0 ACRES EACH; GENERALLY LOCATED SOUTH OF STIRLING ROAD ON THE WEST SIDE OF STALLION WAY, AND GENERALLY DESCRIBED AS LOT 2 AND A PORTION OF LOT 3 OF LANDMARK AT STERLING RANCHES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 170, PAGE 14 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 115-070 of the Town of Southwest Ranches Unified Land Development Code ("ULDC") requires Town Council approval of a Plat or Waiver of Plat Application prior to the subdivision of a parcel; and

**WHEREAS**, at a duly noticed public hearing held on February 11, 2021 the Town Council reviewed Waiver of Plat Application No. WP-28-20 by Callaway Builders IV LLC ("Petitioner") to transfer 0.068 acre within the Landmark at Sterling Ranches Plat from Lot 3 to Lot 2 and to subdivide the resulting Lot 2 into two lots of 2.0 net acres in area; and

**WHEREAS**, the proposed subdivision complies with the minimum lot size and dimensional requirements of the effective land use plan and zoning designations, has legal and sufficient access, and will not create or exacerbate any nonconformities with the development standards of the ULDC.

**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 February 11, 2021, following the review of the staff report and all written and oral evidence received during the public hearing, the Town Council hereby approves Waiver of Plat Application No. WP-28-20 to subdivide the property described in Exhibit "A" attached hereto and made a part hereof, into two parcels described and depicted in Exhibit "B" attached hereto and made a part hereof.

**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 recorded in the Public Records of Broward County, Florida following the recordation of an agreement amending the restrictive note on the face of the Landmark at Sterling Ranches Plat to authorize five single-family residences within the plat. If this Resolution is not recorded in accordance with the preceding terms by August 10, 2021 the Town’s approval of Application No. WP-28-20 shall expire.

**Section 5.** This Resolution shall become effective upon its recordation.

**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this \_\_\_ day of \_\_\_\_\_2021, on a motion by \_\_\_\_\_ and seconded by \_\_\_\_\_.

|            |       |            |       |
|------------|-------|------------|-------|
| Breitkreuz | _____ | Ayes       | _____ |
| Hartmann   | _____ | Nays       | _____ |
| Allbritton | _____ | Absent     | _____ |
| Jablonski  | _____ | Abstaining | _____ |
| Kuczenski  | _____ |            |       |

\_\_\_\_\_  
Steve Breitkreuz, Mayor

ATTEST:

\_\_\_\_\_  
Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

---

Keith Poliakoff, J.D., Town Attorney  
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## **Exhibit "A"**

### **Parent Tract Legal Description**

**LOT 2, OF "LANDMARK AT STERLING RANCHES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 170, PAGE 14, IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTH 15 FEET THEREOF, AND LESS AND EXCEPT THEREFROM THAT PORTION DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF SAID PLAT; THENCE SOUTH 89°43'19" WEST, ALONG AN EASTERLY BOUNDARY OF SAID LOT 2, A DISTANCE OF 28.41 FEET; THENCE NORTH 01°51'08" WEST, ALONG THE EASTERLY LINE OF THAT CERTAIN 50 FOOT PRIVATE INGRESS/EGRESS & DRAINAGE EASEMENT, AS SHOWN ON SAID PLAT, A DISTANCE OF 0.69 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID EASEMENT AND THE ARC OF SAID CURVE HAVING A RADIUS OF 108.00 FEET, A CENTRAL ANGLE OF 42°30'49", AND AN ARC LENGTH OF 80.14 FEET; THENCE SOUTH 01°51'39" EAST, ALONG A NON-TANGENT LINE BEING THE EASTERLY BOUNDARY OF SAID LOT 2, A DISTANCE OF 74.45 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA.**

#### **TOGETHER WITH:**

**A PORTION OF THE NORTH 16.00 FEET OF LOT 3, OF "LANDMARK AT STERLING RANCHES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 170, PAGE 14, IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 3, ALSO BEING THE SOUTHWEST CORNER OF LOT 2 OF SAID PLAT; THENCE NORTH 89°43'19" EAST ALONG THE NORTH LINE OF SAID LOT 3, ALSO BEING THE SOUTH LINE OF SAID LOT 2 FOR 183.43 FEET TO A POINT ON THE WESTERLY LINE OF THAT CERTAIN PRIVATE INGRESS/EGRESS & DRAINAGE EASEMENT, AS SHOWN ON SAID PLAT, BEING A POINT ON THE ARC OF A CIRCULAR NON-TANGENT CURVE CONCAVE EASTERLY, THE LASTS DESCRIBED LINE BEING RADIAL TO SAID CURVE; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 64.00 FEET, A CENTRAL ANGLE OF 14°28'39", FOR AN ARC DISTANCE OF 16.17 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 89°43'19" WEST ALONG A LINE LYING 16.00 FEET SOUTH OF AND PARALLEL TO THE AFOREMENTIONED NORTH LINE AND SOUTH LINE 185.02 FEET TO A POINT ON THE WEST LINE OF SAID LOT 3; THENCE NORTH**

**01°50'37" WEST ALONG SAID WEST LINE 16.01 FEET TO THE POINT OF BEGINNING.**

**SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA.**

## **Exhibit "B"**

### **Legal Descriptions of Subdivided Lots**

#### **LOT 2A**

##### **LEGAL DESCRIPTION:**

**A PORTION OF LOT 2, OF "LANDMARK AT STERLING RANCHES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 170, PAGE 14, IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2, ALSO BEING THE NORTHWEST CORNER OF LOT 1 OF SAID PLAT; THENCE SOUTH 01°51'39" EAST ALONG THE EAST LINE OF SAID LOT 2, ALSO BEING THE WEST LINE OF SAID LOT 1 FOR 292.79 FEET; THENCE SOUTH 89°43'46" WEST 317.28 FEET TO A POINT ON THE WEST LINE OF SAID LOT 2; THENCE NORTH 01°50'37" WEST ALONG SAID WEST LINE 292.791 FEET TO THE NORTHWEST CORNER OF SAID LOT 2, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF STIRLING ROAD (SW 60TH STREET) AS RECORDED IN OFFICIAL RECORDS BOOK 36384, PAGE 1835, OF SAID PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH 89°43'46" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, ALSO BEING THE NORTH LINE OF SAID LOT 2 FOR 317.19 FEET TO THE POINT OF BEGINNING.**

**SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, CONTAINING 87,148 SQUARE FEET (2.0006 ACRES) OF NET LOT AREA AND 92,848 SQUARE FEET (2.1315 ACRES) OF GROSS LOT AREA.**

#### **LOT 2B**

##### **LEGAL DESCRIPTION:**

**A PORTION OF LOTS 2 AND 3, OF "LANDMARK AT STERLING RANCHES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 170, PAGE 14, IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 2, ALSO BEING THE NORTHWEST CORNER OF LOT 1 OF SAID PLAT; THENCE SOUTH 01°51'39"**

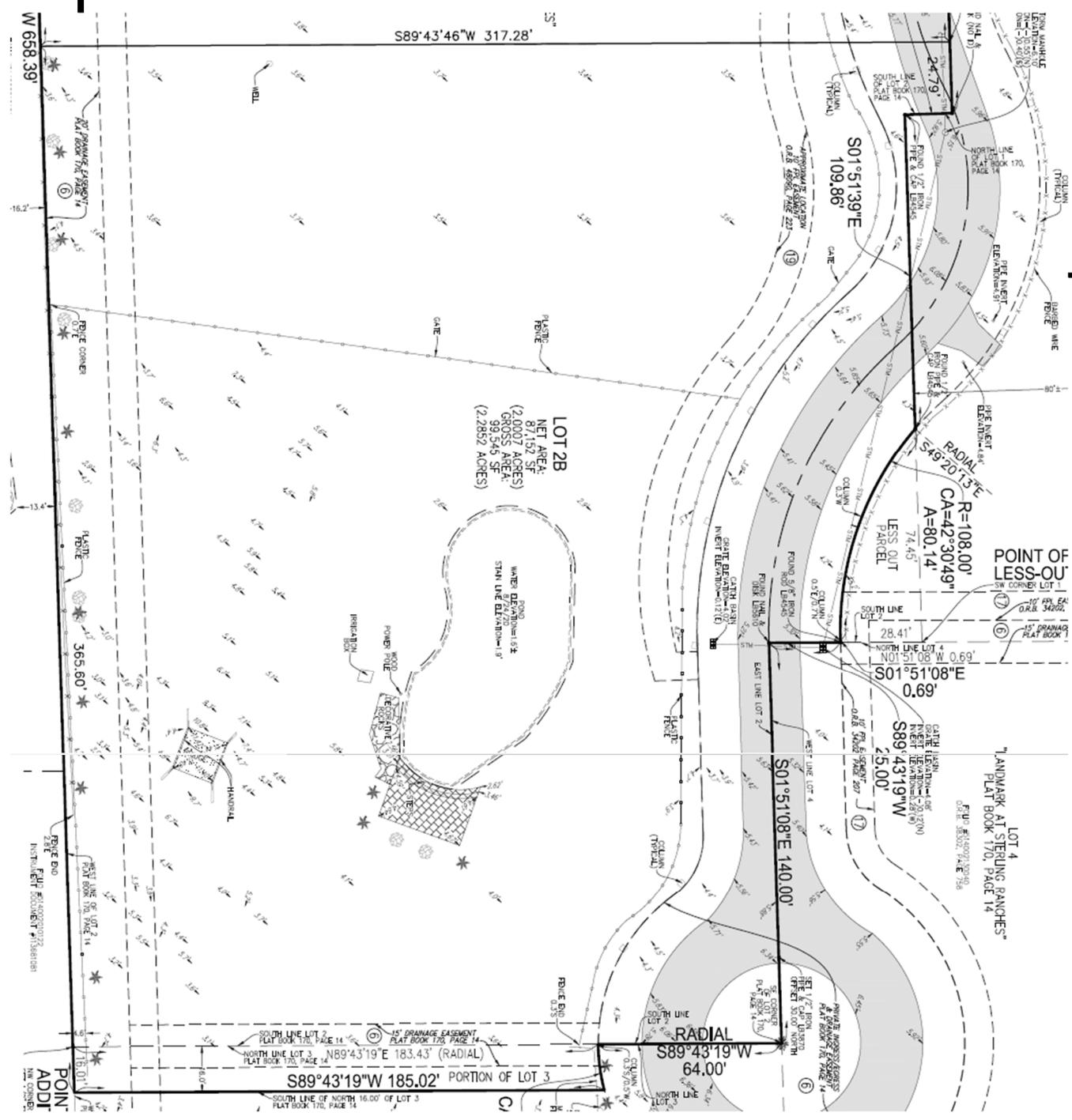
**EAST ALONG THE EAST LINE OF SAID LOT 2, ALSO BEING THE WEST LINE OF SAID LOT 1 FOR 292.79 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°51'39" EAST ALONG SAID EAST LINE OF SAID LOT 2 AND SAID WEST LINE OF LOT 1 FOR 24.79 FEET; THENCE SOUTH 88°08'21" WEST ALONG A SOUTH LINE OF SAID LOT 2, ALSO BEING A NORTH LINE OF SAID LOT 1 FOR 16.50 FEET; THENCE SOUTH 01°51'39" EAST ON THE EAST LINE OF SAID LOT 2, ALSO BEING THE WEST LINE OF SAID LOT 1 FOR 109.86 FEET TO A POINT ON THE EASTERLY LINE OF THAT CERTAIN PRIVATE INGRESS/EGRESS & DRAINAGE EASEMENT, AS SHOWN ON SAID PLAT, BEING A POINT ON THE ARC OF A CIRCULAR NON-TANGENT CURVE CONCAVE EASTERLY, A RADIAL FROM SAID POINT BEARS SOUTH 49°20'13" EAST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 108.00 FEET, A CENTRAL ANGLE OF 42°30'49", FOR AN ARC DISTANCE OF 80.14 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 01°51'08" EAST CONTINUING ALONG THE EASTERLY LINE OF SAID EASEMENT 0.69 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 2, ALSO BEING THE NORTH LINE OF LOT 4 OF SAID PLAT; THENCE SOUTH 89°43'19" WEST ALONG SAID SOUTH LINE OF LOT 2 AND NORTH LINE OF LOT 4 FOR 25.00 FEET; THENCE SOUTH 01°51'08" EAST ALONG THE WEST LINE OF SAID LOT 4, ALSO BEING THE EAST LINE OF SAID LOT 2 FOR 140.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 89°43'19" WEST ON A LINE RADIAL TO THE FOLLOWING DESCRIBED CURVE 64.00 FEET TO A POINT ON THE WESTERLY LINE OF THE AFOREMENTIONED PRIVATE INGRESS/EGRESS & DRAINAGE EASEMENT, BEING A POINT ON THE ARC OF A CIRCULAR CURVE CONCAVE EASTERLY; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 64.00 FEET, A CENTRAL ANGLE OF 14°28'39", FOR AN ARC LENGTH OF 16.17 FEET TO A POINT ON A LINE LYING 16.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID LOT 3 AND THE SOUTH LINE OF SAID LOT 2; THENCE SOUTH 89°43'19" WEST ALONG SAID PARALLEL LINE 185.02 FEET TO A POINT ON THE WEST LINE OF SAID LOT 3; THENCE NORTH 01°50'37" WEST ALONG SAID WEST LINE AND CONTINUING ALONG THE WEST LINE OF SAID LOT 2 FOR 365.60 FEET; THENCE NORTH 89°43'46" EAST 317.28 FEET TO THE POINT OF BEGINNING.**

**SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, CONTAINING 87,152 SQUARE FEET (2.0007 ACRES) OF NET LOT AREA AND 99,545 SQUARE FEET (2.2852 ACRES) OF GROSS LOT AREA.**



SOUTH 01°51'39" EAST ON THE EAST LINE OF SAID LOT 2, ALSO BEING THE WEST LINE OF SAID LOT 1 FOR 109.86 FEET TO A POINT ON THE EASTERLY LINE OF THAT CERTAIN PRIVATE INGRESS/EGRESS & DRAINAGE EASEMENT, AS SHOWN ON SAID PLAT, BEING A POINT ON THE ARC OF A CIRCULAR NON-TANGENT CURVE CONCAVE EASTERLY, A RADIAL FROM SAID POINT BEARS SOUTH 42°30'49" EAST, THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 108.00 FEET, A CENTRAL ANGLE OF 42°30'49", FOR AN ARC DISTANCE OF 80.14 FEET TO A POINT OF NON-TANGENCY, THENCE SOUTH 01°51'08" EAST CONTINUING ALONG THE EASTERLY LINE OF SAID EASEMENT 0.69 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 2, ALSO BEING THE NORTH LINE OF LOT 4 OF SAID PLAT, THENCE SOUTH 89°43'19" WEST ALONG SAID SOUTH LINE OF LOT 2 AND NORTH LINE OF LOT 4 FOR 25.00 FEET, THENCE SOUTH 01°51'08" EAST ALONG THE WEST LINE OF SAID LOT 4, ALSO BEING THE EAST LINE OF SAID LOT 2 FOR 140.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2, THENCE SOUTH 89°43'19" WEST ON A LINE RADIAL TO THE FOLLOWING DESCRIBED CURVE 64.00 FEET TO A POINT ON THE WESTERLY LINE OF THE AFOREMENTIONED PRIVATE INGRESS/EGRESS & DRAINAGE EASEMENT, BEING A POINT ON THE ARC OF A CIRCULAR CURVE CONCAVE EASTERLY, THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 64.00 FEET, A CENTRAL ANGLE OF 14°28'30", FOR AN ARC LENGTH OF 16.17 FEET TO A POINT ON A LINE LYING 16.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID LOT 3 AND THE SOUTH LINE OF SAID LOT 2, THENCE SOUTH 89°43'19" WEST ALONG SAID PARALLEL LINE 185.02 FEET TO A POINT ON THE WEST LINE OF SAID LOT 3, THENCE NORTH 01°50'37" WEST ALONG SAID WEST LINE AND CONTINUING ALONG THE WEST LINE OF SAID LOT 2 FOR 365.60 FEET, THENCE NORTH 89°43'46" EAST 317.28 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, CONTAINING 99,545 SQUARE FEET (2.2852 ACRES), MORE OR LESS.



**TOWN OF SOUTHWEST RANCHES  
TOWN COUNCIL AGENDA REPORT**

February 11, 2021

- SUBJECT:** Waiver of Plat Application WP-28-20
- LOCATION:** 6125 Stallion Way, generally located at the southwest corner of Stirling Road and Stallion Way.
- OWNER/  
PETITIONER:** Callaway Builders IV, LLC
- AGENT:** Pulice Land Surveyors
- LAND USE PLAN  
DESIGNATION:** Rural Ranch
- ZONING:** Rural Ranches
- PUBLIC NOTICE:** Legal notice in newspaper and mail notice within 1,500-foot radius
- EXHIBITS:** Staff Report, survey, notification map, and mailing list.

**BACKGROUND:**

The Petitioner purchased Lot 2 of the Landmark at Sterling Ranches Plat with the intent to subdivide it into two lots. Lot 2 is undeveloped except for a barn and two ponds. Having later determined that the property was not large enough to subdivide, the Petitioner acquired additional land from the adjoining lot and subsequently applied for a Waiver of Plat to subdivide the enlarged Lot 2 into two parcels of 2.0 net acres each.

The Town approved the Landmark at Sterling Ranches Plat in October 2000. The plat was recorded in 2001. The plat consists of four lots sharing a private street. Each lot includes a portion of the private street, as private streets were credited toward minimum required lot area at the time of platting. The gross acreage of each lot is as follows:

- Lot 1 – 2.18 gross acres
- Lot 2 – 4.49 gross acres
- Lot 3 – 3.54 gross acres

Lot 4 – 2.18 gross acres

**ANALYSIS:**

Although Lot 2 has a gross area of 4.49 acres, its net area was just under the 4.0 acres needed to subdivide because the lot includes a portion of Stallion Way and dedicated right-of-way for Stirling Road, neither of which is credited toward net lot area. In May, 2020 the Petitioner secured 0.068 acres from the owner of the abutting Lot 3 to bring the acreage of Lot 2 to 4.0 net acres. This transaction reduced Lot 3 from 3.47 net acres to 3.40 net acres, well exceeding the minimum lot size requirement. Lot 3 continues to comply with setback and plot coverage standards.

The proposed subdivision of Lot 2 (proposed Lots 2A and 2B) complies with minimum lot area and width requirements and will not create any nonconformities relative to the existing improvements. Both proposed lots will access Stallion Way.

Since the Landmark at Sterling Ranches Plat is restricted to four single-family residences, the Petitioner has filed a concurrent Plat Note Amendment Application to increase the number of permitted homes to five.

It is noted that although the acquisition of 0.068 acre from Lot 3 was necessary in order to subdivide Lot 2, that transaction itself was not legal as it constituted a subdivision of land that required prior Town approval. It appears that this was an oversight by the parties, as they may not have understood that any change to lot boundaries constitutes subdivision and therefore requires Town approval via Plat or Waiver of Plat. Accordingly, if for any reason the Council decides not to approve any part of this Application, the Petitioner must restore the shared property line with Lot 3 to the configuration that pre-existed the property transfer between the two lots.

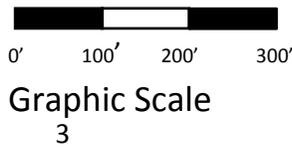
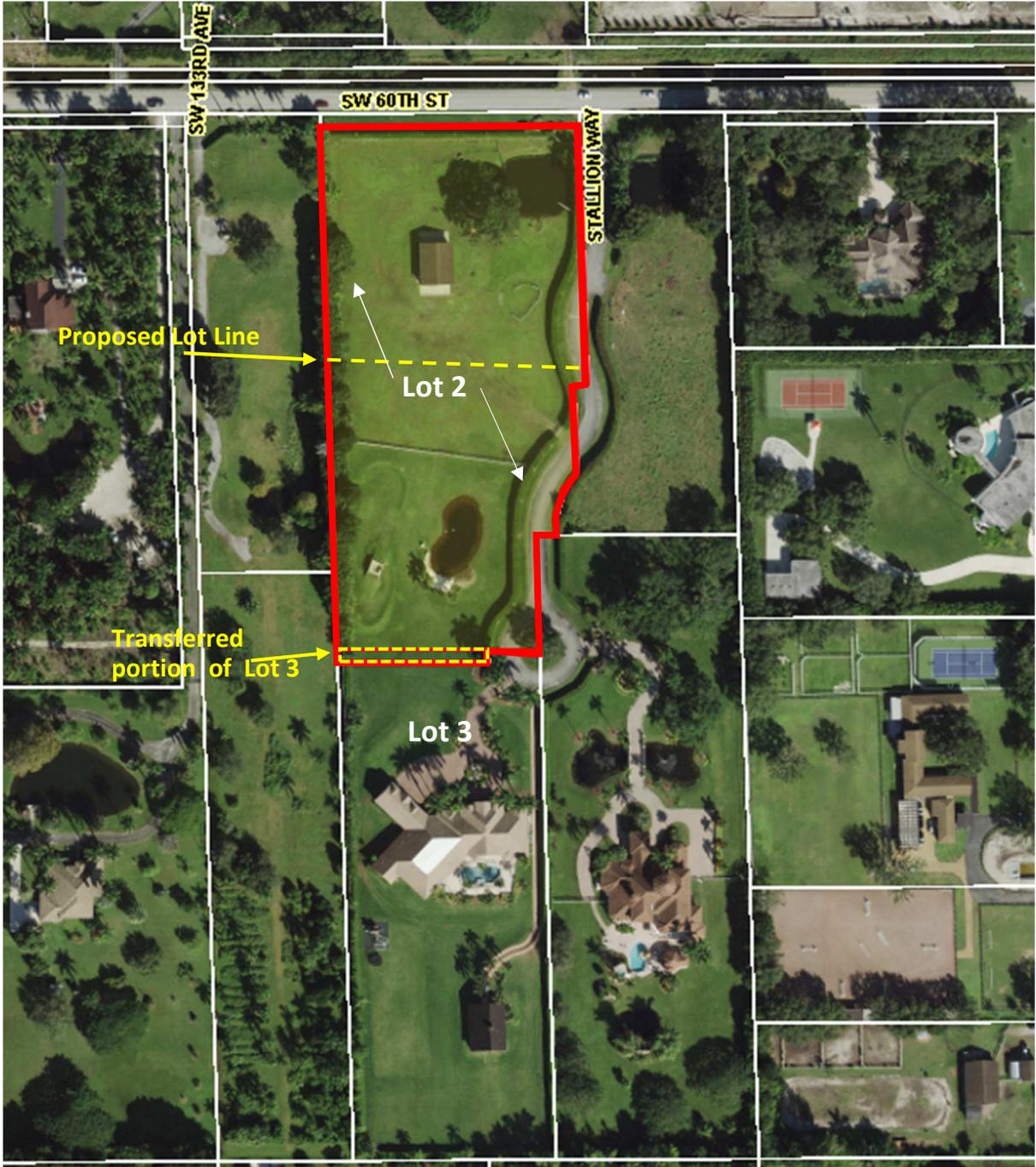
Letters of no objection are on file from all applicable utilities, including Central Broward Water Control District.

