

RESOLUTION NO. 2015-009

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-009-14 RELATING TO 5 GROSS ACRES OF PROPERTY GENERALLY LOCATED 1,000 FEET NORTH OF STIRLING ROAD ON THE WEST SIDE OF JAMES B. PIRTLE AVENUE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at a duly noticed public hearing held on December 11, 2014, the Town Council reviewed an application by Fernando and Daryl Portela to subdivide a single tract into two separate lots, without platting; and

WHEREAS, the subject property is 5 gross acres, and is located approximately 1,000 feet north of Stirling Road on the west side of James B. Pirtle Avenue, and legally described in Exhibit "A" attached hereto and made a part hereof by reference; and

WHEREAS, the property is designated Rural Ranches on the Future Land Use Plan Map and is zoned Rural Ranches, which requires 2.0 net or 2.5 gross acres per lot; and

WHEREAS, this application proposes lots of 2.0 acres of net land area, consistent with the land use and zoning designations; and

WHEREAS, both lots will have in excess of the 125 feet minimum width requirement of the Rural Ranches zoning district; and

WHEREAS, access is available to both proposed lots via James B. Pirtle Avenue;

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 December 11, 2014, 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-009-14 to subdivide the subject property as depicted in Exhibit "B", attached hereto and made a part hereto by reference, subject to the condition that the applicant shall pay to the Town an amount equal to the total expense incurred by the Town in processing this application prior to the final recordation of the waiver of plat by the Town. This fee includes, but, shall not be limited to expenses for engineering, planning, legal, advertising, a five percent administrative

fee, and any related expenses that the Town has or will incur as a direct cost of this waiver of plat.

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.

Section 5. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest

Ranches, Florida, this 11th day of December, 2014, on a motion by

Councilmember Breitzkreuz and seconded by Council Member Jablonski.

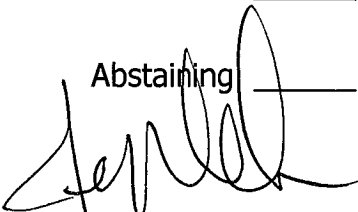
Nelson	<u>Yes</u>
Breitzkreuz	<u>Yes</u>
McKay	<u>Yes</u>
Fisikelli	<u>Yes</u>
Jablonski	<u>Yes</u>

Ayes _____

Nays _____

Absent _____

Abstaining _____




Jeff Nelson, Mayor

ATTEST:



Russell Muñiz, Town Clerk

Approved as to Form and Correctness:



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

EXHIBIT "A"

PARENT TRACT

A PORTION OF TRACT 59 AND 60 IN SECTION 35, TOWNSHIP 50 SOUTH, RANGE 40 EAST, ACCORDING TO THE "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO 1". RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LYING WITHIN THE EAST ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF THE NORTH ONE-HALF (1/2) OF THE SOUTHWEST ONE-QUARTER (1/4) OF THE SOUTHEAST ONE-QUARTER (1/4) OF SAID SECTION 35, LESS THEREFROM THE NORTH 257.17 FEET (AS MEASURED ALONG THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER (1/4)); SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

THE NORTH 257.17 FEET OF THE EAST 1/2 (E 1/2) OF THE EAST 1/2 (E 1/2) OF TRACT 60, IN SECTION 35, TOWNSHIP 50 SOUTH, RANGE 40 EAST, OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO 1". ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID LANDS NOW SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PROPOSED LOT A:

A PORTION OF TRACT 59, SECTION 35, TOWNSHIP 50 SOUTH, RANGE 40 EAST, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO 1". ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, "JAMES B. PIRTLE PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 171, PAGE 118, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA ALSO BEING THE SOUTHEAST CORNER OF SAID TRACT 59; THENCE SOUTH 89°43'41" WEST ON THE SOUTH LINE SAID TRACT 59, ALSO BEING THE NORTH LINE OF SAID LOT 1, "JAMES B. PIRTLE PLAT" FOR 329.91 FEET TO THE INTERSECTION WITH THE WEST LINE OF THE EAST 1/2 OF THE EAST 1/2 OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 35; THENCE NORTH 01°46'36" WEST ON SAID WEST LINE ALSO BEING THE EAST LINE OF LOTS 2 AND 3, "STONE CREEK AT SUNSHINE RANCHES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 173, PAGE 156, OF SAID PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA FOR 323.76 FEET; THENCE NORTH 89°43'45" EAST 329.92 FEET; THENCE SOUTH 01°46'28" EAST ON SAID EAST LINE 323.76 FEET TO THE POINT OF BEGINNING.

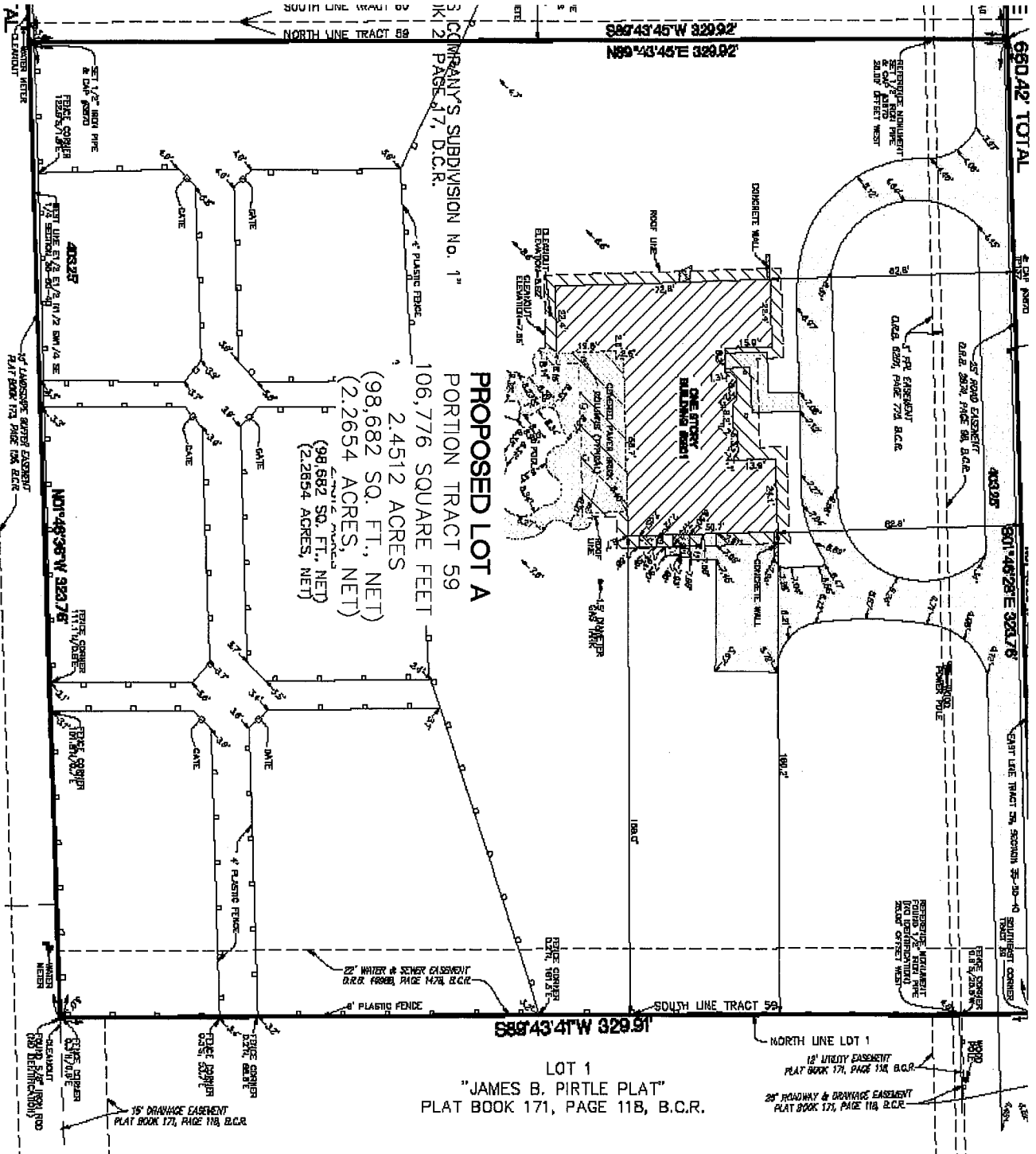
SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, CONTAINING 106,776 SQUARE FEET (2.4512 GROSS ACRES AND 2.265 NET ACRES).

