

**ORDINANCE NO. 2004 - 9**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, REZONING THE TOWN OF SOUTHWEST RANCHES' PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF SHERIDAN STREET BETWEEN SW 185 WAY AND SW 190 AVENUE, MORE PARTICULARLY DESCRIBED AS TRACTS 45, 52 AND 61, SECTION 1, TOWNSHIP 51 SOUTH, RANGE 39 EAST OF "THE EVERGLADES LAND COMPANY SUBDIVISION" AS RECORDED IN PLAT BOOK 2, PAGE 1 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; LESS THAT PORTION LYING WITHIN 65.00 FEET OF THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 1; AND ALSO LESS THAT PORTION LYING WITHIN 10.00 FEET OF THE WEST LINE OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 1; AND ALSO LESS THEREFROM THOSE PORTIONS OF SAID TRACTS 45 AND 52 LYING WITHIN 10 FEET OF THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 1, FROM A-1, AGRICULTURAL ESTATES DISTRICT, TO CF, COMMUNITY FACILITIES DISTRICT; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, due to the class size amendment and the dramatic population increase in the southwestern portion of Broward County, the creation of new schools is a necessity; and

**WHEREAS**, sensing the demand for additional educational institutions, the Town Council created a Community Facility zoning district which provides for schools as a permitted use; and

**WHEREAS**, to help service the needs of its citizens and the County, the Town of Southwest Ranches, seeks to rezone the property generally located on the north side of

Sheridan Street between SW 185<sup>th</sup> Way and SW 190<sup>th</sup> Avenue from A-1, Agricultural Estates, to the CF, Community Facility designation, to accommodate a school at this location; and

**WHEREAS**, it has been determined that this approximately 28.839 acre parcel satisfies the Community Facility zoning district criteria; and

**WHEREAS**, the Town Council believes that this rezoning will help further protect the health, safety and welfare of its citizens.

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

**Section 1.** The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the Town Council.

**Section 2.** That following an extensive review of the staff report, all written and oral evidence received during the public hearing, the criteria set-forth in the Town Code, and the standards set-forth in both state and federal law, the Town Council hereby finds that the petitioner has demonstrated by competent substantial evidence that the rezoning criteria has been satisfied and therefore approves the rezoning of the property generally located on the north side of Sheridan Street between SW 185<sup>th</sup> Way and SW 190<sup>th</sup> Avenue and more particularly described as Tracts 45, 52 and 61, Section 1, Township 51 South, Range 39 East of "The Everglades Land Company Subdivision" as recorded in Plat Book 2, Page 1 of the Public Records of Dade County, Florida; less that portion lying within 65.00 feet of the South Line of the Southeast one-quarter (S.E. 1/4) of said Section 1; and also less that portion lying within 10.00 feet of the West line

of the Southeast one-quarter (S.E. 1/4) of said Section 1; and also less therefrom those portions of said Tracts 45 and 52 lying within 10 feet of the North line of the Southeast one-quarter (S.E. 1/4) of said Section 1, from A-1, Agricultural Estates District, to the CF, Community Facility designation.

**Section 3.** That the appropriate Town officials are hereby authorized and directed to execute the necessary documents to effectuate this Ordinance.

**Section 4.** The Town Clerk is hereby directed to record a copy of this Ordinance in the Public Records of Broward County, Florida.

**Section 5: Conflicts.** 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 6: 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 7: Effective Date.** This Ordinance shall be effective immediately upon its adoption.

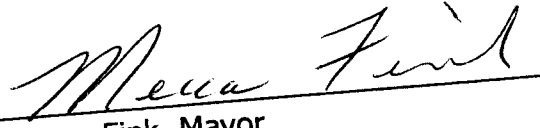
**PASSED ON FIRST READING** this 8<sup>th</sup> day of July, 2004 on a motion made by Council Member Blanton and seconded by Vice Mayor Knight.


**[Intentionally Left Blank]**


**PASSED AND ADOPTED ON SECOND READING** this 28<sup>th</sup> day of July, 2004, on a motion made by Council Member Forest Blanton and seconded by Vice Mayor Aster Knight.

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

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

  
\_\_\_\_\_  
Mecca Fink, Mayor

Attest:  
  
\_\_\_\_\_  
Shari Canada, Town Clerk

Approved as to Form and Correctness:  
  
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Gary A. Poliakoff, J.D., Town Attorney