**RECOMMENDATION**

Staff recommends approval of Application No. WP-28-20 with the following conditions:

1. This approval shall not take effect until the approving Resolution is recorded in the Broward County Public Records. The approving Resolution shall not be recorded until the associated plat note amendment becomes effective as provided in Sec. 27.80 of the Broward County Administrative Code.
2. The Petitioner has until August 10, 2021 to complete the requirements in Condition No. 1. above, after which this approval shall expire pursuant to Section 115–100 of the ULDC.

WAIVER OF PLAT APPLICATION NO. WP-28-20  
LOCATION MAP AND AERIAL



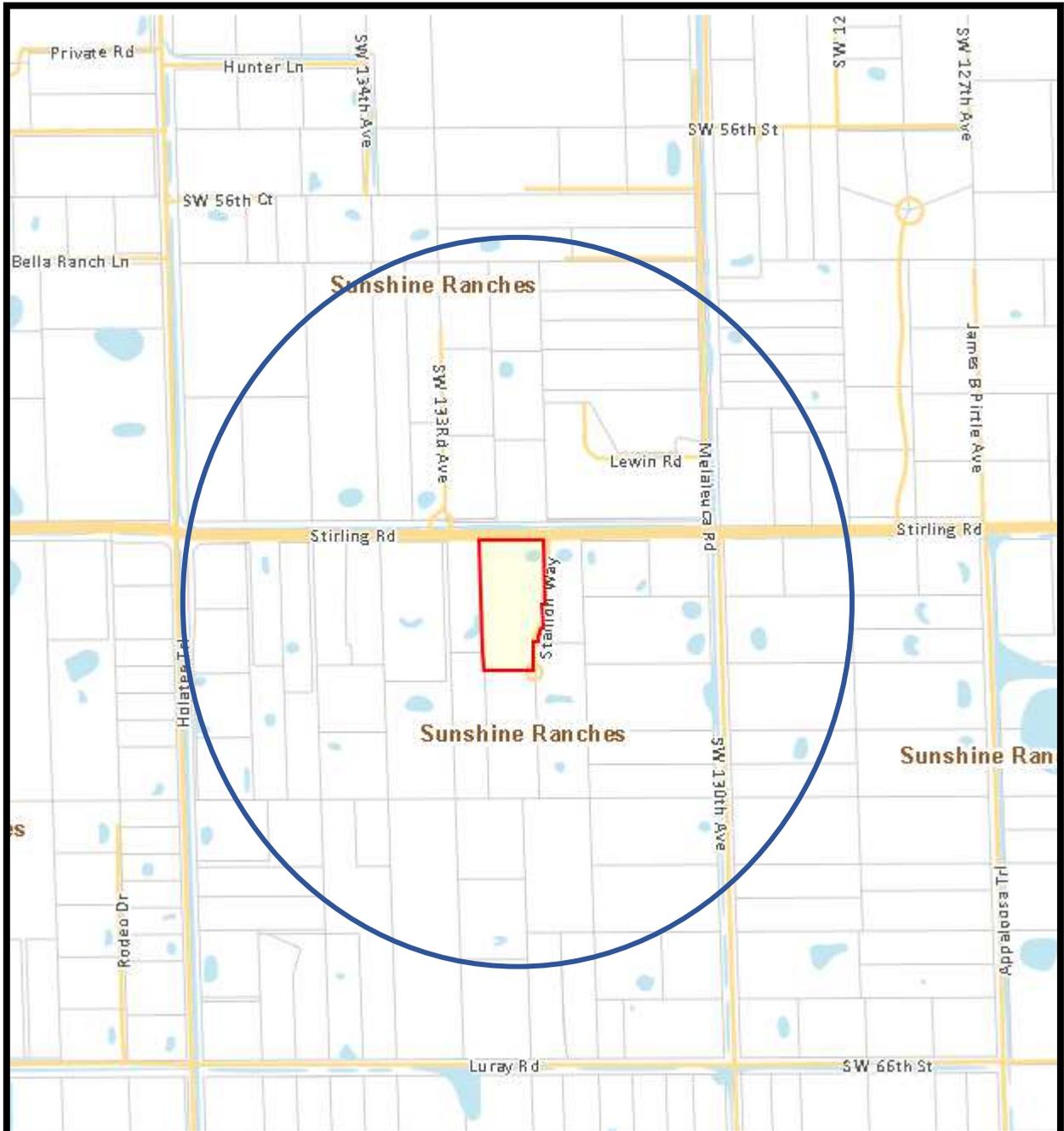
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# 6125 STALLION WAY – WAIVER OF PLAT

Mailing List – 1,500 radius



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1. 13495 STIRLING RD LLC  
135 WESTON RD #328 WESTON FL 33326
2. RICARDO BAJANDAS, ADNAN ISSA MALIK ASAD IRREVOCABLE TRUST  
13495 STIRLING RD SOUTHWEST RANCHES FL 33330
3. RICARDO BAJANDAS, ADNAN ISSA MALIK ASAD IRREVOCABLE TRUST  
12767 EQUESTRIAN TRL DAVIE FL 33330
4. RICARDO BAJANDAS, ADNAN ISSA MALIK ASAD IRREVOCABLE TRUST  
12767 EQUESTRIAN TRL DAVIE FL 33330
5. RICARDO BAJANDAS, ADNAN ISSA MALIK ASAD IRREVOCABLE TRUST  
12767 EQUESTRIAN TRL DAVIE FL 33330
6. LAMM, HELMUT & KATHI & LAMM, JULIE C  
2161 NE 56 CT FORT LAUDERDALE FL 33308
7. LAMM, KATHI H/E & LAMM, JULIE CHRISTINA  
2161 NE 56 CT FORT LAUDERDALE FL 33308
8. HILLS, TIMOTHY A & LAINE W  
5690 SW 134 AVE SOUTHWEST RANCHES FL 33330
9. MORLANNE, JESSE E & CARMEN M - JESSE & C MORLANNE REV LIV TR  
5763 SW 130 AVE SOUTHWEST RANCHES FL 33330
10. BERTHOLD RUSS  
5710 SW 133 AVE SOUTHWEST RANCHES FL 33330
11. PATRICIA LAND TR - MEJIA LAND TR ETAL  
7804 PALMILLA CT KISSIMMEE FL 34747
12. BRIAN & VANESSA DUQUESNAY  
13241 STIRLING RD SOUTHWEST RANCHES FL 33330
13. PATRICIA LAND TR - MEJIA LAND TR ETAL  
7804 PALMILLA CT KISSIMMEE FL 34747
14. BRIAN & VANESSA DUQUESNAY  
13241 STIRLING ROAD SOUTHWEST RANCHES FL 33330
15. PATRICIA LAND TR - MEJIA LAND TR ETAL  
7804 PALMILLA CT KISSIMMEE FL 34747
16. TERRY & MICHELLE DUKE  
5745 SW 130 AVE SOUTHWEST RANCHES FL 33330

17. MUNTASER, AHMAD & ZAHIDA  
3290 SW 139 TER DAVIE FL 33330
18. MUNTASER, AHMAD & ZAHIDA  
3290 SW 139 TER DAVIE FL 33330
19. MENDEZ, DENISE ALEJANDRA  
7000 GLENEAGLE DR MIAMI LAKES FL 33014
20. SCOTT & TERESA LEEDS  
5801 SW 130 AVE SOUTHWEST RANCHES FL 33330
21. ROBERT & LISA LEWIN  
5951 SW 130 AVE SOUTHWEST RANCHES FL 33330
22. ROBERT & LISA LEWIN  
13000 LEWIN LN DAVIE FL 33330
23. ALBERT C MEARS SR REV TR  
5740 SW 130 AVE SOUTHWEST RANCHES FL 33330
24. MATER FILIUS MIAMI INC  
1167 CHENILLE CIR WESTON FL 33327
25. GERARD & JULIE WILLIAMS  
5800 SW 130 AVE SOUTHWEST RANCHES FL 33330
26. UNAVAILABLE
27. ARIN, ESRA  
12901 STIRLING ROAD SOUTHWEST RANCHES FL 33330
28. ARIN, ESRA  
12901 STIRLING ROAD SOUTHWEST RANCHES FL 33330
29. ELSON, FREDERICK S - FREDERICK S ELSON REV TR  
12951 STIRLING RD SOUTHWEST RANCHES FL 33330
30. PUTTER, VITA - KAREN PUTTER REV TR  
681 NW 108 AVE PLANTATION FL 33324
31. RAMMOHAN & ARPITHA KASARLA  
11830 NW 4 ST PLANTATION FL 33325
32. LEONARD & ANNETTE FASSLER  
13100 STIRLING ROAD SOUTHWEST RANCHES FL 33330

33. CHARLES & MARIA ELENA LEVY  
13010 STIRLING RD SOUTHWEST RANCHES FL 33330
34. AHMAD, SHAHABUDEEN & DOMINIQUE  
6951 NW 109 AVE MIAMI FL 33178
35. AHMAD, SHAHABUDEEN & DOMINIQUE  
6951 NW 109 AVE MIAMI FL 33178
36. GARY & LORI WEISS  
6111 SW 130 AVE SOUTHWEST RANCHES FL 33330
37. AHMAD, SHAHABUDEEN & DOMINIQUE  
6951 NW 109 AVE MIAMI FL 33178
38. HEIDI PERLMAN HUMPHRIES REV TR  
6211 APPALOOSA TRL SOUTHWEST RANCHES FL 33330
39. BALASKY, PETER V - PETER V BALASKY TR  
6220 MELALEUCA RD SOUTHWEST RANCHES FL 33330
40. CALDERBANK, BARBARA & ZUMBACH, MICKEY  
6230 MELALEUCA RD SOUTHWEST RANCHES FL 33330
41. BECKMAN, MAILIN H/E & D'ELIA, RODERICK & CINDY  
6300 MELALEUCA ROAD SOUTHWEST RANCHES FL 33330
42. D'ELIA, RODERICK & CINDY  
6400 MELALEUCA ROAD SOUTHWEST RANCHES FL 33330
43. JOHN E & CYNTHIA ANN BUZZELLA  
6411 MELALEUCA ROAD SOUTHWEST RANCHES FL 33330
44. MICHAEL & BETH COHN  
304 INDIAN TRACE #743 WESTON FL 33326
45. DEFREITAS-HANSEN, VANESSA & HANSEN, ULRICH  
6231 SW 130 AVE SOUTHWEST RANCHES FL 33330
46. DE CARDENAS, ESTER DANIELA & CARDENAS DAVID, RICARDO  
6201 SW 130 AVE SOUTHWEST RANCHES FL 33330
47. DE CARDENAS, ESTER DANIELA & CARDENAS DAVID, RICARDO  
6201 SW 130 AVE SOUTHWEST RANCHES FL 33330
48. ERNESTO & GRACE FERNANDEZ  
6200 STALLION WAY SOUTHWEST RANCHES FL 33330

49. MANDALAY ESTATES INC  
6225 STALLION WAY SOUTHWEST RANCHES FL 33330
50. JASON BROWN  
1800 S OCEAN DR #4403 HALLANDALE BEACH FL 33009
51. LEE, CHI HUNG & WOON KWAN LAM  
13221 LURAY ROAD SOUTHWEST RANCHES FL 33330
52. ANGUS LEO ARCHER III LAND TR - GRANT TANI BARASH & ALTMAN LLC  
9100 WILSHIRE BLVD STE 1000W BEVERLY HILLS CA 90212
53. POLIAKOFF, SHERRI  
13211 LURAY ROAD SOUTHWEST RANCHES FL 33330
54. SHAPIRO, ERICA & BILLY  
13251 LURAY RD SOUTHWEST RANCHES FL 33330
55. LUCENA, BRYAN & RUBLE-LUCENA, ERICA  
13201 LURAY RD SOUTHWEST RANCHES FL 33330
56. EDUARDO J RODRIGUEZ H & CATHERINE AGUIRRE  
13151 LURAY RD SOUTHWEST RANCHES FL 33330
57. CHARLES, NANCY E & CHARLES, KATHLEEN L  
6511 MELALEUCA RD SOUTHWEST RANCHES FL 33330
58. BAJANDAS, RICARDO - Wafa Issa Asad Irrev Tr  
13590 STIRLING RD SOUTHWEST RANCHES FL 33330
59. PEREZ, ALEXANDER H/E & PEREZ, TERESA MAITE  
6100 SW 136 AVE SOUTHWEST RANCHES FL 33330
60. BECKER, DEBRA J  
13494 STIRLING ROAD SOUTHWEST RANCHES FL 33330
61. RUBEN & LAURA ANN AGUIAR  
13490 STIRLING RD SOUTHWEST RANCHES FL 33330
62. ABEL & CHRISTY INC  
15121 MEADHAVEN ST FORT LAUDERDALE FL 33331
63. ABEL & CHRISTY INC  
15121 MEADHAVEN ST FORT LAUDERDALE FL 33331
64. DE LA FLOR, JAVIER A & DEBORAH  
13320 STIRLING ROAD SOUTHWEST RANCHES FL 33330

65. JASON BROWN  
1800 S OCEAN DR #4403 HALLANDALE BEACH FL 33009
66. GABRIEL & ANGELICA ACOSTA  
6200 SW 136 AVE SOUTHWEST RANCHES FL 33330
67. JUAN L & MIRTHA PUJOL  
6250 HOLATEE TRL SOUTHWEST RANCHES FL 33330
68. RIPAK, ROY M & ABIGANTUS, NUVIA L  
13500 STIRLING RD SOUTHWEST RANCHES FL 33330
69. RATMIROFF, ALFREDO & DESEDA, LAURA  
7741 SW 182 TER PALMETTO BAY FL 33157
70. GERARDO & MARCIA NECUZE  
13351 LURAY RD SOUTHWEST RANCHES FL 33330
71. GERARDO & MARCIA NECUZE  
13351 LURAY RD SOUTHWEST RANCHES FL 33330
72. GLENN & DONNA WILSON  
13280 STIRLING ROAD SOUTHWEST RANCHES FL 33330
73. ANGELA PARISH RUSSELL REV LIV TR  
6300 SW 136 AVE SOUTHWEST RANCHES FL 33330
74. PRESCHER, NELSON H/E & SALOMON, DANIELLA  
6350 SW 136 AVE SOUTHWEST RANCHES FL 33330
75. CHEHAB, MOSBAH A  
6400 HOLATEE TRL SOUTHWEST RANCHES FL 33330
76. GERARDO & MARCIA NECUZE  
13351 LURAY RD SOUTHWEST RANCHES FL 33330
77. GERARDO & MARCIA NECUZE  
13351 LURAY RD SOUTHWEST RANCHES FL 33330
78. 13301 LURAY ROAD LLC  
13351 LURAY RD SOUTHWEST RANCHES FL 33330

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**Town of Southwest Ranches**  
**13400 Griffin Road**  
**Southwest Ranches, FL 33330-2628**

**(954) 434-0008 Town Hall**  
**(954) 434-1490 Fax**

**Town Council**  
**Steve Breitkreuz, Mayor**  
**Bob Hartmann, Vice Mayor**  
**Jim Allbritton, Council Member**  
**Gary Jablonski, Council Member**  
**David Kuczenski, Council Member**

**Andrew D. Berns, MPA, Town Administrator**  
**Keith M. Poliakoff, JD, Town Attorney**  
**Russell Muniz, MPA, Assistant Town Administrator/Town Clerk**  
**Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator**

## **COUNCIL MEMORANDUM**

**TO:** Honorable Mayor Breitkreuz and Town Council  
**VIA:** Andrew Berns, Town Administrator  
**FROM:** Jeff Katims  
**DATE:** 2/11/2021  
**SUBJECT:** Plat Note Amendment Application No. DG-24-20

---

### **Recommendation**

Staff recommends approval subject to approval of accompanying Waiver of Plat Application No. WP-28-20.

### **Unanimous Vote of the Town Council Required?**

Yes

### **Strategic Priorities**

A. Sound Governance

### **Background**

Petitioner requests approval of a Plat Note Amendment to change the restrictive note on the face of the Landmark at Sterling Ranches Plat to allow an additional home to be constructed. The plat has four lots and the restrictive plat note allows a corresponding four single-family dwellings. This application seeks to increase the number of permitted homes to five in order to effectuate Waiver of Plat Application No. WP-28-20, which subdivides Lot 2 of the plat into two lots.

### **Fiscal Impact/Analysis**

N/A

**Staff Contact:**

Jeff Katims

**ATTACHMENTS:**

| Description  | Upload Date | Type            |
|--------------|-------------|-----------------|
| Resolution   | 1/13/2021   | Resolution      |
| Staff Report | 1/20/2021   | Backup Material |

**RESOLUTION NO. 2021-\_\_\_\_**

**A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING PLAT NOTE AMENDMENT APPLICATION NO. DG-24-20 TO INCREASE THE NUMBER OF SINGLE-FAMILY RESIDENCES AUTHORIZED ON THE FACE OF THE LANDMARK AT STERLING RANCHES PLAT IN ASSOCIATION WITH WAIVER OF PLAT APPLICATION NO. WP-28-20; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the restrictive plat note on the face of the Landmark at Sterling Ranches Plat allows up to four single-family residences; and

**WHEREAS**, Calloway Builders IV, LLC has petitioned the Town Council to create a fifth lot within the plat via Waiver of Plat Application No. WP-28-20, which requires amending the restrictive plat note; and

**WHEREAS**, at a duly noticed public hearing held on February 11, 2021 the Town Council reviewed Application No. DG-24-22 to amend the restrictive note on the face of the Landmark at Sterling Ranches Plat to allow five single-family residences; and

**WHEREAS**, the proposed change to the restrictive note complies with the permitted residential density of the Rural Ranch land use plan designation and Rural Ranches zoning designation applicable to the plat.

**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 February 11, 2021, following the review of the staff report and all written and oral evidence received during the public hearing, the Town Council hereby approves Plat Note Amendment Application No. DG-24-20 to change the restrictive note on the face of the plat to authorize five single-family residences.

**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 become effective upon its recordation.

**[Signatures on Following Page]**

**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this \_\_\_ day of \_\_\_\_\_2021, on a motion by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Breitkreuz \_\_\_\_\_  
Hartmann \_\_\_\_\_  
Allbritton \_\_\_\_\_  
Jablonski \_\_\_\_\_  
Kuczenski \_\_\_\_\_

Ayes \_\_\_\_\_  
Nays \_\_\_\_\_  
Absent \_\_\_\_\_  
Abstaining \_\_\_\_\_

\_\_\_\_\_  
Steve Breitkreuz, Mayor

ATTEST:

\_\_\_\_\_  
Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

\_\_\_\_\_  
Keith Poliakoff; J.D., Town Attorney  
37954689.1

**TOWN OF SOUTHWEST RANCHES  
TOWN COUNCIL AGENDA REPORT**

February 11, 2021

- SUBJECT:** Plat Note Amendment Application No. DG-24-20
- LOCATION:** 6125 Stallion Way, generally located at the southwest corner of Stirling Road and Stallion Way.
- OWNER/  
PETITIONER:** Callaway Builders IV, LLC
- AGENT:** Pulice Land Surveyors
- LAND USE PLAN  
DESIGNATION:** Rural Ranch
- ZONING:** Rural Ranches
- PUBLIC NOTICE:** Legal notice in newspaper and mail notice within 1,500-foot radius
- EXHIBITS:** Staff Report and plat.

**BACKGROUND AND ANALYSIS**

The Petitioner requests approval of a Plat Note Amendment to change the restrictive note on the face of the Landmark at Sterling Ranches Plat to allow an additional home to be constructed. The plat has four lots and the restrictive plat note allows a corresponding four single-family dwellings. This application seeks to increase the number of permitted homes to five in order to effectuate Waiver of Plat Application No. WP-28-20, which subdivides Lot 2 of the plat into two lots.