PROPOSED LOT B:

A PORTION OF TRACTS 59 AND 60, SECTION 35, TOWNSHIP 50 SOUTH, RANGE 40 EAST, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO 1". ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, "JAMES B. PIRTLE PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 171, PAGE 118, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA ALSO BEING THE SOUTHEAST CORNER OF TRACT 59, SECTION 35, TOWNSHIP 50 SOUTH, RANGE 40 EAST, OF SAID "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO 1"; THENCE NORTH $01^{\circ}46'28''$ WEST ON THE EAST LINE TRACT 59, SECTION 35, TOWNSHIP 50 SOUTH, RANGE 40 EAST, OF SAID "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO 1", FOR 323.76 FEET TO THE POINT OF BEGINNING; THENCE SOUTH $89^{\circ}43'45''$ WEST 329.92 FEET TO THE INTERSECTION WITH THE WEST LINE OF THE EAST $1/2$ OF THE EAST $1/2$ OF THE NORTH $1/2$ OF THE SOUTHWEST $1/4$ OF THE SOUTHEAST $1/4$ OF SAID SECTION 35; THENCE NORTH $01^{\circ}46'36''$ WEST ON SAID WEST LINE ALSO BEING THE EAST LINE OF LOTS 3 AND 4, "STONE CREEK AT SUNSHINE RANCHES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 173, PAGE 156, OF SAID PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA 336.65 FEET TO THE INTERSECTION WITH THE NORTH LINE OF THE SOUTHWEST $1/4$ OF THE SOUTHEAST $1/4$ OF SAID SECTION 35, ALSO BEING THE NORTH LINE OF SAID TRACT 60; THENCE NORTH $89^{\circ}43'31''$ EAST ON SAID NORTH LINE, ALSO BEING THE SOUTH LINE OF LOT 8 OF SAID "STONE CREEK AT SUNSHINE RANCHES" 329.93 FEET TO THE NORTHEAST CORNER OF SAID TRACT 60; THENCE SOUTH $01^{\circ}46'28''$ EAST ON SAID EAST LINE 336.65 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY FLORIDA CONTAINING 111,033 SQUARE FEET (2.5490 GROSS ACRES AND 2.3557 NET ACRES).



PROPOSED LOT A
PORTION TRACT 59
106,776 SQUARE FEET

2.4512 ACRES
 (98,682 SQ. FT., NET)
 (2.2654 ACRES, NET)
 (98,682 SQ. FT., NET)
 (2,2654 ACRES, NET)

3 JACKSONBANK'S SUBDIVISION No. 1
 PLAT BOOK 171, D.C.R.

LOT 1
 "JAMES B. PIRTLE PLAT"
 PLAT BOOK 171, PAGE 118, B.C.R.

68042 TOTAL

60148 TOTAL

589°43'41"W 329.91'

589°43'45"W 329.92'
N89°43'45"E 329.92'

589°43'41"W 329.91'
 NORTH LINE LOT 1
 18' UTILITY EASEMENT
 PLAT BOOK 171, PAGE 118, B.C.R.
 24' ROADWAY & DRAINAGE EASEMENT
 PLAT BOOK 171, PAGE 118, B.C.R.

15' DRAINAGE EASEMENT
 PLAT BOOK 171, PAGE 118, B.C.R.