**RECOMMENDATION**

Staff recommends approval of Application No. DG-24-20 subject to the approval of Waiver of Plat Application No. WP-28-20.

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**13400 Griffin Road**  
**Southwest Ranches, FL 33330-2628**

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## **COUNCIL MEMORANDUM**

**TO:** Honorable Mayor Breitkreuz and Town Council  
**VIA:** Andrew Berns, Town Administrator  
**FROM:** Jeff Katims  
**DATE:** 2/11/2021  
**SUBJECT:** ORDINANCE AMENDING US 27 COMPREHENSIVE PLAN PROVISIONS

---

### **Recommendation**

Staff recommends the Town Council approve the Ordinance on first reading and adopt the Ordinance on second reading.

### **Unanimous Vote of the Town Council Required?**

Yes

### **Strategic Priorities**

A. Sound Governance

### **Background**

The Ordinance makes the following changes, noting that the Council previously reviewed the first two changes at a workshop:

1. Amending the list of permitted uses in the US Highway 27 Business land use category to reflect additional uses recommended by the Comprehensive Plan Advisory Board and made part of the US Highway 27 Business zoning regulations.
2. Clarifying that the US Highway 27 Business land use category can be applied to both east and west sides of US 27.
3. Adjusting performance standards for noise and other impacts to allow for reasonable implementation. The revision prohibits levels of noise and other impacts that are not compatible with residential uses.

**Fiscal Impact/Analysis**

Not applicable.

**Staff Contact:**

Jeff Katims

**ATTACHMENTS:**

| Description             | Upload Date | Type       |
|-------------------------|-------------|------------|
| Ordinance - TA Approved | 1/28/2021   | Resolution |

**ORDINANCE NO. 2021 -XXX**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN, PERTAINING TO THE US HIGHWAY 27 BUSINESS LAND USE CATEGORY; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; REQUESTING RECERTIFICATION BY THE BROWARD COUNTY PLANNING COUNCIL; AND, PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-4)**

**WHEREAS**, the Future Land Use Element ("FLUE") of the Town of Southwest Ranches Comprehensive Plan includes objectives, policies and permitted uses for the US Highway 27 Business land use category ("US 27 Category"); and

**WHEREAS**, the Town Council wishes to amend the text of the FLUE to clarify that both the east and west sides of U.S. Highway 27 may be designated US 27 Category, to expand the list of permitted uses and to provide implementable directives for zoning regulations; and

**WHEREAS**, the Town Council, sitting as the Local Planning Agency, held a duly noticed public hearing on October 8, 2020 and recommended that the Town Council adopt the proposed amendment; and

**WHEREAS**, the Town Council finds that the amendment is internally consistent with goals, objectives and policies of the adopted Comprehensive Plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:**

**Section 1: Ratification.** 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: Amendment to FLUE Part I.** The Goals, Objectives and Policies in Part I of the Future Land Use Element are hereby amended as follows:

**FLUE POLICY 1.8-a:** The Town has identified the US 27 Corridor as appropriate for business uses on the land use plan map. The Town created the US Highway 27 Business Category for this purpose. Only parcels west of US Highway 27 and parcels that fronting

the east side of US Highway 27 that are buffered from Rural Ranch land use designations by an intervening open space or community facilities land use designation are eligible for this designation, including parcels that also front Griffin Road or Stirling Road. Parcels designated US Highway 27 Business on the land use plan map must only be developed and used in strict compliance with the following policies. The Town Council shall consider the extent to which each application submitted for land use plan amendment, rezoning and development furthers the intent and spirit of the policies hereunder in determining whether to approve the application.

**Section 3: Amendment to FLUE Part II.** The Permitted Uses in Part II of the Future Land Use Element are hereby amended as follows:

### **5. US HIGHWAY 27 BUSINESS CATEGORY**

The US Highway 27 Business Category is intended to facilitate a limited range of “clean” light industrial and business uses along the US 27 corridor that are not a threat to the potable water quality of the Biscayne Aquifer or to the peaceful enjoyment of residential properties to the east. ~~This category may be applied only to properties fronting the east side of U.S. Highway 27 that are buffered from parcels designated Rural Ranches, Rural Estates and Agricultural by an intervening permanent open space or community facility land use.~~

The Town shall carefully consider potential environmental, traffic and quality of life impacts before changing the land use plan map designation of any parcel to US Highway 27 Business. An application for land use plan amendment to designate a property as US Highway 27 Business must affirmatively demonstrate that the amendment is consistent with all of the performance standards established herein. Every such application for plan amendment shall be submitted concurrently with a rezoning application to an implementing zoning district.

#### A. Performance Standards.

1. Development shall not generate levels of noise, vibration, odor, dust, fumes, smoke, glare, or night-time illumination that ~~can be detected from~~ are incompatible any property with residential land uses east of US Highway 27 ~~an Agricultural, Rural Ranch or Rural Estate land use plan map designation.~~
2. City of Sunrise sanitary sewer and potable facilities must be in place, or the provision of City of Sunrise sanitary sewer and potable facilities must be the subject of a binding agreement with the City of Sunrise to serve any parcel designated US Highway 27 Business, prior to issuance of any permit for the construction of any building or roofed structure. Such service must be in place prior to the issuance of a certificate of occupancy, temporary or otherwise.
3. Development shall not involve use of any chemicals, substances or processes that create byproducts that are combustible, carcinogenic, biohazardous, or are otherwise

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toxic to humans or animals. The land development regulations may permit fuel storage tanks for emergency generators and for the purpose of servicing vehicles or equipment used in the regular course of business, provided that any such tanks may be required to exceed the installation, containment, inspection and other requirements of Article 27, Chapter 10, "Storage Tanks" of the Broward County Code of Ordinances, as may be amended from time to time.

4. Any use – the nature of which may be considered dangerous, or which may potentially compromise the comfort, peace, enjoyment, health or safety of the community or any property with a Rural Ranches, Rural Estate or Agricultural land use plan map designation - shall be prohibited.
  5. All development shall provide for north-south cross-access to abutting parcels in accordance with the conceptual master access management plan for the US-27 corridor (see FLUE Policy 1.8-e.). Such access may include dedication and construction of a frontage drive and/or site design that anticipates driveway connections or drive aisle connections with abutting properties, and which provides cross-access easements for such connections.
- B. Uses permitted in areas designated US Highway 27 Business are as follows, subject to limitations, conditions of use and review requirements established within the Unified Land Development Regulations:

*Light industrial uses:*

1. Fabrication and assembly.
2. Contractor shops and similar uses.
3. Sales and display of agricultural equipment, construction equipment, utility trailers, boats, and similar uses.
4. A limited range of light manufacturing and light industrial uses that are consistent with the performance standards set forth herein.
5. Educational and scientific research businesses, including dental laboratories but excluding medical and industrial laboratories. Industrial laboratories may be approved on a case-by-case basis after review by the Town Council. All such uses shall be that are consistent with the performance standards set forth herein.
6. A limited range of commercial recreation uses that are consistent with the performance standards set forth herein.
7. Wholesaling, warehousing and storage provided that only storage or materials and items that are consistent with the performance standards set forth herein may be permitted.
8. Distribution uses that the Town determines are consistent with the performance standards set forth herein.

*Other permitted uses:*

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9. Communication facilities.
10. Non-residential agricultural uses.
11. Office uses, excluding call centers, ~~provided that principal office uses shall not exceed twenty percent (20%) of the land area within the Town designated Industrial on the Broward County Land Use Plan.~~
12. Utilities located on the site of a development and confined to serving only the specific development.
13. Recreation and open space that does not adversely affect the suitability of adjacent US 27 frontage parcels for business use.
14. One (1) residential caretaker or watchman unit within the same structure as a light industrial use.
- ~~15. Retail, restaurants, personal services and other ancillary commercial uses, limited to less than fifty percent (50%) of any building occupied by a light industrial use.~~
- ~~16. The following uses may also be permitted as long as the total area of these uses does not consume more than twenty percent (20%) of the land designated Industrial on the Future Broward County Land Use Plan Map (Series) within the Town, and as long as the location of these uses does not preclude or adversely affect the future use of surrounding areas for light industrial use:~~
  - ~~15. a.~~ Commercial and retail business uses, including restaurants and personal services.
  - ~~16. b.~~ Hotel, motel and similar lodging.
  17. Community facilities uses limited to cemeteries, mausoleums, trade and vocational schools, and theatrical studios.

**Section 4: F.S. Chapter 163 Transmittal.** That the Town Planner is hereby directed to transmit the amendment to the State Land Planning Agency immediately following first reading of this Ordinance, and is hereby directed to transmit the adopted amendments to the State Land Planning Agency immediately following the second and final reading of this Ordinance.

**Section 5: Recertification.** That the Town Planner is hereby directed to apply to the Broward County Planning Council for recertification of the Future Land Use Map subsequent to the effective date of this Ordinance.

**Section 6: Effective Date.** This Ordinance shall take effect 31 days after the Department of Economic Opportunity notifies the Town that the plan amendment package is complete, unless timely challenged pursuant to sec. 163.3184(5), F.S., in which case the Ordinance shall take effect on the date that the Department of Economic

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Opportunity or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

**PASSED ON FIRST READING** this \_\_\_ day of \_\_\_\_\_, 2020 on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

**PASSED AND ADOPTED ON SECOND READING** this \_\_\_ day of \_\_\_\_, 2021, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Breitkreuz \_\_\_\_\_  
Hartmann \_\_\_\_\_  
Allbritton \_\_\_\_\_  
Jablonski \_\_\_\_\_  
Kuczenski \_\_\_\_\_

Ayes \_\_\_\_\_  
Nays \_\_\_\_\_  
Absent \_\_\_\_\_  
Abstaining \_\_\_\_\_

\_\_\_\_\_  
Steve Breitkreuz, Mayor

Attest:

\_\_\_\_\_  
Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

\_\_\_\_\_  
Keith M. Poliakoff, J.D., Town Attorney  
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**Town of Southwest Ranches**  
**13400 Griffin Road**  
**Southwest Ranches, FL 33330-2628**

**(954) 434-0008 Town Hall**  
**(954) 434-1490 Fax**

**Town Council**  
**Steve Breikreuz, Mayor**  
**Bob Hartmann, Vice Mayor**  
**Jim Allbritton, Council Member**  
**Gary Jablonski, Council Member**  
**David Kuczenski, Council Member**

**Andrew D. Berns, Town Administrator**  
**Keith M. Poliakoff, JD, Town Attorney**  
**Russell Muniz, Assistant Town Administrator/Town Clerk**  
**Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator**

## **COUNCIL MEMORANDUM**

**TO:** Honorable Mayor McKay and Town Council  
**VIA:** Andrew Berns, Town Administrator  
**FROM:** Jeff Katims  
**DATE:** 2/11/2021  
**SUBJECT:** ORDINANCE CREATING THE US HIGHWAY 27 PLANNED BUSINESS DISTRICT

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### **Recommendation**

Staff recommends that the Council adopt the Ordinance on second reading.

### **Unanimous Vote of the Town Council Required?**

Yes

### **Strategic Priorities**

A. Sound Governance

### **Background**

The proposed Ordinance creates zoning regulations to implement the US Highway 27 Business land use category in the comprehensive plan. A comprehensive summary is provided in the backup materials.

### **Fiscal Impact/Analysis**

Not Applicable.

### **Staff Contact:**

Jeff Katims

### **ATTACHMENTS:**

| Description              | Upload Date | Type              |
|--------------------------|-------------|-------------------|
| Ordinance - US 27 Zoning | 1/28/2021   | Ordinance         |
| Staff memorandum         | 10/10/2020  | Executive Summary |

**ORDINANCE NO. 2021 -**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") TO CREATE A NEW ZONING CLASSIFICATION ENTITLED, "US HIGHWAY 27 PLANNED BUSINESS DISTRICT;" PROVIDING FOR DISTRICT REGULATIONS AND RELATED AMENDMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Future Land Use Element Policy 1.8-m requires the Town establish a zoning classification in the form of a planned development district to implement the US 27 Category; and

**WHEREAS**, the Town Council, sitting as the Local Planning Agency, held a duly noticed public hearing on October 8, 2020 and recommended that the Town Council adopt the proposed amendment; and

**WHEREAS**, the Town Council finds that the amendment implements Future Land Use Element Policy 1.8-m and related objectives, policies and provisions of the adopted Comprehensive Plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:**

**Section 1: Ratification.** 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: ULDC Amendment.** The ULDC is hereby amended to create Article 51 entitled, "US Highway 27 Planned Business District" as set forth in Exhibit "A", which is attached hereto and made a part hereof.

**Section 3: Codification.** The Town Clerk shall cause this ordinance to be codified as a part of the ULDC during the next codification update cycle.

**Section 4: Conflict.** 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: Severability.** If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**Section 6: Effective Date.** This Ordinance shall take effect upon the effective date of Ordinance No. \_\_\_\_ (Plan Amendment Application No. PA-20-4).

**PASSED ON FIRST READING** this \_\_\_\_ day of \_\_\_\_\_, 2020 on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

**PASSED AND ADOPTED ON SECOND READING** this \_\_\_\_ day of \_\_\_\_, 2021, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Breitkreuz \_\_\_\_\_  
Hartmann \_\_\_\_\_  
Allbritton \_\_\_\_\_  
Jablonski \_\_\_\_\_  
Kuczenski \_\_\_\_\_

Ayes \_\_\_\_\_  
Nays \_\_\_\_\_  
Absent \_\_\_\_\_  
Abstaining \_\_\_\_\_

\_\_\_\_\_  
Steve Breitkreuz, Mayor

Attest:

\_\_\_\_\_  
Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

\_\_\_\_\_  
Keith M. Poliakoff, J.D., Town Attorney

**EXHIBIT "A"**

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**Article 51. US Highway 27 Planned Business District.**

**Sec. 051-010. Intent and applicability.**

(A) *Intent.* The US Highway 27 Planned Business District ("US 27 District") is intended to facilitate a limited range of light industrial and business uses along the US 27 corridor that are not a threat to the potable water quality of the Biscayne Aquifer or to the peaceful enjoyment of residential properties to the east.

It is the further the intent of this district to coordinate access, circulation, buffering and screening, utilities, drainage, and design among parcels within the US 27 corridor through a master development plan, and to utilize the flexibility of the master development plan process to coordinate certain development standards with locational contexts and the unique impacts of different land uses.

(B) *Applicability.* This zoning district shall only be applied to property designated US Highway 27 Business Category on the Future Land Use Map. The provisions of this article, together with policies under Objective 1.8, the permitted uses in the Future Land Use Element of the comprehensive plan, and master development plans approved pursuant to this article shall govern the use and development of land within this district.

**Sec. 051-020. Permitted, prohibited and special exception uses.**

(A) *Unauthorized use.* No land or improvements thereon shall be used for any purpose other than as provided in this section. Further, no land shall be used for any use not authorized by an approved master development plan for a given parcel or tract.

(B) *Permitted uses.* Uses followed by a "P" are permitted, subject to compliance with all applicable conditions for the use set forth in section 051-030.

(C) *Special exception uses.* Uses followed by an "SE" are special exception uses that require town council approval pursuant to the procedures and requirements of Article 112 - Special Exception Uses, with an additional required finding that the use does not involve chemicals, substances or byproducts that are combustible, carcinogenic, biohazardous, or are otherwise toxic to humans or animals.

(D) *Prohibited uses.* Uses followed by an "NP" are prohibited.

(E) *Unlisted uses.* An unlisted use may be permitted if it is not a listed permitted, conditional, special exception, or prohibited use in any district, pursuant to the findings and procedures of this subsection.

- 1 (1) The town council may approve a use that it finds is similar to a listed special  
 2 exception use in this district upon consideration of an application for similar  
 3 special exception use that shall follow the process for special exception uses in  
 4 Article 112.
- 5 (2) The town administrator may approve a use upon finding the use similar to a  
 6 listed permitted use in this district subject to the following requirements:
- 7 (a) Finding that the use possesses similar characteristics to a permitted use in  
 8 this district, including but not limited to operating hours, emission of noise,  
 9 odor, dust, smoke or other particulates, vibration, and glare. Approval of a  
 10 similar use may be made subject to any master plan and site plan conditions  
 11 that are applicable to the similar use, or as deemed appropriate by the town  
 12 administrator to mitigate potential incompatibilities with residential uses.
- 13 (b) The use shall not involve chemicals, substances or byproducts that are  
 14 combustible, carcinogenic, biohazardous, or that are otherwise toxic to  
 15 humans or animals.
- 16 (c) The town administrator shall provide written notice to all town council  
 17 members the intent to authorize the similar use. If no councilmember files a  
 18 written objection with the town administrator within ten (10) business days,  
 19 the town administrator may approve the use.
- 20 (d) If by the end of the ten (10)-day period any councilmember files an objection,  
 21 the use may only be approved as a special exception use.
- 22 (F) *Schedule of uses.* The schedule in this subsection enumerates those uses that are  
 23 permitted, prohibited and subject to special exception permit.

|     | Use  |    |
|-----|--|----|
| 1.  | <u>Abrasive product manufacturing</u>  | NP |
| 2.  | Accessory uses & structures, including outdoor storage, incidental fuel storage and caretaker/watchman living quarters, [subject to sec. 051-030 (C), (D) and (E), respectively] | P  |
| 3.  | <u>Acid (corrosive) manufacturing, including hydrochloric, nitric, picric, sulfurous, and sulfuric</u>   | NP |
| 4.  | <u>Adult entertainment</u>   | NP |
| 5.  | Agricultural equipment sales and display   | P  |
| 6.  | Agricultural uses (non-residential)  | P  |
| 7.  | <u>Airport and airport hanger</u>  | NP |
| 8.  | <u>Alkaline products manufacturing</u>   | NP |
| 9.  | <u>Ammunition reloading</u>  | NP |
| 10. | <u>Animal burial ground</u>  | NP |

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Ordinance No. 2021-\_\_\_\_ Key: Underlined words are added and ~~stricken~~ words are deleted.

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| 11. | Animal hospital or veterinary clinic including equine [subject to sec. 051-030(A) – noise]   | P         |
| 12. | Animal refuge  | SE        |
| 13. | <b>Asphalt manufacturing or refining</b>   | <b>NP</b> |
| 14. | <b>Asphalt paving plant</b>  | <b>NP</b> |
| 15. | Assembly of appliances and instruments   | P         |
| 16. | Assembly of pre-manufactured components  | P         |
| 17. | Automobile, commercial vehicle, RV, boat, tractor, trailer storage, transport, parking or open-air storage [subject to sec. 051-030(B)-screening]  | P         |
| 18. | Automobile, motor vehicle, motorcycle, vehicle accessories, parts sales and display - new & used   | P         |
| 19. | Automobile, motor vehicle detailing including car washes   | P         |
| 20. | <b>Automobile wrecking yard</b>  | <b>NP</b> |
| 21. | Awning and canvas repair   | P         |
| 22. | <b>Battery repair and rebuilding</b>   | <b>NP</b> |
| 23. | Boarding kennel [subject to sec. 051-030(A)-noise]   | P         |
| 24. | Boat sales, including outdoor display, and indoor minor repair of components as an accessory use (ex: upholstery, wiring and electronics, switchgear, pumps, batteries, hydraulics, window seals, etc.) but excluding any work relating to the hull and power generating components. | P         |
| 25. | <b>Body and paint shop, both as stand-alone use and accessory to auto sales</b>  | <b>NP</b> |
| 26. | Bookbinding- no use of adhesives   | P         |
| 27. | Bottling plant - only liquids safe for human consumption   | P         |
| 28. | Broadcasting, movie production, relay station  | P         |
| 29. | Brewing and distilling –subject to ability of municipal sewer to treat effluent  | P         |
| 30. | <b>Brick, tile, terra cotta manufacturing</b>  | <b>NP</b> |
| 31. | Bulk storage excluding chemicals   | P         |
| 32. | Building supplies sales and display. May be outdoors if roofed and if screened from view pursuant to sec. 51-030(B).   | P         |
| 33. | <b>Butane or propane manufacturing</b>   | <b>NP</b> |
| 34. | <b>Carnival, circus, circus quarters, <del>menagerie, or keeping wild animals</del></b>  | <b>NP</b> |
| 35. | <b>Carpet manufacture, power looms</b>   | <b>NP</b> |
| 36. | <b>Cement and concrete products manufacturing, batching or mixing plant</b>  | <b>NP</b> |
| 37. | Cemetery, columbarium, mausoleum   | P         |

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Ordinance No. 2021-\_\_\_\_ Key: Underlined words are added and ~~stricken~~ words are deleted.

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| 38. | <b>Chemical manufacturing</b>   | NP |
| 39. | Clothing fabrication – no use of chemicals  | P  |
| 40. | Cold storage facility [subject to sec. 051-030(A)-noise]  | SE |
| 41. | Commercial recreation uses including rifle and gun range - indoors only [subject to sec. 051-030(A)-noise]                  | P  |
| 42. | Contractor shops-indoor only; carpentry shops are subject to sec. 051-030(A)-noise.   | P  |
| 43. | Contractor yards, principal or accessory to a contractor shop   | SE |
| 44. | Courier, packing or delivery service  | P  |
| 45. | <b>Creosote manufacture or treatment</b>  | NP |
| 46. | Daycare   | P  |
| 47. | Dental lab  | P  |
| 48. | <b>Disinfectant and insecticide manufacturing</b>   | NP |
| 49. | Distribution warehouse, truck or freight terminal [subject to sec. 051-030(A)-noise.]                                       | SE |
| 50. | Educational lab   | P  |
| 51. | Electronics assembly  | P  |
| 52. | <b>Electronics manufacturing</b>  | NP |
| 53. | Fabrication   | P  |
| 54. | Feed, seed and fertilizer sales and display   | P  |
| 55. | <b>Fertilizer compounding</b>   | NP |
| 56. | Food catering service   | P  |
| 57. | Food processing, packaging and distribution without refrigeration   | P  |
| 58. | Food processing, packaging and distribution with refrigeration [subject to sec. 051-030(A)-noise]                           | SE |
| 59. | <b>Foundry</b>  | NP |
| 60. | Frozen food lockers, bulk storage & warehousing [subject to sec. 051-030(A)-noise]  | SE |
| 61. | Fruit packing and shipping  | P  |
| 62. | Funeral home or mortuary including monument sales and display   | P  |
| 63. | Furniture manufacturing [subject to sec. 051-030(A)-noise]  | P  |
| 64. | Furniture, appliance repair [subject to sec. 051-030(A)-Noise]  | P  |
| 65. | <b>Gas station, fuel sales</b>  | NP |
| 66. | Glass and mirror shop   | P  |
| 67. | <b>Hazardous materials storage in bulk</b>  | NP |
| 68. | Home improvement center including accessory outdoor sale and display of utility trailers, lawn furniture and barbeques      | P  |
| 69. | <b>Hospitals, sanitariums, orphanages, and similar institutions for the treatment of persons (excluding adult day care)</b> | NP |

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Ordinance No. 2021-\_\_\_\_ Key: Underlined words are added and ~~stricken~~ words are deleted.

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| 70. | Hotel  | P   |
| 71. | Household items repair shop  | P   |
| 72. | House wrecking yards; used building materials yard   | NP  |
| 73. | Ice manufacturing including storage, distributing and self-service ice station [subject to sec. 051-030(A)-noise]          | P   |
| 74. | Incineration, reduction, or storage of garbage, offal, dead animal refuse, and rancid fats                                 | NP  |
| 75. | Industrial lab   | SE  |
| 76. | Junk yard  | NP  |
| 77. | Laboratories/labs: see individual lab types: dental lab; educational lab; industrial lab; and research and development lab | --- |
| 78. | Lawnmower rental, sales, repair [repair subject to sec. 051-030(A)-noise].   | P   |
| 79. | Light manufacturing  | SE  |
| 80. | Livery stable, riding academy or dude ranch  | P   |
| 81. | Livestock auction  | P   |
| 82. | Lumber yard with planning mill   | NP  |
| 83. | Machine shop, including use of screw machines [subject to sec. 051-030(A)-noise]   | P   |
| 84. | Manufacturing of canvas, cork, textiles -no chemical treatment of textiles   | P   |
| 85. | Manufacturing of glass products from previously manufactured glass   | P   |
| 86. | Machinery sales and display  | P   |
| 87. | Medical waste incineration, sterilization or transfer station  | NP  |
| 88. | Metalsmithing [subject to sec. 051-030(A) – noise]   | P   |
| 89. | Mobile collection center and food units  | NP  |
| 90. | Motor vehicle repair, including body shops, both as a principal use and accessory use                                      | NP  |
| 91. | Motor vehicle and equipment wholesale and public auctions including boat, RV, commercial vehicles (whole car or salvage)   | NP  |
| 92. | New equipment and tool sales and display including tool rental (commercial and contractor)                                 | P   |
| 93. | Night club, music hall, bar, tavern, pool or billiard room, penny arcades, games of skill and science                      | NP  |
| 94. | Offices  | P   |
| 95. | Paint or varnish manufacture   | NP  |
| 96. | Paper or pulp mills  | NP  |
| 97. | Penal Institutions and detention centers   | NP  |

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Ordinance No. 2021-\_\_\_\_ Key: Underlined words are added and ~~stricken~~ words are deleted.

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| 98.  | Personal services   | P         |
| 99.  | <b>Pest control service</b>   | <b>NP</b> |
| 100. | <b>Petroleum product manufacturing</b>  | <b>NP</b> |
| 101. | <b>Poisonous gas storage</b>  | <b>NP</b> |
| 102. | Photographic, radio and TV studio   | P         |
| 103. | Printing plant - no use of solvents or offset printing  | P         |
| 104. | <b>Railroad freight or passenger station, transfer, storage or team tracks</b>  | <b>NP</b> |
| 105. | <b>Recycling facility</b>   | <b>NP</b> |
| 106. | Research and development lab  | SE        |
| 107. | Restaurant including bakery and delicatessen  | P         |
| 108. | Restaurant and hotel supplies and equipment sales and display, including store fixtures                               | P         |
| 109. | Retail sales, including firearms, ammunition [subject to 051-030(F)-incidental retail sale of prepackaged chemicals]  | P         |
| 110. | Rock, gravel, or sand distribution  | P         |
| 111. | Self-storage and mini warehouses  | P         |
| 112. | <b>Sewage or water treatment, pumping and storage plants</b>  | <b>NP</b> |
| 113. | Sharpening and grinding [subject to sec. 051-030(A)-noise]  | P         |
| 114. | Sign printing shop - digital printing only  | P         |
| 115. | <b>Slaughterhouse</b>   | <b>NP</b> |
| 116. | <b>Smelting or refining of ores or metals</b>   | <b>NP</b> |
| 117. | Swimming pool supplies retail sales and display [subject to sec. 051-030(F)-incidental sale of prepackaged chemicals] | P         |
| 118. | <b>Tank storage of bulk oil or gas</b>  | <b>NP</b> |
| 119. | Theatrical studio   | P         |
| 120. | <b>Tire recapping and vulcanizing</b>   | <b>NP</b> |
| 121. | Tractor, construction equipment sales and display   | P         |
| 122. | Trade and vocational schools  | P         |
| 123. | <b>Truck stop</b>   | <b>NP</b> |
| 124. | Upholstery shop   | P         |
| 125. | Utility trailer sales and display   | P         |
| 126. | Welding equipment and supplies sales and display  | P         |
| 127. | Wholesale (no chemicals)  | P         |

- 1
- 2 **Sec. 051-030. Limitations of uses.**
- 3 (A) *Noise compatibility.*
- 4 (1) The town may require a noise study for any use subject to this subsection in the
- 5 table of permitted uses, and any other use, equipment or machinery that may

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Ordinance No. 2021-\_\_\_\_ Key: Underlined words are added and ~~stricken~~ words are deleted.

1 be expected to generate noise detectable beyond the property line. The study  
2 shall identify the anticipated noise impact from the proposed use at the nearest  
3 point of the lot line of the receiving residentially zoned property ("impact  
4 location").

5 (2) The impact analysis shall consider the level of sound that would be generated  
6 by the proposed use, as well as its temporal characteristics (how it varies with  
7 time) and its spectral characteristics ((how it varies over frequency). If the  
8 projected noise from the proposed use or proposed modifications to an existing  
9 use exceed either 5 dB above the average daytime ambient sound level or 55  
10 dB at the impact location, the noise study shall include recommendations to  
11 mitigate the noise impacts. Design and construction recommendations shall be  
12 incorporated in the design of all plans submitted for town approval. All use-  
13 related recommendations shall be made part of the approved site plan, an  
14 enforceable agreement approved as to form by the town attorney, the certificate  
15 of use, or a combination of these. The 55 dB noise threshold shall be corrected  
16 to 50 dBA for sources emitting a discrete tone as defined in ANSI S.13, and shall  
17 be corrected to 50 dBA for noise sources that are of an impulsive character as  
18 defined in ANSI S.13.

19 (3) Acceptable methods of sound attenuation may include limitations on the  
20 proposed scope of a use or its operations, deliberate site design, sound walls,  
21 acoustic blankets or insulation, and other measures or combinations of same  
22 acceptable to the town.

23 (4) In determining whether to require a noise study, the town shall consider the  
24 applicability of previous studies, distance of the noise source from residentially  
25 zoned parcels, intermediate conditions such as intervening land uses and land  
26 cover, site design characteristics, existing noise walls or other attenuation  
27 measures, and any other factors the town deems relevant.

28 (5) The town may inspect construction pursuant to approved sound attenuation  
29 plans to verify strict compliance with the plans and may test the effectiveness of  
30 the sound attenuation measures to verify attainment of the approved noise  
31 reduction levels.

32 (6) The applicant shall be responsible for full cost recovery relating to the town's  
33 use of acoustical consultants.

34 (B) *Noise violations.*

35 (1) Notwithstanding the town's noise ordinance set forth in Chapter 9 of the Code  
36 of Ordinances, the operation of lawful uses in this district between the hours of  
37 7:00 a.m and 10:00 p.m. on weekdays, and from 8:00 a.m. to 10:00 p.m on  
38 weekends and holidays for which town administrative offices are closed, shall  
39 not constitute a violation of Chapter 9. Lawful use includes, at a minimum, use  
40 of land in compliance with this chapter, the approved master plan and site plan,

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Ordinance No. 2021-\_\_\_\_ Key: Underlined words are added and ~~stricken~~ words are deleted.

1 and any limitations including noise attenuation measures made part of, or  
2 required for, any town approval.

- 3 (2) Use of outside loudspeakers and other amplified sound is specifically prohibited  
4 unless the town determines that such use is adequately addressed in the noise  
5 study.

6 (C) *Outdoor storage-screening.* Outdoor storage shall be screened on all open sides by  
7 an eight- (8)-foot opaque enclosure unless otherwise approved by the town council.  
8 The outside perimeter of such enclosures facing, or visible from a bordering public  
9 street shall meet the requirements in subsec. 051-040(O).

10 (D) *Fuel storage as an accessory use.*

- 11 (1) On plots of 3.5 acres or more in area, one fuel storage tank up to 1,100 gallons  
12 capacity is permitted for servicing vehicles or equipment used in the regular  
13 course of business and for backup generators.

- 14 (2) The town council may permit additional fuel storage by special exception permit  
15 upon demonstration that the larger tank is necessary for the reasonable  
16 operation of the business, provided that the total amount of fuel storage within  
17 the master plan shall not exceed 300 gallons multiplied by the number of net  
18 acres zoned US 27 District within the master plan.

- 19 (3) Above ground tanks shall be protected on all sides from vehicular impact and  
20 potential windstorm-driven debris damage to ensure the continued integrity of  
21 the tank, as shall be demonstrated on the site plan to the satisfaction of the  
22 town council. The tank and enclosure shall be screened with a hedge on all sides  
23 visible from public rights-of-way and adjoining zoning districts.

- 24 (4) Underground tanks shall be installed to a depth of at not less than 12 inches  
25 above the future projected average wet season groundwater elevation  
26 established in Broward County Ordinance No. 2017-16 as may be amended from  
27 time to time, or the South Broward Drainage District control elevation, whichever  
28 is higher.

- 29 (5) All tanks shall comply with the installation, containment, inspection and other  
30 requirements of Article 27, Chapter 10, "Storage Tanks" of the Broward County  
31 Code of Ordinances, as may be amended from time to time.

32 (E) *Watchman's quarters.* One (1) dwelling unit is permitted accessory to a principal use  
33 on the plot for exclusive occupancy by a guard or night watchman. The unit may be  
34 constructed as part of a principal nonresidential building or a separate building. Use  
35 of a mobile home for watchman's quarters is permitted by special exception permit  
36 only.

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1 (F) *Sale of chemicals.* Retail sale of chemicals that are combustible, flammable,  
2 carcinogenic, biohazardous, or are otherwise toxic to humans or animals is permitted  
3 when pre-packaged and sealed from the factory in containers designed and intended  
4 for retail sale to individual consumers, in quantities that are incidental to the sale of  
5 other goods, comprising not more than fifteen percent (15%) of inventory at any one  
6 time. Wholesale of such chemicals is prohibited.

7  
8 **Sec. 051-040. Development standards.**

9 (A) *Generally.* The US Highway 27 Business District is a planned development district  
10 that provides the flexibility for the applicant to propose certain development  
11 standards for evaluation by the town council, based upon site location, site  
12 configuration and proposed use.

13 (B) *Setbacks.* Setbacks for each parcel shall be established by the master development  
14 plan.

15 (C) *Pervious area.* Each master plan shall provide at least 25 percent pervious area.  
16 Abutting property not zoned US 27 District, that meets the requirements in subsec.  
17 (I) for an offsite landscape buffer, may be shown on the master plan and counted  
18 toward the pervious area requirement of this subsection rather than that of the  
19 abutting property.

20 (D) *Separation from local streets, rural land uses.* There shall be no nonresidential,  
21 nonagricultural building, structure, parking, storage or use within two hundred (200)  
22 feet of SW 209<sup>th</sup> Avenue and 210<sup>th</sup> Terrace, nor shall there be any such structure,  
23 parking, storage or use within two hundred (200) feet of any parcel with a rural land  
24 use plan designation, unless such parcel is under unified control with the parcel  
25 designated US Highway 27 Business. Open space use, including buffers and drainage  
26 retention for a US Highway 27 Business use, is not subject to this restriction.

27 (E) *Access.* Access to development from public streets shall be limited to US 27, Stirling  
28 Road and Griffin Road. Access to US 27 shall be in accordance with a master access  
29 management plan approved by the Florida Department of Transportation (FDOT) for  
30 the entire US 27 corridor within the Town. The town will not approve a plat  
31 application for property fronting US 27 until the applicant has submitted the plat to  
32 FDOT for review and obtained approval.

33 (F) *Floor Area Ratio (F.A.R.).* The overall F.A.R. within a master plan shall not exceed  
34 0.75.

35 (G) *Height.* No building or structure shall exceed forty (40) feet in height, measured to  
36 the highest point on the building, including parapets and roof-mounted equipment,  
37 provided that the town council may authorize up to eight (8) additional feet of height

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1 after consideration of a line-of-site study demonstrating that the additional height  
2 will not adversely affect any property with a rural land use plan designation.

3 (H) *Parking and loading.* All buildings and uses shall provide off-street parking and  
4 loading facilities in accordance with Article 80, "Off-Street Parking and Loading,"

5 (I) *Landscaping and screening.* The landscaping requirements of Article 75, shall apply  
6 except as otherwise provided in this article, provided that:

7 (1) The town council may recognize a permanent offsite, upland vegetated area as  
8 satisfying a perimeter buffer requirement when it functions as an equivalent to  
9 a required buffer, and its permanence and upkeep are guaranteed by an  
10 enforceable agreement deemed acceptable by the town attorney. The intent of  
11 this provision is to encourage a forested buffer between development on the  
12 east side of US 27 and residential properties to the east.

13 (2) The master development plan shall include a street tree and understory planting  
14 program for the edge of the highway corridor.

15 (J) *Design.* Building facades that are visible from a public street shall, to the greatest  
16 extent possible, be lined with office, retail, service, and other types of habitable space  
17 with fenestration, utilizing Florida Vernacular architecture of Caribbean or Cracker  
18 style, or a combination thereof. This architecture generally promotes generous roof  
19 overhangs, colonnades and sloped standing seam metal roofs. Pleasing architecture  
20 and building placement shall emphasize and showcase the building(s). The town  
21 council may approve variations in architectural style that are consistent with the  
22 town's rural character. However, stucco walls in combination with flat, unarticulated  
23 rooflines or Mediterranean-style tile roofs that are typical of commercial development  
24 in South Florida are prohibited as a means of complying with the architectural  
25 requirement for building facades that are visible from a public street.

26 (K) *Lighting.* Outdoor lighting shall comply with Article 95, with the following exceptions:

27 (1) Ambient outdoor lighting impacts shall be further mitigated by limiting the height  
28 of parking lot lighting fixtures to 25 feet.

29 (2) An applicant may petition the town council for a waiver of the requirement to  
30 provide parking lot lighting based upon limited hours of operation. The town  
31 council may approve the request subject to recordation of an enforceable  
32 agreement, approved as to form by the town attorney, that limits hours of  
33 operation and indemnifies the town.

34 (L) *Water and Sewer.* No permit for the construction of any building or roofed structure  
35 may be issued until the development is connected to, or the subject of a binding  
36 agreement for, connection to municipal water and sewer systems. No certificate of

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- 1 occupancy, temporary or otherwise, may be issued until the property is served by  
2 municipal water and sewer.
- 3 (M) *Signs.* The standards and requirements of Article 70 shall govern signage. For the  
4 purpose of determining permissible freestanding sign height and area in Sec. 070-  
5 080, Table 70-1, the "non-shopping center" standards shall be used, and distance  
6 from edge of pavement shall be based upon US 27 (not any frontage road). The  
7 design of signage shall compliment the building architecture and site design .
- 8 (N) *Dumpsters.* Dumpsters and dumpster enclosures shall be provided in accordance  
9 with Section 015-070, "Dumpster enclosures."
- 10 (O) *Fences, walls and hedges.* Fences and walls shall not exceed eight (8) feet in height  
11 unless specifically authorized on the approved site plan. The outside perimeter of  
12 fencing and walls visible from public rights-of-way shall be lined with a continuous  
13 hedge maintained at a height of at least six (6) feet unless the town council waives  
14 the requirement upon finding that the fencing is of architectural or decorative quality,  
15 such as aluminum, iron or aesthetically commensurate material. Hedges are not  
16 limited in maximum height. The use of barbed wire and razor wire is prohibited on  
17 fences facing public rights-of-way.
- 18 (P) *Wireless communication facilities.* Wireless communication facilities are subject to  
19 provisions in Article 40, "Telecommunications Towers and Antennas."
- 20 (Q) *Definitions.* Definitions for certain terms used in this Article are located in Article 10,  
21 "Definition of Terms."
- 22 (R) *Nonconforming buildings uses and plots.* Any building, use or plot that has been  
23 established as nonconforming, or which becomes nonconforming, shall be subject to  
24 provisions of Article 30, "Nonconforming Uses, Structures and Plots."
- 25 (S) *Property maintenance.* Buildings and properties shall be maintained in accordance  
26 with Article 20, "Property Maintenance and Junk or Abandoned Property."
- 27 (T) *Construction trailers.* One (1) mobile home may be placed upon a plot to be used as  
28 a construction office, upon issuance of a building permit for the construction of a  
29 building or addition thereto. Such mobile home may not be utilized for dwelling  
30 purposes. The mobile home shall be removed from the property prior to issuance of  
31 a certificate of occupancy or after one (1) year, whichever occurs first. The town  
32 administrator may grant one (1) extension for a maximum six (6) months, upon  
33 petition from the property owner, provided the petition demonstrates unexpected  
34 hardship, and steady construction progress, such that construction can reasonably  
35 be completed within the six-month extension period. A decision of the town  
36 administrator to deny the request for extension may be appealed to the town council  
37 subject to the requirements of Article 135, "Appeals of Administrative Decisions."  
38 Placement of the mobile home shall is subject to all minimum yard requirements.

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1 (U) *General provisions.* In addition to the general provisions herein, buildings, uses and  
2 properties shall be subject to the requirements of Article 15, "General Provisions."

3  
4 **Sec. 051-050. Rezoning procedure.**

5 (A) *Procedure.* Rezoning to US 27 District shall follow the procedure in Article 130,  
6 "Zoning map amendments," and the additional requirements in this section.

7 (B) *Unified control.* All land included in an application for rezoning to US 27 District shall  
8 be owned by or be under the complete control of the applicant, whether the applicant  
9 be an individual, partnership, corporation, other entity, group, or agency.

10 (C) *Master development plan.* A master development plan, containing the information  
11 required in this section, shall be made part of the rezoning ordinance. The master  
12 development plan shall be prepared by a professional engineer, architect or  
13 landscape architect licensed in the State of Florida to scale. To the extent that an  
14 application involves parcels for which specific development plans do not yet exist,  
15 the master development plan shall reserve these parcels for later amendment  
16 through the rezoning process. The following information is required for a master  
17 development plan.

18 (1) Tier I information requirements, applicable to the entire master plan:

19 (a) Dimensioned boundaries and legal description for the property to be rezoned,  
20 and dimensions of abutting rights-of-way.

21 (b) A master circulation and access plan showing the location and width of public  
22 and private streets and their rights-of-way, and the location of access points  
23 to the external and internal thoroughfare network.

24 (c) A master utilities plan, including conceptual stormwater drainage.

25 (d) Architectural style standards for all buildings. The applicant shall be  
26 responsible for cost-recovery pertaining to the Town's use of an architectural  
27 consultant to review the architectural standards and advise the town council.

28 (e) Thematic landscape treatment of US 27 frontage, including a street tree and  
29 understory planting program. Specific development sites within the master  
30 plan may provide additional landscaping and buffering to compliment the US  
31 27 edge treatment.

32 (f) Typical buffer treatment along parcel lines that abut other zoning districts.

33 (g) Delineation and area of lots and parcels if the master development will be  
34 subdivided.

35 (h) An analysis of the adequacy of police, fire, municipal water and municipal  
36 sewer facilities for serving the master plan area.

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1 (2) Tier II information requirements, pertaining to development sites within the  
2 master plan. Tier II information for future phases may initially be indicated on  
3 the master plan as conceptual or preliminary, to be refined as development plans  
4 progress. Alternatively, areas of the master plan may be labeled as reserved for  
5 future amendment.

6 (a) The proposed use(s) of each parcel or site (ex: retail, office and warehouse,  
7 refrigerated storage, etc.).

8 (b) Location, floor area, dimensions, and number of stories of each building and  
9 structure.

10 (c) Orientation and placement of loading doors and loading zones.

11 (d) Location of areas for outdoor storage, refrigeration equipment, generators,  
12 and fuel tanks larger than 200 gallons both above and below ground.

13 (e) Site-specific landscape buffers.

14 (D) *Site plan requirements.* Each site plan application shall conform with the approved  
15 master plan and shall comply with the site plan provisions in Article 120 and this  
16 subsection. The following information is required to demonstrate compliance with the  
17 US Highway 27 Business land use category of the comprehensive plan and this article:

18 (1) The application shall provide a detailed description of the processes, activities,  
19 equipment, and materials involved in the proposed use(s) of the property, and  
20 an analysis identifying any use and storage of chemicals or fuel, and identify any  
21 causes of noise, dust, smoke or other particulates, vibration, glare, or odor.  
22 Certain uses may require provision of more detailed information at time of  
23 building permit and certificate of use. See also, noise compatibility in subsec.  
24 051-030 (A).

25 (2) The application shall detail how the site plan design and proposed uses will  
26 minimize the need for police and fire services. By way of example, site design  
27 may use Crime Prevention Through Environmental Design principals, commercial  
28 uses that are associated with loitering may avoid late night operating hours, and  
29 businesses may provide on-site security.

30  
31 **Sec. 051-060. Master plan amendment.**

32 Amendments to an approved master development plan shall be by ordinance and shall  
33 follow the same process set forth herein for rezoning to the US 27 Business District.  
34 Master plan amendments for new phases or modifications to an existing phase may be  
35 processed concurrently with associated site plans and site plan modifications.

36  
37 **Sec. 051-070. Effect of zoning.**

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1 All development in the district shall proceed in accordance with the site plan review and  
2 subdivision approval provisions of this chapter. Site plan and subdivision approval shall  
3 be granted only for developments that conform to the approved master development  
4 plan and stipulations made a part thereof.  
5

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**Town of Southwest Ranches**  
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Southwest Ranches, FL 33330  
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*Town Council*  
**Doug McKay** Mayor  
**Denise Schroeder**, *Vice Mayor*  
**Delsa Amundson**, *Council Member*  
**Bob Hartmann**, *Council Member*  
**Gary Jablonski**, *Council Member*

Andrew Berns, *Town Administrator*  
Keith Poliakoff, *Town Attorney*  
Martin Sherwood, *Town Financial Administrator*  
Russell Muñiz, *Assistant Town Administrator/Town Clerk*

## **MEMORANDUM**

TO: The Honorable Mayor and Town Council

FROM: Jeff Katims, Town Planner

THRU: Andy Berns, Town Administrator

DATE: December 10, 2020

RE: Second Reading of Ordinance Creating the US Highway 27 Planned Business District

---

### **Background**

The Town Council adopted the US Highway 27 Business future land use category on January 26, 2017 by Ordinance No. 2017-02. That ordinance established policies, permitted uses and requirements for the new category in the text of the comprehensive plan, but did not change future land use map.

Before any change to the future land use map can be considered, Policy 1.8-m requires the Town establish a zoning classification in the form of a planned development district, whereby specific permitted uses, development standards and a conceptual development plan for the property are made part of the rezoning and will govern use and development of the property. Policy 1.8-n requires submitting both applications for land use map amendment and rezoning concurrently.

### **First Reading**

The Town Council approved this Ordinance on first reading October 8, 2020 with one amendment, which changed "distribution warehouse, truck or freight terminals" from a permitted use to a special exception use. Additionally, in Sec. 051-030(A)(3), line 20, staff added the word, "proposed" for clarification.

## **Proposed Zoning Regulations**

The proposed ordinance creates a new zoning classification, "US Highway 27 Business District" to implement the land use category that Council established in 2017. The regulations are in the form of a planned development district that gives the Town flexibility to ensure each development follows the intent of the comprehensive plan policies for US 27, while also allowing the developer flexibility to design each site as long as Town objectives are met.

### Procedure

The property owner must submit a rezoning application together with an application for land use map amendment. The US Highway 27 Business District is the only zoning classification that can be used in conjunction with the US Highway 27 Business land use category.

A master plan is required as an integral part of the rezoning application. The master plan is a regulatory tool that allows the Town to review an overall plan for a large land holding, and to achieve its objectives of compatibility, environmental neutrality and aesthetics on both a large-scale and site-by-site basis, while also providing the developer flexibility in designing each site without the need for variances. The planned development approach offers opportunities for creativity and large-area planning that traditional zoning regulations do not.

Each site plan must be consistent with the approved master plan, in the same way that building plans must conform to an approved site plan. The information requirements for master plans are found in Sec. 051-050. It is expected that corridor will develop incrementally within the overall parameters of the master plan, and that master plan amendments will be required as more detailed development plans are formed. Since the master plan is adopted as an integral part of the ordinance rezoning the property, each master plan amendment is also subject to the rezoning process.

### Permitted uses

The list of permitted and prohibited uses in Sec. 051-020 of the ordinance is the same list recommended by the Comprehensive Plan Advisory Board, with the following exceptions:

- In row 34 of the schedule of uses table, "menagerie, or keeping of wild animals" is deleted because a similar use, "animal refuge" is a use the CPAB recommended be permitted, and is included on line 12 as special exception use.
- In row 121 of the schedule of uses table, "construction equipment" is added to the sales and display of tractor equipment. As a permitted use.

Preceding the schedule of uses table are procedures for allowing unlisted uses similar to permitted or special exception uses.

### Compatibility and environmental impact

The proposed regulations address comprehensive plan directives to protect the residential area east of the cemetery from potential negative impacts of corridor development.

- Subsection 051-050(D) requires a detailed disclosure of processes, activities, equipment, and materials involved in any use of property within the district. Since list of permitted and special exception uses was vetted for categorically incompatible, environmentally harmful and noxious uses, the disclosure is for a finer-grain review to ensure that businesses do not utilize prohibited chemicals and that potential noise sources are mitigated before they are established.
- Subsection 051-30(A) authorizes the Town to require a noise study and attenuation when a proposed use involves processes or activities that may not be compatible with residential uses.
- Subsection 051-030(B) recognizes that the Town's noise ordinance is subjective, and that the regulations address potential noise impacts before a business can operate. Therefore, any business that complies with the disclosure requirements and operates with approved sound attenuation measures, if applicable, is exempt from the subjective standards of the noise ordinance in Chapter 9 from 7:00 a.m. to 10:00 p.m. on weekdays, and 8:00 a.m. and 10:00 p.m. on holidays. Outside of those hours, the subjective standards of the noise ordinance take effect.
- Subsection 051-030(D) limits the amount of accessory fuel storage authorized in the comprehensive plan for servicing vehicles and equipment for use onsite.
- Subsection 051-030(F) regulates the retail sales of chemical products.

### **Companion Comprehensive Plan Text Amendments**

A comprehensive plan text amendment accompanies this ordinance, proposing the following changes, noting that the Council already reviewed the first two at a workshop:

1. Amending the list of permitted uses in the US Highway 27 Business land use category to reflect additional uses recommended by the Comprehensive Plan Advisory Board and made part of the US Highway 27 Business zoning regulations.
2. Clarifying that the US Highway 27 Business land use category can be applied to both east and west sides of US 27.

3. Adjusting performance standards for noise and other impacts to allow for reasonable implementation. The revision prohibits levels of noise and other impacts that are not compatible with residential uses.



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Andrew D. Berns, MPA, *Town Administrator*  
Keith M. Poliakoff, JD, *Town Attorney*  
Russell Muniz, MPA, *Assistant Town Administrator/Town Clerk*  
Martin D. Sherwood, CPA, CGMA, CGFO, *Town Financial Administrator*

### COUNCIL MEMORANDUM

**TO:** Honorable Mayor Breitkreuz and Town Council  
**VIA:** Andrew D. Berns, Town Administrator  
**FROM:** Sandra Luongo, General Services Manager  
**DATE:** 2/11/2021  
**SUBJECT:** Air Conditioner Unit Replacement at Town Hall

#### **Recommendation**

It is recommended that Town Council adopt the attached resolution approving the purchase and replacement of four (4) air-conditioner units that provide service in Town Hall's Council Chambers and one (1) split unit in the Administrative offices at an expense of \$28,448 for the cost of all five (5) units, labor and permits.

The vendor selected from the Town's competitive bid process is ***American Pride Mechanical***.

#### **Unanimous Vote of the Town Council Required?**

No

#### **Strategic Priorities**

- A. Sound Governance
- B. Enhanced Resource Management

#### **Background**

The four (4) existing Goodman Package, 5-ton air-conditioning units were purchased and installed in 2014. These units had a five (5) year warranty, which expired in 2019 and have had multiple service issues and repairs throughout their service in Council Chambers. Continuously ongoing performance issues throughout their lifespan resulted in replacement of parts and other equipment which were covered under the warranty.

The single split unit in the Administrative office was purchased and installed by the previous owner of what is now Town Hall. This split unit has been budgeted for, however the four (4) five-ton units were not budgeted for but is considered an emergency replacement as they all service Council Chambers.

All units are inoperable or at the end of their lifecycle.

**Fiscal Impact/Analysis**

For current Fiscal Year 20/21 budget, Council approved the expenditure of \$5,000 within the Machinery and Equipment Fund (001-3900-519-64100) which was anticipated to replace one (1) aging split unit.

The four (4) inoperable 5-ton units in Council Chambers were aged but not anticipated to be at the end of their lifecycle this fiscal year and therefore, were not budgeted for. These units had a five (5) year warranty, which expired in 2019 and have had multiple service issues and repairs throughout their service in Council Chambers. Continuously ongoing performance issues throughout their lifespan resulted in replacement of parts and other equipment which were covered under the warranty. They are, however considered an emergency replacement as they all service Council Chambers. There are no operable units servicing Council Chambers at this time.

A budget amendment is required to fund the unanticipated cost to replace the four (4) addition units for the amount of twenty three thousand four hundred and forty eight dollars and zero cents (\$23,448.00) plus a contingency dollar amount of one thousand dollars (\$1,000) for unanticipated expenses associated with this procurement for a total amount of twenty four thousand four hundred and forty eight dollars and zero cents (\$24, 448.00) in the Machinery and Equipment Fund (001-3900-519-64100), transferred from the Appropriated Assigned Fund Balance (001-0000-399-39900) as follows:

|                            |                                    |                    |                    |
|----------------------------|------------------------------------|--------------------|--------------------|
| <b>REVENUES:</b>           | Appropriated Assigned Fund Balance | 001-0000-399-39900 | \$24,448.00        |
| <b>EXPENDITURES:</b>       | Machinery & Equipment              | 001-3900-519-64100 | \$24,448.00        |
| <b>TOTAL EXPENDITURES:</b> |                                    |                    | <b>\$24,448.00</b> |

Competitive quotes were secured from three (3) vendors, in accordance to the Town’s Procurement Policy.

**Competitive Bid Results:**

| Company Name              | Total Cost  |
|---------------------------|-------------|
| American Pride Mechanical | \$28,448.00 |
| Debon Air Mechanical      | \$35,412.00 |

Airstrom, Inc.

\$36,175.00

**Staff Contact:**

Sandra Luongo, General Services Manager

Martin Sherwood, Town Financial Administrator

**ATTACHMENTS:**

| Description              | Upload Date | Type            |
|--------------------------|-------------|-----------------|
| AC Unit Replacement RESO | 1/29/2021   | Resolution      |
| AC Units - Quotes        | 1/29/2021   | Backup Material |

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**RESOLUTION NO. 2021 – XXX**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING A PURCHASE ORDER TO AMERICAN PRIDE MECHANICAL IN THE AMOUNT OF TWENTY EIGHT THOUSAND FOUR HUNDRED AND FORTY EIGHT DOLLARS AND ZERO CENTS (\$28,448.00) TO REPLACE FIVE AIR- CONDITIONER UNITS SERVICING THE TOWN COUNCIL CHAMBERS AND THE TOWN HALL ADMINISTRATIVE OFFICES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town’s Council Chambers and the Administrative offices are currently being cooled by five (5) air-conditioner units, which are no longer operable or beyond their useful lifecycle; and

**WHEREAS**, the Town Council approved the replacement of one (1) of these air-conditional units within the current year’s fiscal budget; and

**WHEREAS**, the Town received three (3) quotes in response to its request for quotations; and

**WHEREAS**, American Pride Mechanical provided the lowest-priced responsive and responsible quote for the replacement of all five (5) units in an amount of twenty eight thousand four hundred and forty eight dollars and zero cents (\$28,448.00); which includes the costs of the units, labor, and permit fees; and

**WHEREAS**, the Town has budgeted five thousand dollars (\$5,000) for the replacement of one unit for fiscal year 2021 within the Machinery and Equipment Fund (001-3900-519-64100); and

**WHEREAS**, a budget amendment is required to fund the unanticipated cost to replace the four (4) additional units for the amount of twenty three thousand four hundred and forty eight dollars and zero cents (\$23,448.00) plus a contingency dollar amount of one thousand dollars (\$1,000) for unanticipated expenses associated with this procurement for a total amount of twenty four thousand four hundred and forty eight dollars and zero cents (\$24,448.00) in the Machinery and Equipment Fund (001-3900-519-64100), transferred from the Appropriated Assigned Fund Balance (001-0000-399-39900); and

**WHEREAS,** it has been determined to be in the public’s best interest to proceed with the purchase of these air conditioner units; and

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of the Town of Southwest Ranches, Florida:

**Section 1. ADOPTION OF RECITALS.** The above referenced recitals are true and correct and are incorporated herein by reference.

**Section 2. AUTHORIZATION.** The Town Council hereby authorizes the issuance of a Purchase Order to American Pride Mechanical for the replacement of all five (5) air-conditioning units servicing the Town’s Council Chambers and the Town Hall in the amount of \$28,448.00, which includes the costs of the units, labor, and permit fees.

**Section 3. BUDGET AMENDMENT.** The Town Council hereby approves a budget amendment for a total amount of twenty four thousand four hundred and forty eight dollars and zero cents (\$24,448.00) in the Machinery and Equipment Fund (001-3900-519-64100), transferred from the Appropriated Assigned Fund Balance (001-0000-399-39900) as follows:

|                            |                                    |                    |                    |
|----------------------------|------------------------------------|--------------------|--------------------|
| <b>REVENUES:</b>           | Appropriated Assigned Fund Balance | 001-0000-399-39900 | \$24,448.00        |
| <b>EXPENDITURES:</b>       | Machinery & Equipment              | 001-3900-519-64100 | \$24,448.00        |
| <b>TOTAL EXPENDITURES:</b> |                                    |                    | <b>\$24,448.00</b> |

**Section 4. AGREEMENTS.** 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 5. EFFECTIVE DATE.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** by the Town Council of the Town of Southwest  
Ranches, Florida, this 11<sup>th</sup> day of February, 2021, on a motion by  
\_\_\_\_\_ and seconded by \_\_\_\_\_.

|            |       |        |       |
|------------|-------|--------|-------|
| Breitkreuz | _____ | Ayes   | _____ |
| Hartmann   | _____ | Nays   | _____ |
| Allbritton | _____ | Absent | _____ |
| Jablonski  | _____ |        |       |
| Kuczynski  | _____ |        |       |

\_\_\_\_\_  
Steve Breitkreuz, Mayor

ATTEST:

\_\_\_\_\_  
Russell Muniz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

\_\_\_\_\_  
Keith M. Poliakoff, J.D., Town Attorney  
37986371.1

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**American Pride Mechanical**

5846 S. Flamingo Rd., #504

Cooper City, FL 33330-3206

954-275-4643

americanpridemechanical@gmail.com

# Estimate



ADDRESS

Town of Southwest Ranches  
13400 Griffin Road  
Southwest Ranches, FL 33330

| ESTIMATE # | DATE       |
|------------|------------|
| 1056       | 01/13/2021 |

| ACTIVITY  | QTY | RATE      | AMOUNT    |
|---|-----|-----------|-----------|
| <p><b>15 HVAC - Replacement</b><br/>           Replacement of 5 ton split unit PW/Engineering closet at town hall with new Ruud 5 ton unit. Price includes new auxiliary drain pan, stand, filter rack, safety float switches, programmable thermostat and tied into existing ductwork and electrical.</p> <p>Replacement of 4 5 ton package units with new RSPM 5 ton Ruud units including 10 kw heaters tied into existing rigid duct. Replacement of 4 smoke detectors in supply ducts.</p> <p>Price includes labor, material, and permit fees to complete job.</p> <p>Price does not include tying fire alarm into new smoke detectors.</p> | 1   | 28,448.00 | 28,448.00 |

TOTAL

**\$28,448.00**

Accepted By

Accepted Date

Make checks payable to American Pride Mechanical

THANK YOU FOR YOUR BUSINESS!



**Proposal 59990HQR**

**Date:** January 26, 2021

**To:** Southwest Ranches  
**Address:** 13400 Griffin Rd.  
Southwest Ranches, Florida 33330

**Location:** (4) Goodman Package units

**Attention:** Russell Muniz **Phone:** (954) 343-7476 **Email:** [rmuniz@southwestranches.org](mailto:rmuniz@southwestranches.org)

*We here submit specifications and estimates for: **Replace (4) 5ton Goodman Package units with (4) RUUD package units. This includes the following:***

- Lock out tag out disconnects.
- Disconnect and remove electrical and control wires, disconnect supply and return duct work
- Rig out old units and rig new units in place.
- Reconnect supply and return duct work, reconnect electrical and control wires.
- Lock down package unit to slab with tie downs
- Start up and check operation pressures, delta t, superheat, sub cooling, amperages and document
- Prior service calls, code changes or upgrades not included in this proposal
- Also includes necessary labor during **NORMAL** working hours, hauling, supervision, and startup to complete all work inclusive of this agreement.

**Note:**

**Exclusions:** We will re wire in the smoke duct detector. Not responsible if fire alarm needs to reconnect or change existing duct detector

**Warranty:** DebonAir Mechanical labor warranty is 1 year during normal working hours. Manufacturer to provide a 5 year on compressor, 1-year warranty all other parts.

**Preventive Maintenance Excluded.**

**PREVENTIVE MAINTENANCE EXCLUDED.**

WE PROPOSE HEREBY TO FURNISH MATERIAL AND LABOR -COMPLETE IN ACCORDANCE WITH THESE SPECIFICATIONS, FOR THE SUM OF:

**Twenty-Nine Thousand One Hundred Thirty Dollars... .. \$29,130.00**

**Terms:** Net 15day.

**Authorized Signature:** Kurt Lukstein **Date:** January 26, 2021

**Note:** This proposal may be withdrawn by us if not accepted within (30) days. Proposal also subject to price increase after (30) days.

**Acceptance of Proposal:** The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. In the event DEBONAIR MECHANICAL, INC. employs an attorney to enforce this agreement or to collect any delinquent payments, customer agrees to pay all costs of court and reasonable attorney fees incurred or expended by DEBONAIR MECHANICAL, INC., including appeals.

**Approval Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Printed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**DebonAir Mechanical, Inc.**

13972 NW 60 Ave Miami Lakes, Fl. 33014 \* Dade (305) 826-2240 \* Toll Free 1-800-447-1562 \* Fax (305) 826-2966  
CM C051447

|                |          |
|----------------|----------|
| 29,130•        | +        |
| 6,282•         | +        |
| <b>35,412•</b> | <b>*</b> |



**Proposal 59516HQR**

**Date:** July 20, 2020

**To:** Southwest Ranches

**Location:** AHU#6

**Address:** 13400 Griffin Rd.  
Southwest Ranches, Florida 33330

**Attention:** Sandy Luongo **Phone:** (954) 343-7476 **Email:** sluongo@southwestranches.org

We here submit specifications and estimates for: **Replace 5ton Goodman AHU#6 split system with a 5ton RUUD split system. This includes the following:**

*Public Works  
Close*

- Lock out tag out system.
- Pump down system and disconnect and remove air handler and condenser and dispose of
- Set new auxiliary drain pan on floor set air handler stand and set new air handler in place
- Reconnect existing duct work, refrigerant lines, drain line, electrical whip and control whip.
- Set new condenser in place and tie down with condenser tie down clips.
- Reconnect existing refrigerant lines, electrical whip, and control whip.
- Evacuate per manufactures and EPA guidelines and regulations.
- Open suction and discharge ports and start system
- Start up and check operation pressures, delta t, superheat, sub cooling, amperages and document
- Prior service calls, code changes or upgrades not included in this proposal
- Also includes necessary labor during **NORMAL** working hours, hauling, supervision, and startup to complete all work inclusive of this agreement.

**Note:** Permit is included in the price

**Exclusions:** We will re wire in the smoke duct detector. Not responsible if fire alarm needs to reconnect or change existing duct detector

**Warranty:** DebonAir Mechanical labor warranty is 1 year during normal working hours. Manufacturer to provide a 5 year on compressor, 1-year warranty all other parts.

**Preventive Maintenance Excluded.**

**PREVENTIVE MAINTENANCE EXCLUDED.**

WE PROPOSE HEREBY TO FURNISH MATERIAL AND LABOR -COMPLETE IN ACCORDANCE WITH THESE SPECIFICATIONS, FOR THE SUM OF:

**Six Thousand Two Hundred Eighty Two Dollars... .. \$6,282.00**

**Terms:** Net 15day.

**Authorized Signature:** Kurt Lukstein **Date:** July 20, 2020

**Note:** This proposal may be withdrawn by us if not accepted within (30) days. Proposal also subject to price increase after (30) days.

**Acceptance of Proposal:** The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. In the event DEBONAIR MECHANICAL, INC. employs an attorney to enforce this agreement or to collect any delinquent payments, customer agrees to pay all costs of court and reasonable attorney fees incurred or expended by DEBONAIR MECHANICAL, INC., including appeals.

**Approval Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Printed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**DebonAir Mechanical, Inc.**

13972 NW 60 Ave Miami Lakes, Fl. 33014 \* Dade (305) 826-2240 \* Toll Free 1-800-447-1562 \* Fax (305) 826-2966  
CM C051447



## Proposal

AIR CONDITIONING/REFRIGERATION  
SALES/SERVICE/INSTALLATIONS  
1559 SW. 21st Avenue, Ft Lauderdale, FL 33312  
Dade (305) 940-2962 · Broward (954) 923-1654  
CAC023473

Proposal Submitted To **Russell Muniz**  
Name **Town of Southwest Ranches**  
Street **13400 Griffin Rd**  
City **Southwest Ranches**  
Attn **Town Council Chambers & PW Plans Storage**  
Telephone Number:

Date of Plans **1-15-21**  
Account Manager **Bill Wiener**

We hereby propose to furnish all the materials and perform all the labor necessary for the completion of  
**1 Shut down and lock out (4) defective 5 Ton Package Unit for Town Council Chambers.**

**2 Recover refrigerant and disconnect electrical to remove (4) 5 Ton Package Units to dispose of from jobsite properly.**

**3 Set on existing slabs (4) Rudd 5 Ton Package units 14 SEER MD# RACA14060CJT.**

**4 Reconnect to existing electrical / controls & drain line with new emergency float switches.**

**5 Install new custom supply and return sheet metal and reconnect to existing ductwork.**

**6 Reinsulate new sheet metal with 2 inch 3# ductboard insulation finished with Alumaguard jacket.**

**7 Tie down units to existing slab per engineers drawings.**

**8 Start-up units and check for proper cooling / pressures & temperatures.**

**9 Clean-up job site of all debris.**

**10 Remove (1) 5 Ton Split System for PW Plans Storage Area.**

**11 Install (1) new 5 Ton Rudd Split System with Electric Heat 14 SEER 208/230 Volt PH1.**

**12 Repipe Air Handler & Condenser with new liquid line drier and reinsulate as needed.**

**13 Secure condenser unit to existing slab per engineers drawings.**

**14 Reconnect to existing electrical / ductwork / & drain line with emergency float switch.**

**15 Leak test & evacuate system.**

**16 Charge refrigerant R-410A and start-up to check for proper cooling / pressures & temperatures.**

**17 Clean-up job site of all debris**

**NOTE: All Work is Quoted for Regular Working Hours 8:30AM-5:00PM**  
**Duct Detectors are Not Included and will be supplied by Fire Company and installed by Airstron**  
**Bushes will need to be removed by others for installation of units.**  
**Permits and engineering are included**

All material is guaranteed to be as specified and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of : **\$36,175.00**

Any alteration or deviation above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by Airstron, Inc.

Purchaser (Debtor) agrees to pay all cost of Collection damages, including a reasonable attorneys fee for collecting this account or repossessing the said property, whether Suit be brought or not. The Purchaser (Debtor) agrees that the said materials above described will not be removed from above address without prior written consent of Airstron Inc., The Seller (Secured Party). Purchaser (Debtor) waives demand and all requirements to hold it liable. All delinquent payments shall bear interest at 11/2% per month until paid.

If Airstron Inc. is required to make repairs occasioned by improper operation; damage caused by electrolytic action (either battery action or stray currents); negligence or misuse of the equipment or due to any cause beyond are control, purchaser shall reimburse Airstron; for the expenses incurred in making such repairs. It is mutually understood that replacement parts, refrigerant and service

Materials must be purchased by you, from us, at our regular selling prices, and installed by us, during the terms of this contract. Any repairs, refrigerant, chemicals and supplies deemed necessary and recommended by so for efficient operation of your installation are to be authorized by you. Unless these recommendations are accepted by you and authorization given to perform this Service, we will not furnish emergency service. Airstron shall not be liable for injuries to persons, or damages to property, accept buss due to the negligent acts or omissions of Airstron employees. In no event shall Airstron be liable for any form of damage to the equipment listed in this agreement. This contract contains the entire agreement between the parties and shall become effective on the date shown below, provided it has been accepted by you and approved by us. If the customer is a corporation, or any other entity created by law, than the person executing this agreement on behalf of the customer is hereby executing this agreement as an authorized agent of the customer and in addition hereto agrees to serve as a guarantor, and is personally liable for all the debts of the customer, company or corporation arising out of this contract. Any modifications in this Agreement must be done in writing and executed by all parties. It is hereby agreed by the parties that venue or jurisdiction to any litigation arising out of the terms of this contract shall be in Dade County, Florida In the event that nay provisions of this contract are found to be illegal, unenforceable or void, by any Court of law, then the remaining provisions shall remain in full force and effect.

This Proposal may be withdrawn by us if not accepted within 30 Days

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Accepted \_\_\_\_\_

SIGNATURE *Bill Wiener*  
*Airstron Account Manager*

DATE \_\_\_\_\_

DATE *1-15-21*

CUSTOMER

## Sandra Luongo

---

**From:** Joyce Marques <jmarques@capfla.com>  
**Sent:** Tuesday, January 26, 2021 3:07 PM  
**To:** Sandra Luongo  
**Subject:** Re: [EXTERNAL] Re: Permits for AC Unit installation

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Hi Sandy,

I got an estimate permit fee of \$804.16.

Thank You,



**Joyce Marques**  
Permit Technician  
O 954-434-0008  
D 954-343-7446  
F 954-434-1490  
[www.capfla.com](http://www.capfla.com) | [jmarques@capfla.com](mailto:jmarques@capfla.com)  
13400 Griffin Rd.  
Southwest Ranches, 33330

---

**From:** Sandra Luongo <sLuongo@southwestranches.org>  
**Sent:** Tuesday, January 26, 2021 1:42 PM  
**To:** Joyce Marques <jmarques@capfla.com>  
**Subject:** RE: [EXTERNAL] Re: Permits for AC Unit installation

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

28K

**From:** Joyce Marques <jmarques@capfla.com>  
**Sent:** Tuesday, January 26, 2021 1:37 PM  
**To:** Sandra Luongo <sLuongo@southwestranches.org>  
**Subject:** [EXTERNAL] Re: Permits for AC Unit installation

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Hi,

I would need a job value so I can have the computer generate the fee. Do you have an estimate?

Thank you,

Get [Outlook for iOS](#)

**From:** Sandra Luongo <sLuongo@southwestranches.org>  
**Sent:** Tuesday, January 26, 2021 1:05:02 PM  
**To:** Joyce Marques <jmarques@capfla.com>  
**Subject:** Permits for AC Unit installation

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Joyce – we have 5 units that will be replaced in the near future. Can you tell me what the permit fee is for these?

Regards,  
*Sandy Luongo*  
Sandy Luongo, General Services Manager  
Southwest Ranches



Office 954-343-7476  
Fax 954-434-1940



**Please note: Our physical offices are closed in response to the COVID-19 situation in order to allow social distancing. All Town services continue, with most being provided in an electronic (virtual) environment. Feel free to contact us at the number provided above or email us and we will do our very best to address your concerns as quickly as possible. While we operate in this virtual environment we ask for your patience and understanding if we are not as responsive to your request as you have become accustomed to.**

The Town of Southwest Ranches is proud to partner with the Military Heroes Support Foundation to send care packages to our military troops deployed in Afghanistan, Ukraine, and Africa or their families statewide. Your generous donation is greatly appreciated. Please call Town Hall at (954) 434-0008 for a list of needed goods. Thank you!

Please note that Florida has a broad public records law. All correspondence via email may be subject to disclosure.

**Please note: Our physical offices are closed in response to the COVID-19 situation in order to allow social distancing. All Town services continue, with most being provided in an electronic (virtual) environment. Feel free to contact us at the number provided above or email us and we will do our very best to address your concerns as quickly as possible. While we operate in this virtual environment we ask for your patience and understanding if we are not as responsive to your request as you have become accustomed to.**

The Town of Southwest Ranches is proud to partner with the Military Heroes Support Foundation to send care packages to our military troops deployed in Afghanistan, Ukraine, and Africa or their families statewide. Your generous donation is greatly appreciated. Please call Town Hall at (954) 434-0008 for a list of needed goods. Thank you!

Please note that Florida has a broad public records law. All correspondence via email may be subject to disclosure.



**Town of Southwest Ranches**  
**13400 Griffin Road**  
**Southwest Ranches, FL 33330-2628**

**(954) 434-0008 Town Hall**  
**(954) 434-1490 Fax**

**Town Council**  
**Steve Breitkreuz, Mayor**  
**Bob Hartmann, Vice Mayor**  
**Jim Allbritton, Council Member**  
**Gary Jablonski, Council Member**  
**David Kuczenski, Council Member**

**Andrew D. Berns, MPA, Town Administrator**  
**Keith M. Poliakoff, JD, Town Attorney**  
**Russell Muniz, MPA, Assistant Town Administrator/Town Clerk**  
**Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator**

## **COUNCIL MEMORANDUM**

**TO:** Honorable Mayor Breitkreuz and Town Council  
**VIA:** Andrew D. Berns, Town Administrator  
**FROM:** Martin D. Sherwood, Town Financial Administrator  
**DATE:** 2/11/2021  
**SUBJECT:** PROPOSED FY 2021-2022 BUDGET CALENDAR

### **Recommendation**

It is recommended that the Town Council approve the FY 2021-2022 budget calendar, subject to comment and discussion (Exhibit A).

### **Unanimous Vote of the Town Council Required?**

No

### **Strategic Priorities**

A. Sound Governance

### **Background**

Budget preparation is designed to assist Town's Management in the development of short-term and long-term plans to meet policy and legal directives. Appropriately, the Town Council provides policy directives which are the principal focus of each budget process. Further, there is a need to recognize our residents, Advisory Boards, and commercial business concerns relative to the budget and obtain their input to the maximum extent feasible.

### **Fiscal Impact/Analysis**

Budget preparation begins with the development of instructions and general policy directives to Departments as well as Advisory Board Liaisons. Documents and policies resulting from discussions are then presented to each department/advisory board liaison as a means of soliciting their identified needs and resources. Departments/advisory board liaisons are

ultimately responsible for identifying, researching, developing, and submitting requests for operating funds, any new programs, capital improvements, and personnel changes.

For the past nine years, the Town of Southwest Ranches has developed operating costs based on a zero-based budget model. Departments are encouraged to review prior spending as a way of reminding themselves of on-going obligations. However, each request for funding must be accompanied by a detailed justification. Further, revenue projections must be accurate and reflect current economic conditions.

For Budget calendar FY 2021-2022 and similar to last fiscal year, it is proposed that during most of March thru June 4th, the Town Administrator and Town Financial Administrator meet individually with Town Council members to obtain policy direction. Also, in March thru April, the funding recommendations are assembled, reviewed, and then eventually presented to the Town Administrator and Town Attorney during late-May for further evaluation. Thereafter, during July the budget documents are assembled and prepared for distribution. Also, a Preliminary Millage Rate and the Initial Fire Protection and Solid Waste special assessment is adopted at the second July regular Council meeting.

During August, the Council will be updated, provide further direction on policy assumptions and modifications/revisions to program priorities during a public budget workshop (Tuesday, August 17<sup>th</sup> @ 7:00PM) that will also provide a forum for community input. The public is invited to attend and participate, but the meeting is not considered a formal public hearing. The budget workshop also provides an opportunity for the Town Council to seek clarification on proposed items, often from Department Directors/Staff, and to provide further policy direction to the Town Administrator and Town Financial Administrator.

It is important to note that several periods of revision may be required as the Broward Property Appraiser does not release certified rates until July 1 and the Florida Department of Revenue does not anticipate finalizing its projections until mid-June to late July.

Two Public Hearings are conducted to obtain further community comments. At the first Public Hearing (Monday, September 13<sup>th</sup> @ 6:00PM) for tentative millage and budget adoption, it is planned that the Town will continue to take advantage of the Broward Property Appraisers twenty-day notice guarantee pertaining to our non-advalorem Fire Protection and Solid Waste special assessments and also adopt a final resolution pertaining to rate adjustments, as deemed necessary by our independent rate consultants. Please note that the first Public Hearing cannot be held prior to September 12<sup>th</sup> nor later than September 15<sup>th</sup>, 2021 per Florida Statutes.

In conformity with last year's budget calendar, the final budget and millage rate be adopted by ordinance at a second Public Hearing on Thursday, September 23rd @ 6:00pm (one hour prior to the September regular Council meeting). At this meeting, the budget document becomes the agreed resource allocation plan for the coming fiscal year. A summary budget document is adopted by the Town Council to provide appropriations to fund the budget allocation plan.

**Staff Contact:**

Martin Sherwood, Town Financial Administrator

Richard Strum, Controller

Venessa Redman, Sr. Procurement and Budget Officer

**ATTACHMENTS:**

| Description   | Upload Date | Type       |
|---|-------------|------------|
| Council Proposed Budget Calendar for FY 21-22 EXHIBIT A | 1/28/2021   | Resolution |

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**EXHIBIT A**

| <b>TOWN OF SOUTHWEST RANCHES, FL<br/>Council Proposed Budget Calendar for FY 2021-2022</b> |  |
|--|--|
| Monday, February 8, 2021   | Town Financial Administrator meets with Town Administrator for General Direction   |
| Thursday, February 11, 2021  | Memo to Town Council- Proposed Budget Calendar for FY 2021-2022 presented at regular Council meeting   |
| Tuesday, February 16, 2021   | Budget Kick-Off with Department Heads and Staff/Advisory Bd Liaisons   |
| March 8th to June 4th, 2021  | Town Administrator and Town Financial Administrator to meet individually with Town Council members to obtain policy direction  |
| Monday, March 8, 2021  | Department Descriptions, Accomplishments, Goals and Objectives Due from Department Heads   |
| Monday, March 15, 2021   | Departmental and Advisory Boards Capital Improvement (> \$24,999) and Program Modification Requests Due  |
| Tuesday, March 23, 2021  | Departmental and Advisory Boards operating and capital outlay (\$1,000 but < \$25,000) requests and justification due  |
| Friday, April 2, 2021  | Department Revenue Estimates Due from Department Heads   |
| Wednesday, April 7, 2021   | Departmental Meetings (9:30-11:00 am; 1:00-2:30PM; 3:00-4:30PM)  |
| Thursday, April 8, 2021  | Departmental Meetings (9:30-11:00 am; 1:00-2:30PM; 3:00-4:30PM)  |
| Friday, April 9, 2021  | Departmental Meetings (9:30-11:00 am; 1:00-2:30PM; 3:00-4:30PM)  |
| Friday, May 14, 2021   | Town Financial Administrator meets with Town Administrator and Town Attorney (preliminary condition assessment/recommendations/modifications) - post council direction   |
| Monday, May 17, 2021 to ongoing  | Draft Proposed FY 2021-2022 Departmental Sectional worksheets distributed  |
| Tuesday, June 1, 2021  | Estimated Tax roll information available from Property Appraiser   |
| Tuesday, June 1, 2021  | Comments/Corrections Due on Draft-Administrators/Attorney/Departments  |
| Thursday, July 1, 2021   | Certified Taxable Values Received from Property Appraiser  |
| Monday, July 12, 2021  | Final Proposed Budget finished, printing begins & distribution commences   |
| Thursday, July 29, 2021  | Preliminary Millage Rate and Initial FY 2021-2022 Fire Protection and Solid Waste (SW) special assessment Adoption at July Regular Council Meeting (all via resolutions)   |
| Tuesday, August 3, 2021  | First Budget Hearing for Broward County School Board   |
| Wednesday, August 4, 2021  | Deadline to send the Preliminary Millage Rate and Initial FY 2021-2022 Fire Protection and SW special assessment to the Broward County Property Appraiser Office and the Broward County Treasury Division  |
| Tuesday, August 17, 2021   | Budget Workshop on Proposed Budget (7 PM)- Mayor and Town Council (Community Invited)  |
| On or prior to August 24, 2021   | Notice for First Public Hearing through TRIM notice sent by Property Appraisers' office  |
| On or prior to August 24, 2021   | Town advertises its non-ad valorem Special Assessments. Advertisement must run at least 20 days prior to final public hearing for assessment adoption  |
| Thursday, August 26, 2021  | August regular Council Meeting   |
| Thursday, September 9, 2021  | First Budget Hearing for Broward County Government   |
| Monday, September 13, 2021   | First Public Hearing for Tentative Millage and Budget Adoption introduced for FY 2021-2022 (via resolution and ordinance, respectively). Final Fire Protection and SW special assessment Adoption (via resolutions) @ 6:00PM. September Regular Council meeting @ 7:30PM |
| Tuesday, September 14, 2021  | Second Budget Hearing for Broward County School Board  |
| Wednesday, September 15, 2021  | Deadline to send the adopted Final Fire Protection and SW special assessment to the Broward County Property Appraiser Office and the Broward County Treasury Division  |
| Wednesday, September 15, 2021  | Deadline for Newspaper advertisement submission  |
| Saturday, September 18, 2021   | First Date: advertisement can run for second public hearing  |
| Tuesday, September 21, 2021  | Last Date: advertisement can run for second public hearing   |
| Tuesday, September 21, 2021  | Second Budget Hearing for Broward County Government  |
| Thursday, September 23, 2021   | Second Public Hearing for Final Millage and Budget Adoption (via resolution and ordinance, respectively) @ 6:00 PM. September Regular Council meeting @ 7:00PM   |
| Sunday, September 26, 2021   | Deadline to send the adopted Final Millage and Budget Adoption to the Broward County Property Appraiser Office and the Broward County Treasury Division  |

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**REGULAR MEETING MINUTES OF THE TOWN COUNCIL**  
**Southwest Ranches, Florida**

Thursday 7:00 PM

October 8, 2020

13400 Griffin Road

Present:

Mayor Doug McKay

Andrew Berns, Town Administrator

Vice Mayor Dee Schroeder

Russell Muñiz, Assistant Town Administrator/Town Clerk

Council Member Delsa Amundson

Martin D. Sherwood, Town Financial Administrator

Council Member Bob Hartmann

Keith Poliakoff, Town Attorney

Council Member Gary Jablonski

Regular Meeting of the Town Council of Southwest Ranches was held via the ZOOM meeting platform. The meeting, having been properly noticed, was called to order by Mayor McKay at 7:41 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

**3. Volunteer Recognitions – Pavitpaul Makkar and Madison Sullivan**

Pavitpaul Makkar and Madison Sullivan were recognized by Proclamation for their volunteerism to the Town of Southwest Ranches.

**4. Public Comment**

The following members of the public addresses the Town Council: Newell Hollingsworth, Sharon Glass, Jim Allbritton, George Cailis, Fred Cox, Steve Breitkreuz, Terry Duke, Debbie Green and David Kuczynski.

**5. Board Reports**

Debbie Green spoke on behalf of the Schools and Education Advisory Board (SEAB) about a socially distanced fundraiser on Tuesday, October 13<sup>th</sup>, 2020 at 7:00 pm. All money raised will go towards the scholarship fund. Town Administrator Berns added most of the event will be held outside and social distancing protocols along with facial coverings will be required.

**6. Council Member Comments**

Council Member Jablonski mentioned the Town Council had tasked Town Administrator Berns to come up with some alternative solutions for the fire assessment fees the Town residents took issues with. That report will be discussed at the December 22<sup>nd</sup>, 2020 Town Council meeting. He congratulated both Madison Sullivan and Pavitpaul Makkar on their recognitions and mentioned the fundraising event at the barn for the scholarship fund. Lastly, Council Member Jablonski spoke on a resident's public comment. He sympathized with the resident and wished he could help, but the adjacent property owner has an agricultural classification on the property.

Council Member Amundson spoke about a resident's comment regarding campaign signs. She stated wherever she placed a sign, she had permission. She then reminded the public she was running for the District 3 Town Council seat. Lastly, Council Member Amundson congratulated Madison Sullivan and Pavitpaul Makkar on their recognition.

Vice Mayor Schroeder mirrored Council Member Jablonski's comments regarding a resident's public comment. She stated it's frustrating to have your hands tied when all you want to do is help. She also congratulated Madison Sullivan and Pavitpaul Makkar on their recognition. Lastly, the Vice Mayor reminded the residents she is running for District 4 Town Council seat.

Council Member Hartmann congratulated Madison Sullivan and Pavitpaul Makkar on their recognition.

Mayor McKay praised and thanked Madison Sullivan and Pavitpaul Makkar on their recognitions. He also thanked other residents of the Town for their support during the election as he runs for the Mayor's seat.

## **7. Legal Comments**

Town Attorney Poliakoff had no comments.

## **8. Administration Comments**

Town Administrator Berns responded to a couple of comments that were made by the public during the public comment portion of the meeting. He started with the campaign sign executive order that was signed in order to enhance social distancing. He stated initially the Town would accept the signed forms emailed to him instead of in person, however it was brought to his attention that some of the residents were health challenged or not particularly internet savvy, which is why the decision was made to allow the signs without the signed consent forms. Town Administrator Berns next spoke about the fire assessment fee issue that was raised by a resident during public comment. He advised that he was tasked with evaluating the information that resulted in the fees and he would have the report for the Town Council and residents on October 22<sup>nd</sup>, 2020. Next Town Administrator Berns clarified a Broward County Charter Amendment item on the November 2020 election ballot. Question Two asks to allow for surtax funded projects on County owned land to bypass municipal rules, which means if the County owns land and they want to move forward with a surtax funded project, they can. Even if the Municipality's Codes do not allow it or the Town Council rejects it. The County overrides the Municipality in these cases. Lastly, Town Administrator Berns was made aware of an issue with the Constant Contact notification system and it is being addressed.

## **Ordinance – 1<sup>st</sup> Reading**

**9. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN, PERTAINING TO THE US HIGHWAY 27 BUSINESS LAND USE CATEGORY; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; REQUESTING RECERTIFICATION BY THE BROWARD COUNTY PLANNING COUNCIL; AND, PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-4)**

The following motion was made by Vice Mayor Schroeder, seconded by Council Member Amundson and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO APPROVE THE ORDINANCE ON FIRST READING.**

**10.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") TO CREATE A NEW ZONING CLASSIFICATION ENTITLED, "US HIGHWAY 27 PLANNED BUSINESS DISTRICT;" PROVIDING FOR DISTRICT REGULATIONS AND RELATED AMENDMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski, seconded by Council Member Hartmann and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO APPROVE THE ORDINANCE WITH #49 MODIFIED TO SPECIAL EXCEPTION UNDER SECTION 051-020, PERMITTED, PROHIBITED AND SPECIAL EXCEPTION USES LETTER (F) SCHEDULE OF USES.**

**Resolutions**

**11.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ENTERING INTO A LONG TERM LEASE AGREEMENT WITH SUPREME ORGANICS, LLC FOR THE TOWN'S VACANT 24.3622 +/- ACRE PROPERTY, GENERALLY LOCATED WEST OF NW 196TH AVENUE BETWEEN STIRLING ROAD AND SHERIDAN STREET, COMMONLY KNOWN AS THE FORMER CCA PROPERTY; AUTHORIZING THE SITE TO BE UTILIZED FOR A SINGLE SOURCE ORGANIC PROCESSING FACILITY, WITH ANCILLARY USES INCLUDING THE SALE OF THE END PRODUCTS, VEHICULAR PARKING AND STORAGE, AND A PRIVATE FUELING FACILITY; FINDING THAT THE ENTERING INTO THIS LONG TERM LEASE AGREEMENT IS IN THE BEST INTEREST OF THE PUBLIC; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO THE AGREEMENT AND TO MAKE ANY AND ALL CHANGES NECESSARY AND PROPER TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Schroeder, seconded by Council Member Amundson and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO APPROVE THE RESOLUTION WITH THE FOLLOWING CRITERIA: THE LEASE TERM IS 20 YEARS (1<sup>ST</sup> TERM) + 10 YEAR TERMS (RENEWALS) + 9 YEARS (LAST TERM) FOR A TOTAL OF 99 YEARS.**

**12.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY PROVIDING FOR

THE PROVISION OF CARES ACT FUNDING TO OFFSET UNANTICIPATED EXPENDITURES ASSOCIATED WITH THE TOWN'S EFFORTS IN RESPONDING TO THE COVID-19 PANDEMIC; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE THE INTERLOCAL AGREEMENT AND ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Schroeder, seconded by Council Member Jablonski and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO APPROVE THE RESOLUTION.**

**13.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CENSURING COUNCIL MEMBER BOB HARTMANN FOR HIS CONDUCT AT THE SEPTEMBER 14, 2020, COUNCIL MEETING; FINDING THAT COUNCIL MEMBER BOB HARTMANN'S CONDUCT WAS UNPROFESSIONAL AND INAPPROPRIATE; DIRECTING THE TOWN CLERK TO PUBLISH THIS RESOLUTION ON A FULL PAGE IN THE TOWN'S NEXT MONTHLY NEWSLETTER, AND IN THE NOTICE SECTION OF THE SUN SENTINEL; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Schroeder and seconded by Council Member Amundson and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO WITHDRAW THE RESOLUTION.**

**14.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING RESOLUTION NO. 2019-061, AND ESTABLISHING ADDITIONAL RULES AND POLICIES FOR CIVILITY AND DECORUM DURING TOWN COUNCIL MEETINGS, TOWN BOARD MEETINGS, AND DURING PUBLIC COMMENT AT TOWN COUNCIL AND BOARD MEETINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski and seconded by Council Member Hartmann and passes by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO APPROVE THE RESOLUTION.**

**15.** Adjournment

Meeting was adjourned at 10:50 p.m.

*Respectfully submitted:*

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*Russell Muñiz, Assistant Town Administrator/Town Clerk*

*Adopted by the Town Council on this day of February 11, 2021.*

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*Steve Breitreuz, Mayor*

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

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**REGULAR MEETING MINUTES OF THE TOWN COUNCIL**  
**Southwest Ranches, Florida**

Thursday 7:00 PM

October 22, 2020

13400 Griffin Road

Present:

Mayor Doug McKay

Andrew Berns, Town Administrator

Vice Mayor Dee Schroeder

Russell Muñiz, Assistant Town Administrator/Town Clerk

Council Member Delsa Amundson

Martin D. Sherwood, Town Financial Administrator

Council Member Bob Hartmann

Keith Poliakoff, Town Attorney

Council Member Gary Jablonski

Regular Meeting of the Town Council of Southwest Ranches was held via the ZOOM meeting platform. The meeting, having been properly noticed, was called to order by Mayor McKay at 7:19 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

**Quasi-Judicial Hearings**

**3. RESOLUTION APPROVING SIKH SOCIETY SITE PLAN MODIFICATION NO. SP-78-20.**

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING APPLICATION NO. SP-78-20 BY THE SIKH SOCIETY OF FLORIDA, INC. TO AMEND ITS ORIGINALLY APPROVED SITE PLAN TO ADD AN ADDITIONAL 2,021 SQUARE FEET OF BUILDING AREA TO THE EXISTING FACILITY; REPEALING RESOLUTION NO. 2019-32, WHICH SOUGHT TO AMEND THE ORIGINAL SITE PLAN; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

Assistant Town Administrator Muñiz read the item into the record and swore in the witnesses. Town Attorney Poliakoff explained the Quasi-Judicial procedure and asked the Town Council if any of them have had any ex-parte communication to which the Town Council stated they had not. Assistant Town Planner Katims introduced the item, read the staff report into the record and advised the Town Council the Petitioner is attending the meeting virtually and is available should any questions arise.

The following motion was made by Council Member Jablonski, seconded by Council Member Hartmann and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay.

**MOTION: TO APPROVE THE RESOLUTION AND FINAL ORDER.**

**4. Public Comment**

The following members of the public addresses the Town Council: George Cailis, David Kuczenski, Steve Breitkreuz and Jim Allbritton.

## 5. Board Reports

There were no Board Reports.

## 6. Council Member Comments

Council Member Jablonski mentioned the Holiday Lights Contest deadline of December 7, 2020 and Town Hall Closure on November 11, 2020 for Veteran's Day. Next he spoke about the license plate reader pilot program that Rolling Oaks has an opportunity to utilize. This program isn't funded by the Town. Rolling Oaks will have a professional camera system that is on the same platform as the Davie Police Department, which will alleviate any compatibility issues, the information on the vehicles will only transmit to the Davie Police Department and plates with any outstanding issues will notify the police department instantly instead of utilizing a third party. Council Member Jablonski would like to plan on implementing this program throughout the entire Town and he would like the Town Council to consider this proposal for future use.

Vice Mayor Schroeder spoke about a Davie resident, John Toole, who tragically passed in a small plane accident and she requested a moment of silence. Vice Mayor next spoke on the issue regarding Mr. Cailis' property. She stated she drove by the property and observed the problems Mr. Cailis spoke about. Vice Mayor Schroeder requested the Town Council come together and have a discussion on how to mitigate the issue.

Council Member Amundson spoke next. She also drove past Mr. Cailis' property and stated how amazed she was at the condition of the neighbor's property. She also would like to know how to correct this problem. Mayor McKay advised the neighbor's property falls under the Agricultural Protection which is allowed by the County and the State. Vice Mayor Schroeder had advised Mr. Cailis to start writing letters to the County and State Representatives.

Council Member Hartmann thanked Delsa for taking on the District 3 seat and he wished her and all the candidates running in the November 2020 elections good luck.

Mayor McKay thanked the Town for the opportunity to serve and he hopes he can serve again.

## 7. Legal Comments

Town Attorney Poliakoff spoke on the license plate reader being installed in Rolling Oaks. He stated Town Administrator Berns and Assistant Town Administrator Muñiz are working with FPL to get the line run, which will include some excavation. To deter any complaints from residents due to the excavation, Town Attorney Poliakoff along with Council Member Jablonski and Kathy Sullivan set up a photo op in front of the Rolling Oaks sign to place on Social Media and in the newsletter. Lastly, Town Attorney Poliakoff provided an update on the Layfield Litigation.

## 8. Administration Comments

Town Administrator Berns spoke about the contract awarded to Supreme Organics and their relationship with Waste Pro. He stated nothing will change in regard to the Town's residents and their bulk waste.

**Ordinance – 2<sup>nd</sup> Reading**

**9.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN, PERTAINING TO THE US HIGHWAY 27 BUSINESS LAND USE CATEGORY; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; REQUESTING RECERTIFICATION BY THE BROWARD COUNTY PLANNING COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-4) {Approved on First Reading – October 8, 2020}

The following motion was made by Council Member Jablonski seconded by Council Member Hartmann and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO TABLE THE ORDINANCE UNTIL THE DECEMBER 10, 2020 TOWN COUNCIL MEETING.**

**10.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") TO CREATE A NEW ZONING CLASSIFICATION ENTITLED, "US HIGHWAY 27 PLANNED BUSINESS DISTRICT;" PROVIDING FOR DISTRICT REGULATIONS AND RELATED AMENDMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading – October 8, 2020}

The following motion was made by Council Member Jablonski, seconded by Council Member Hartmann and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO TABLE THE ORDINANCE UNTIL THE DECEMBER 10, 2020 TOWN COUNCIL MEETING.**

**Ordinance – 1<sup>st</sup> Reading**

**11.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING ARTICLE 110, "CONCURRENCY REVIEW," SECTION 110-111, "PUBLIC SCHOOL CONCURRENCY" OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") TO UPDATE REQUIREMENTS FOR PUBLIC SCHOOL CONCURRENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski, seconded by Vice Mayor Schroeder and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO APPROVE THE ORDINANCE ON FIRST READING.**

**12.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN ("WSFWP") AND ADOPTING IMPLEMENTING AMENDMENTS TO THE GOALS, OBJECTIVES AND POLICIES OF THE UTILITIES ELEMENT AND CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN; AUTHORIZING TRANSMITTAL OF THE TEN-YEAR WSFWP AND RELATED COMPREHENSIVE PLAN AMENDMENTS TO REVIEWING AGENCIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-3).

The following motion was made by Council Member Jablonski and seconded by Council Member Hartmann and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO TABLE THE ORDINANCE TO THE NOVEMBER 19, 2020 TOWN COUNCIL MEETING.**

**13.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE OF THE FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN TO REPEAL THE RESIDENTIAL MEDIUM DENSITY LAND USE CATEGORY; AMENDING THE TEXT OF THE HOUSING ELEMENT TO REVISE RELATED POLICIES; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; REQUESTING RECERTIFICATION BY THE BROWARD COUNTY PLANNING COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-03)

The following motion was made by Vice Mayor Schroeder and seconded by Council Member Jablonski and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO APPROVE THE ORDINANCE ON FIRST READING.**

**14.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE PUBLIC SCHOOL FACILITIES AND CAPITAL IMPROVEMENT ELEMENTS OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN TO UPDATE THE LEVEL OF SERVICE STANDARD FOR PUBLIC SCHOOL FACILITIES; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-06)

The following motion was made by Council Member Jablonski and seconded by Vice Mayor Schroeder and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO APPROVE THE ORDINANCE ON FIRST READING.**

**15.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE GREENWAYS PLAN MAP AND RELATED POLICIES IN THE RECREATION AND OPEN SPACE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-7)

The following motion was made by Council Member Jablonski and seconded by Vice Mayor Schroeder and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO APPROVE THE ORDINANCE ON FIRST READING.**

### **Resolutions**

**16.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN AGREEMENT WITH ALL WATER SERVICE IN THE AMOUNT OF TWENTY-SEVEN THOUSAND ONE HUNDRED TWENTY DOLLARS AND ZERO CENTS (\$27,120.00) FOR EQUIPMENT MAINTENANCE AND WATER QUALITY MONITORING AND TREATMENT OF THE FOUR (4) TRANSIENT NONCOMMUNITY WATER SYSTEMS; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE THE AGREEMENT; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2020/2021 BUDGET; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Hartmann and seconded by Council Member Jablonski and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO APPROVE THE RESOLUTION.**

**17.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE SELECTION OF DEBONAIR MECHANICAL, INC. AS THE LOWEST MOST RESPONSIVE PROPOSER FOR THE PROVISION AND INSTALLATION OF iWAVE ION GENERATORS IN THE AMOUNT OF SIXTEEN THOUSAND FOUR HUNDRED AND EIGHTEEN DOLLARS AND ZERO CENTS (\$16,418.00) TO MITIGATE THE POSSIBLE EFFECTS OF COVID-19 WITHIN TOWN FACILITIES; AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski and seconded by Vice Mayor Schroeder and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO AWARD THE AGREEMENT TO AMERICAN PRIDE.**

Discussion

**18. Fire Assessment Update – Town Administrator**

Town Administrator Berns narrated a PowerPoint Presentation regarding the update on the Fire Assessment Fees that were questioned by the residents and Town Council.

**19. Approval of Minutes**

- a. September 14, 2020 – 1<sup>st</sup> Budget Hearing**
- b. September 24, 2020 – 2<sup>nd</sup> Budget Hearing**
- c. September 29, 2020 – 2<sup>nd</sup> Budget Hearing**

The following motion was made by Council Member Hartmann and seconded by Vice Mayor Schroeder and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

**MOTION: TO APPROVE THE MINUTES.**

Meeting was adjourned at 8:54 p.m.

*Respectfully submitted:*

\_\_\_\_\_  
*Russell Muñiz, Assistant Town Administrator/Town Clerk*

*Adopted by the Town Council on this day of February 11, 2021.*

\_\_\_\_\_  
*Steve Breitzkreuz, Mayor*

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

**REGULAR MEETING MINUTES OF THE TOWN COUNCIL**  
**Southwest Ranches, Florida**

Thursday 7:00 PM

November 19, 2020

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Andrew Berns, Town Administrator

Vice Mayor Bob Hartmann

Russell Muñiz, Assistant Town Administrator/Town Clerk

Council Member Jim Allbritton

Martin D. Sherwood, Town Financial Administrator

Council Member Gary Jablonski

Keith Poliakoff, Town Attorney

Council Member David Kuczenski

Regular Meeting of the Town Council of Southwest Ranches was held virtually via the ZOOM Meeting Platform. The meeting, having been properly noticed, was called to order by Mayor Breitkreuz at 7:05 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Mayor Breitkreuz introduced newly elected State Representative Robin Bartleman who congratulated the newly elected Town representatives. She introduced herself to the residents and the Town Council and pledged to work hard on behalf of the Town at the State Legislature.

**3. Selection of Vice Mayor**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPOINTING COUNCIL MEMBER BOB HARTMANN AS THE NEW VICE MAYOR OF THE TOWN OF SOUTHWEST RANCHES; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski seconded by Council Member Kuczenski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitkreuz voting Yes.

**MOTION: TO APPROVE THE RESOLUTION.**

**4. Public Comment**

The following members of the public addressed the Town Council: James Barry, and Newell Hollingsworth.

**13.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, PROVIDING FOR AN ECONOMIC HARDSHIP GRANT FOR THOSE AGRICULTURAL PROPERTY OWNERS FINANCIALLY IMPACTED BY THE MOST RECENT FIRE ASSESSMENT ON AGRICULTURAL STRUCTURES; PROVIDING FOR THE ECONOMIC HARDSHIP GRANT PROCESS; PROVIDING FOR A PUBLIC PURPOSE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Breitkreuz advised that item #13 scheduled for this meeting would be withdrawn as a better option concerning the issuance of a Certificate of Correction (CC) was suggested by the Broward County Property Appraiser's office. As it related to the CC, Mayor Breitkreuz asked Town Attorney Poliakoff to walk through the mechanics of the CC. Town Attorney Poliakoff explained

that the Town could advise the State Department of Revenue through the Broward County Property Appraiser's Office of the need to issue a Certificate of Correction to correct the fire assessment for affected property owners. Of the 21 properties in question the Town was able to inspect 19 of them. That list was further refined to determine which properties were not commercial in nature with the intent to provide the rebate. Based on the revised list, a notice of correction would be sent to the Property Appraiser's Office to then assess them at the residential rate of \$629.14. Their Fire Assessment would be corrected and they would receive a new bill from the Department of Revenue reflecting the corrected amount.

The following motion was made by Council Member Jablonski seconded by Council Member Kuczenski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitzkreuz voting Yes.

**MOTION: TO APPROVE THE TOWN'S LIST OF CERTIFICATE OF CORRECTIONS.**

Mayor Breitzkreuz apologized to the public for not making the list available prior to the meeting but the information was put together very quickly and could not be included in the meeting. Responding to a request from a resident he asked that the list of affected properties be announced. Town Financial Administrator Sherwood announced the list of 10 properties.

Mayor Breitzkreuz acknowledged that a new study may not be done but the Town would be reexamining this issue and determine whether a new study would be needed. He advised that the Town's consultant has advised that they would work with the Town on the shortcomings and make the adjustments necessary.

**5. Board Reports**

George Morris, Chair of the Drainage and Infrastructure Advisory Board, advised that with the rainfall as a result of Tropical Storm Eta he drove around Town to look at the drainage projects around Town to see if they were operating as designed. He was happy to see the drainage projects did appear to be functioning as designed but due to the amount of rainfall several streets did flood.

Christina Brownlow, Secretary of the Schools Education Advisory Board gave an update on fundraising initiatives. She thanked the Town Council for their continued support.

**6. Council Member Comments**

Council Member Jablonski congratulated Vice Mayor Hartmann on his appointment. He also congratulated Mayor Breitzkreuz, Council Member Allbritton, and Council Member Kuczenski on their election victories. He thanked former Mayor Doug McKay and Council Members Delsa Amundson and Dee Schroeder. He also wanted to correct his comments from the last meeting concerning the LPR camera project in Rolling Oaks. He inadvertently referred to I-95 but he intended to say I-75. He also spoke about the mosquito problem as a result of the rainfall from Tropical Storm ETA and informed the residents that the Town was in constant communication with Broward County Mosquito Control Division about the need for additional spraying. He urged residents to call them and provided the phone number. He spoke about the amount of flooding

due to Tropical Storm ETA and was thankful for the efforts to secure funding and install guardrails. He believed if not for the Town's efforts several cars would have ended up in the canal. Lastly, he spoke about the Holiday Lights contest and indicated that the entry forms were on the Town website and needed to be completed and submitted by December 7, 2020.

Vice Mayor Hartmann congratulated the newest members of the Town Council. He also congratulated State Representative Robin Bartleman and Fred Segal of the Broward Soil and Water Conservation Board on their recent election victories. He also recognized Senior Procurement Officer Venessa Redman on her recent scholarship award from the National Institute of Government Purchasing (NIGP). He suggested that the Town begin a strategic plan initiative. He felt that having Town Council retreat to kick off this initiative would be a good idea. He outlined some steps that the Town could follow to complete this process. Mayor Breitkreuz was a firm supporter of the strategic planning process and indicated his support. He felt that the best starting point would be a resident survey. Council Member Jablonski indicated his support for this initiative as well. He felt that the proposed timeline might be too aggressive and June might be more realistic.

Vice Mayor Hartmann continued his comments and discussed the flooding he encountered while he drove around after Tropical Storm Eta. He advised that he received many calls from Town residents asking the Town to pump water. He advised them that the Town does not operate any pumps but conveys water to the South Broward Drainage District and to the South Florida Water Management District. Those districts have pumps that can be operated to help water drain. Regarding mosquitos he echoed comments made by Council Member Jablonski and urged residents to contact the Broward County Mosquito Control District. He urged residents to be aware that horse slaughtering appeared to have occurred again in the Redlands and was concerned about it occurring in Town. He also spoke about the Town's appointments to the Broward League of Cities and the Broward Metropolitan Planning Organization (MPO). He advised that the League of Cities action agenda makes annexation one of their top priorities.

The following motion was made by Council Member Jablonski seconded by Council Member Allbritton and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitkreuz voting Yes.

**MOTION: TO APPOINT VICE MAYOR HARTMANN TO THE BROWARD METROPOLITAN PLANNING ORGANIZATION.**

The following motion was made by Council Member Jablonski seconded by Vice Mayor Hartmann and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitkreuz voting Yes.

**MOTION: TO APPOINT COUNCIL MEMBER ALLBRITTON TO THE BROWARD LEAGUE OF CITIES.**

Lastly, Vice Mayor Hartmann addressed advisory boards. He felt the advisory boards were an integral part of the Town and urged residents who might be interested to consider serving on an advisory board and complete advisory board application for Town Council consideration.

Council Member Allbritton thanked all of his supporters for his recent election.

Council Member Kuczenski thanked all of his supporters for their efforts. Regarding advisory boards, he indicated that he had been contacted by several residents and indicated that there would be new members appointed to the boards. He wanted to explore the feasibility of putting all Town meetings on one page of the website. He further indicated that he had resigned as President of the Sunshine Ranches HOA (SRHOA) and indicated that Chris Brownlow would be the new President. He indicated that the SRHOA had voted to donate \$1,000 to the Town's College Scholarship fund. Additionally, the SRHOA voted to maintain two entranceway signs. Lastly, he spoke of the plaque that had been created to honor Town founders in Sunshine Ranches and indicated it had been prohibited by a previous Town Council and wished that it be allowed to be installed on Hancock and Griffin Road.

The following motion was made by Council Member Kuczenski seconded by Council Member Jablonski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitzkreuz voting Yes.

**MOTION: TO ALLOW THE SUNSHINE RANCHES HOMEOWNERS ASSOCIATION TO ERECT PLAQUES COMMEMORATING TOWN FOUNDERS FROM THE SUNSHINE RANCHES NEIGHBORHOOD ON HANCOCK ROAD AND GRIFFIN AND STIRLING ROAD WEST OF FLAMINGO ROAD.**

Lastly, Council Member Kuczenski discussed the flooding at Hancock and Luray Road. He wondered if the Drainage Board could look at the flooding in his area.

Mayor Breitzkreuz thanked the Town residents for their confidence in him. He congratulated the other members of the Town Council that were recently elected. He thanked the previous Town Council for their service. He reiterated his commitment to the Rural Lifestyle and felt that all things to be considered would be judged against that ideal. He spoke of what the Rural Lifestyle means to him. He felt that every new home should have the ability to house a barn. He felt the Dark Sky ordinance needed to be adhered to, and open spaces needed to be preserved. He felt that individual property rights needed to be protected. He also spoke about accountability and how it is the responsibility of the Town Council to hold the Town staff and the Town Attorney accountable to the residents. Similarly, he expressed that the residents needed to hold the Town Council accountable. Lastly, he spoke about a COVID-19 mortgage assistance program that is intended to assist individual homeowners that have been financially affected by COVID-19. He advised that the program had an application deadline of November 27, 2020 and urged those in need to apply promptly.

## 7. Legal Comments

Town Attorney Poliakoff congratulated the newly elected Town Council members. He was excited to see the direction of the new Town Council and looked forward to working with them. Adding onto comments made by Council Member Kuczenski regarding the flooding concerns along Luray, he indicated that several residents have begun to plant in the swale area, and believed this may be causing some of the water to flood onto Luray. He felt that the Town Council should look to this as possible area of proactive code enforcement at the Strategic Planning session. He congratulated Representative Robin Bartleman on her recent election.

## 8. Administration Comments

Town Administrator Berns also congratulated the new Town Council members and Vice Mayor Hartmann on his appointment. He congratulated Representative Robin Bartleman on her recent election and wished everyone a Happy Thanksgiving. Lastly, he spoke about the Business Assistance program within the CARES Act and advised that business owners could get further information through the County website.

### Ordinances – First Reading

**9.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ADOPTING THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS FOR FISCAL YEARS 2021-2025 PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski seconded by Council Member Kuczenski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitzkreuz voting Yes.

### **MOTION: TO APPROVE THE ORDINANCE.**

### **Resolutions**

**10.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN AGREEMENT WITH R & D ELECTRIC, INC. IN THE AMOUNT OF ONE HUNDRED THIRTY-THREE THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS (\$133,500.00) TO PURCHASE AND TO INSTALL A GENERATOR AT THE SOUTHWEST RANCHES FIRE STATION; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski seconded by Council Member Allbritton and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitzkreuz voting Yes.

### **MOTION: TO APPROVE THE RESOLUTION.**

**11.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CONSENTING TO THE CITY OF COOPER CITY PROVIDING WATER SERVICES TO 5950 ASAD COURT, 13590 STIRLING ROAD, 5850 ASAD DRIVE, AND 5900 ASAD WAY, FOUR SINGLE

FAMILY HOMES LYING WITHIN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; PROVIDING THAT NO FURTHER EXPANSION OF SERVICE SHALL BE PERMITTED WITHOUT THE EXPLICIT WRITTEN CONSENT OF THE TOWN; PROVIDING FOR A CERTIFIED COPY OF THIS RESOLUTION TO BE FURNISHED TO THE CITY OF COOPER CITY; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski seconded by Vice Mayor Hartmann and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitreuz voting Yes.

**MOTION: TO APPROVE THE RESOLUTION.**

**12.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING A NEWLY REVISED FIRST AMENDMENT TO THE REGIONAL INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF SOUTHWEST RANCHES PROVIDING FOR COOPERATIVE PARTICIPATION IN A REGIONAL PUBLIC SAFETY INTRANET; REPEALING AND REPLACING THE INITIAL FIRST AMENDMENT TO THE REGIONAL INTERLOCAL AGREEMENT APPROVED BY THE TOWN COUNCIL ON MARCH 12, 2020 PURSUANT TO RESOLUTION R-2020-030 ADOPTED ON MARCH 12, 2020; AUTHORIZING EXECUTION; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski seconded by Council Member Allbritton and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitreuz voting Yes.

**MOTION: TO APPROVE THE RESOLUTION.**

**13.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, PROVIDING FOR AN ECONOMIC HARDSHIP GRANT FOR THOSE AGRICULTURAL PROPERTY OWNERS FINANCIALLY IMPACTED BY THE MOST RECENT FIRE ASSESSMENT ON AGRICULTURAL STRUCTURES; PROVIDING FOR THE ECONOMIC HARDSHIP GRANT PROCESS; PROVIDING FOR A PUBLIC PURPOSE; AND PROVIDING AN EFFECTIVE DATE.

This item was withdrawn earlier in the meeting.

**14.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A YEAR END BUDGET ADJUSTMENT FOR THE FISCAL YEAR 2019-2020 BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski seconded by Council Member Kuczenski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitreuz voting Yes.

**MOTION: TO APPROVE THE RESOLUTION.**

## Discussion

### 15. Significant Rainfall Planning and Response - Mayor Breitkreuz

Mayor Breitkreuz felt that the rainfall and flooding that resulted from Tropical Storm Eta required some discussion of the drainage system. He felt the drainage system operated well overall given the volume of the rain experienced in such a short period of time. However, he felt that the Town response could be better related to alternatives for animals being placed on higher ground. He also felt the Southwest Meadows Sanctuary property could be used since it had recently been elevated. He asked Public Works Director/Town Engineer Rod Ley to provide some feedback on what he experienced.

Public Works Director/Town Engineer Ley provided data on rainfall accumulation for the event to provide perspective and reported that 15 to 18.4 inches of rain were reported in a 48-hour period depending upon location of the Town. He indicated that this amount of rain exceeded the 100-year rain event threshold and could easily have resulted in homes being submerged. Since there were no reports of homes being submerged he was pleased because he believed that was an indication that the drainage system was working as designed. He stated that there were some limitations with the S-9 pump station operated by South Broward Drainage District (SBDD). He believed that the sheer amount of water was just too much to move to have improved the flooding experienced. He did feel there were opportunities to improve including better coordination with SBDD and the South Florida Water Management District (SFWMD), and quicker response to closing of roads.

Mayor Breitkreuz expressed a need to have a discussion with the residents, SBDD and SFWMD, other municipalities to discuss the district's plans for future events. He also felt that the Town could be more proactive as it related to animal sheltering at designated locations throughout the town. Representative Bartleman expressed a desire to attend the meeting because she felt there would need to a regional approach. Council Member Jablonski also felt there should be an emergency towing location for vehicles that get stranded. He also felt that the Southwest Meadows Sanctuary area be stabilized, and grass could be used for a turnout area for large animals. Vice Mayor Hartmann asked what type of large animals would be allowed. Not all animals get along and should be housed together. Council Member Jablonski felt that there could be various fenced in areas. Mayor Breitkreuz requested the Town Council support to direct the Administration to put together a "summit" on this in February or March and develop an agenda. Vice Mayor Hartmann felt that these types of storms would become more frequent. He expressed concern with some of the older homes built around Town and the fact that flooding on the roadway was approaching their homes as cars passed by. He felt that it may be time to reconsider the floor elevations on new homes.

### 16. Approval of Minutes

#### a. September 14, 2020 Regular Meeting

The following motion was made by Council Member Jablonski seconded by Vice Mayor Hartmann and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitkreuz voting Yes.

### **MOTION: TO APPROVE THE MINUTES.**

**17. Adjournment**

Meeting was adjourned at 9:54 p.m.

*Respectfully submitted:*

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*Russell Muñiz, Assistant Town Administrator/Town Clerk*

*Adopted by the Town Council on this 11<sup>th</sup> day of February, 2021.*

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*Steve Breitreuz, Mayor*

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

**REGULAR MEETING MINUTES OF THE TOWN COUNCIL**  
**Southwest Ranches, Florida**

Thursday 7:00 PM

December 10, 2020

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Andrew Berns, Town Administrator

Vice Mayor Bob Hartmann

Russell Muñiz, Assistant Town Administrator/Town Clerk

Council Member Jim Allbritton

Martin D. Sherwood, Town Financial Administrator

Council Member Gary Jablonski

Keith Poliakoff, Town Attorney

Council Member David Kuczenski

Regular Meeting of the Town Council of Southwest Ranches was held virtually via the ZOOM Meeting Platform. The meeting, having been properly noticed, was called to order by Mayor Breitkreuz at 7:03 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

**3. Public Comment**

The following members of the public addressed the Town Council: Chris Brownlow, Doug McKay, Zureen Khomani, and Denise Schroeder.

**4. Board Reports**

George Morris, Chair of the Drainage and Infrastructure Advisory Board and Comprehensive Planning Advisory Board. He advised that the Comprehensive Planning Board discussed how to minimize the extent and impact from the new residential development being proposed with regards to preserving the rural lifestyle. He further advised that the Drainage Board discussed the flooding event associated with Tropical Storm Eta.

**5. Council Member Comments**

Council Member Jablonski spoke about the new photo calendar. In preparation for New Year's Eve celebrations he unveiled a sign prototype that was designed to make people more aware of the need to be mindful of neighbors with livestock when using fireworks. He also discussed the rollout for COVID-19 vaccines. He asked whether it would be helpful to formally request that the Town's first responders be prioritized. He wished everyone a healthy and happy holiday season.

Council Member Kuczenski, addressing an issue raised during Public Comments indicated that the residents of Sunshine Ranches were concerned about a proposal to place a northbound turning lane from eastbound Sheridan Street onto SW 148<sup>th</sup> Avenue (Volunteer Road). He requested that the Town draft a resolution in opposition.

The following motion was made by Council Member Kuczenski seconded by Council Member Jablonski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitkreuz voting Yes.

**MOTION: TO DIRECT ADMINISTRATION TO DRAFT A RESOLUTION WHICH WILL APPEAR AT THE JANUARY 28, 2021 TOWN COUNCIL AGENDA TO OPPOSE THE CHANGE**

**TO THE INTERSECTION AT SW 148<sup>TH</sup> AVENUE (VOLUNTEER ROAD) WHICH WOULD CREATE A NORTHBOUND ENTRANCE FROM SHERIDAN STREET.**

Council Member Kuczenski indicated that during the campaign Council Member Allbritton had suggested developing a traffic advisory board and wanted to pursue this idea. Council Member Jablonski felt this should be added to the scope of an existing board such as the Drainage and Infrastructure Advisory Board. Vice Mayor Hartmann felt a board examining this issue should be separate and apart from any other board. Town Administrator Berns wished to discuss this issue further with Council Member Allbritton and bring something back to Council for consideration. Mayor Breitkreuz indicated that during the campaign traffic concerns were something he heard often. He believed that maybe having a temporary board to address this issue and then could sunset after six or nine months.

Vice Mayor Hartmann spoke about a recent meeting he had with Anna Koldys and Town Administrator Berns to discuss strategic planning and announced that a strategic planning retreat of the Town Council and staff was scheduled for January 9, 2021. He asked Town Administrator Berns for an update on the proposed changes to processes discussed at the October 22, 2020 meeting pertaining to solid waste collection. Town Administrator Berns advised that he was working with Public Works Director/Town Engineer Rod Ley on this and a presentation will be made to the Town Council at the January 28, 2021 meeting. He advised that the Hindu Temple on Griffin Road just east of Town Hall will be hosting a Farm Share event on Saturday December 12<sup>th</sup> wherein they will be distributing food for 500 families. He asked that everyone spread the word. Vice Mayor Hartmann, borrowing from an idea suggested by Council Member Kuczenski, requested that the Town Council receive agendas two weeks prior to the meeting because some items in the past required detailed examination which one week did not afford. Town Administrator Berns indicated that he had discussed this issue with Council Member Kuczenski previously and examined this issue and determined that quasi-judicial items and detailed contracts warranted providing additional time. He indicated that he had been working with staff to refine our processes to get the agendas to the Town Council with additional time for review. He also wished everyone a healthy and happy holiday season.

Council Member Allbritton discussed potholes in Green Meadows. He indicated he would be driving around and making a record of the potholes in his district and turn those into the Administration. He stated that as a result of discussion he had with the Country Estates and Sunshine Ranches Homeowners Associations and indicated his desire to start up a Civic Association for Green Meadows.

Mayor Breitkreuz indicated his support for writing a letter requesting that first responders be prioritized for COVID-19 vaccinations. He agreed with comments made during Public Comments by former Mayor Doug McKay and Council Member Dee Schroeder regarding board appointments and felt it was unfair for appointees to be removed solely because new Council Members are elected. He thanked Council Member Kuczenski for the suggestion to get the agendas out earlier. He also thanked Council Member Jablonski for the livestock signage idea related to fireworks. He advised that there has been a spate of large parties recently at residential homes where the noise ordinance had been violated. He felt those holding these parties were not respecting their

neighbors and urged anyone wishing to have a large party to seek a permit as required by the Town Code. He advised that the Town was preparing a drainage meeting to discuss suggestions for improvement for future storm events. The meeting will be attended by the South Broward Drainage District, South Florida Water Management District, and Town staff. He also wished everyone a healthy and happy holiday season.

Council Member Jablonski asked if a formal motion needed to be made to direct Town Administrator Berns to write a letter to Governor DeSantis requesting that first responders be prioritized for the COVID-19 vaccine. Mayor Breitkreuz did not believe a formal motion was necessary as long as there was consensus among the Town Council. The Town Council indicated their support for this letter to be written.

## **6. Legal Comments**

Town Attorney Poliakoff wished everyone a healthy and happy holiday season.

## **7. Administration Comments**

Town Administrator Berns indicated that the County extended the technical assistance for small businesses for CARES Act funding until December 14<sup>th</sup>. He wished everyone a healthy and happy holiday season.

## **Resolutions**

**8.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE COMPREHENSIVE PLAN ADVISORY BOARD (CPAB); RESTATING THE BOARD'S SCOPE; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

Council Member Jablonski spoke of the increased number of applicants interested in serving on the advisory boards and proposed that interested parties could be appointed to at-large positions to a board if they attended the board meetings for six consecutive months. He also wanted to consider appointing former Mayor McKay and Council Member Schroeder to this board but only if there was unanimous support by the Town Council.

Mayor Breitkreuz felt that the other side of the coin was unexcused absences. The current board policy requires removal from a board if an appointee has three unexcused absences. In most cases it appears that board absences are often being excused when they shouldn't be. He felt the board policy should be followed. Vice Mayor Hartmann agreed with Mayor Breitkreuz.

The following motion was made by Vice Mayor Hartmann and seconded by Council Member Allbritton and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitkreuz voting Yes.

Assistant Town Administrator/Town Clerk Muñiz suggested that the board policy be amended to remove the distinction between excused and unexcused and just log absences. Should the board member acquire three absences they would be automatically removed. At that point the appointing Council Member could reappoint the member if they so choose, in accordance with the

current policy. Mayor Breitreuz and Council Member Jablonski preferred to know what the reasons were for the absences as there may have been extenuating circumstances. Mayor Breitreuz suggested that the excusal of absences should not be voted on by the board and the determination of absences should be an administrative function. Vice Mayor Hartmann supported the suggestion made by Assistant Town Administrator/Town Clerk Muñiz.

Town Council discussion ensued concerning limiting the Comprehensive Planning Advisory Board and the Comprehensive Planning Advisory Board to seven members. Consensus of the Town Council was reached on these limitations.

Council Member Jablonski asked if there was support to place former Mayor Doug McKay on the Comprehensive Planning Advisory Board. Council Member Kuczenski indicated if he was willing to attend all of the meetings and participate, he would not object. Vice Mayor Hartmann wanted to make clear that although these two boards were technical in nature board appointees could learn the information as they went along.

Mayor Breitreuz asked Council Member Jablonski to summarize the three ideas he suggested. He suggested that if an interested resident attended the board meeting for six months in a row they could be appointed as an at-large member. The Town Council indicated consensus on this idea. Town Council consensus was to remove the responsibility for excusal of absences from the board and Town staff would keep track between excused and unexcused absences. If they accumulate three unexcused absences, they would be removed, and the appointing Council Member would be notified and could reappoint anyone removed under the policy. This policy would be followed this year and reevaluated next year. Lastly, the Town Council gave consensus for two at-large appointments for both the Comprehensive Planning and Drainage and Infrastructure Advisory Boards for a total of seven. Vice Mayor Hartmann voiced objection to appointing former Mayor McKay. As a result, Council Member Jablonski removed his nomination for former Mayor McKay.

**MOTION: TO APPROVE THE RESOLUTION WITH THE AFOREMENTIONED CHANGES.**

**9.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE DRAINAGE AND INFRASTRUCTURE ADVISORY BOARD (DIAB); RESTATING THE BOARD'S PURPOSE AND OBJECTIVES; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski seconded by Vice Mayor Hartmann and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitreuz voting Yes.

**MOTION: TO APPROVE THE RESOLUTION.**

**10.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF FIRE ADVISORY BOARD (FAB); RESTATING THE BOARD'S SCOPE; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Allbritton seconded by Council Member Jablonski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitreuz voting Yes.

**MOTION: TO APPROVE THE RESOLUTION.**

**11.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE RECREATION, FORESTRY, AND NATURAL RESOURCES ADVISORY BOARD (RFNRAB); RATIFYING THE BOARD'S PURPOSE AND OBJECTIVES; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Hartmann seconded by Council Member Jablonski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitreuz voting Yes.

**MOTION: TO AMEND THE NAME OF THE BOARD TO ADD THE WORD "PARKS" AND APPROVE THE RESOLUTION.**

**12.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE RURAL PUBLIC ARTS AND DESIGN ADVISORY BOARD (RPADAB); RESTATING THE BOARD'S SCOPE; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski seconded by Vice Mayor Hartmann and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitreuz voting Yes.

**MOTION: TO APPROVE THE RESOLUTION.**

**13.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE SCHOOLS AND EDUCATION ADVISORY BOARD (SEAB); RESTATING THE BOARD'S SCOPE; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski seconded by Council Member Kuczenski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitreuz voting Yes.

**MOTION: TO APPROVE THE RESOLUTION.**

**14.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TOWN HOLIDAY SCHEDULE FOR THE CALENDAR YEAR 2021; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski seconded by Vice Mayor Hartmann and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitreuz voting Yes.

**MOTION: TO APPROVE THE RESOLUTION.**

**15.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TOWN COUNCIL MEETING SCHEDULE FOR THE CALENDAR YEAR 2021; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski seconded by Vice Mayor Hartmann and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitreuz voting Yes.

**MOTION: TO CHANGE THE DECEMBER MEETING DATE TO DECEMBER 16, 2021 AND APPROVE THE RESOLUTION.**

**16.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE TOWN TO PIGGYBACK THE AGREEMENT BETWEEN THE TOWN OF DAVIE AND MILLENIUM PRODUCTS, INC. (CONTRACT#GS-07F-003L W) AN AUTHORIZED RESELLER OF VETTED SECURITY SOLUTIONS, INC.(VSS) FOR THE INSTALLATION OF A LICENSE PLATE READER SYSTEM FOR THE ROLLING OAKS COMMUNITY; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2020/2021 BUDGET FOR MACHINERY AND EQUIPMENT; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE A PURCHASE ORDER NOT TO EXCEED TWENTY EIGHT THOUSAND DOLLARS AND ZERO CENTS (\$28,000.00); AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski seconded by Council Member Kuczenski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitreuz voting Yes.

**MOTION: TO APPROVE THE RESOLUTION.**

**17.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE TOWN TO PIGGYBACK OFF OF AN AGREEMENT BETWEEN THE BROWARD SHERIFF'S OFFICE AND MOTOROLA SOLUTIONS, INC. FOR THE MIGRATION OF THE SOUTHWEST RANCHES VOLUNTEER FIRE RESCUE DEPARTMENT'S RADIO SYSTEM TO THE P25 RADIO SYSTEM; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2020/2021 BUDGET FOR MACHINERY AND EQUIPMENT; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND

TOWN ATTORNEY TO EXECUTE A PURCHASE ORDER NOT TO EXCEED ELEVEN THOUSAND DOLLARS AND ZERO CENTS (\$11,000.00); AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski seconded by Vice Mayor Hartmann and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitzkreuz voting Yes.

**MOTION: TO APPROVE THE RESOLUTION.**

**Discussion**

**18. Annual Review of Charter Officials**

This item was requested by Town Administrator Berns to be moved to the January 28, 2021 Town Council meeting.

**19. Adjournment**

Meeting was adjourned at 9:55 p.m.

*Respectfully submitted:*

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*Russell Muñiz, Assistant Town Administrator/Town Clerk*

*Adopted by the Town Council on this 11<sup>th</sup> day of February, 2021.*

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*Steve Breitzkreuz, Mayor*

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.