

RESOLUTION NO. 2017-001

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-14-16 TO SUBDIVIDE APPROXIMATELY 4.76 NET ACRES OF PROPERTY INTO TWO LOTS OF 2.38 NET ACRES APIECE; GENERALLY LOCATED ON THE WEST SIDE OF APPALOOSA TRAIL, APPROXIMATELY ONE-QUARTER MILE SOUTH OF STIRLING ROAD, AND DESCRIBED AS THE NORTH ONE-HALF OF THE NORTH 324.17 FEET OF TRACTS 27 AND 28 IN SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST, EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 39 OF THE DADE COUNTY, FLORIDA PUBLIC RECORDS, LESS THE EAST 20 FEET OF TRACT 28; 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 September 14, 2016, the Town Council reviewed Application No. WP-14-16 by George and Deborah Morris to subdivide 4.76 acres ("Property") into two equal parcels of 2.38 acres in area and 162 feet in width without platting; and

WHEREAS, the Property has Rural Ranch land use plan and a Rural Ranches zoning designation, both of which require 2.0 net or 2.5 gross acres per lot; and

WHEREAS, the Rural Ranches zoning regulations require a minimum lot width of 125 feet; and

WHEREAS, the subdivision complies with the minimum lot size and dimensional requirements of the Rural Ranch land use plan and Rural Ranches zoning designation, and will not create or exacerbate any nonconformities with the development standards of the Unified Land Development Code ("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 September 14, 2016, 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-14-16,

for the property described and depicted in Exhibits "A" and "B" attached hereto and made a part hereof, subject to the condition that the petitioner shall pay to the Town of Southwest Ranches an amount equal to the total expenses incurred by the Town in the processing and finalizing of this application. This includes, but may not be limited to, expenses for engineering, planning, legal, advertising, five percent (5%) percent administrative fee, and any related expenses that the Town has or will incur as a direct cost of this application.

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 upon the property owner's satisfaction of all conditions of approval enumerated in Section 2 herein.

Section 5. This Resolution shall become effective upon the property owner's satisfaction of the condition of approval enumerated in Section 2 herein.

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

Florida, this 13th day of October 2016, on a motion by Vice Mayor McKay

and seconded by Council Member Jablonski.

Nelson Yes
McKay Yes
Fisikelli Yes
Breitkreuz Yes
Jabolnski Yes

Ayes 5
Nays 0
Absent 0
Abstaining 0

Jeff Nelson
Jeff Nelson, Mayor

ATTEST:

Russell Muñiz
Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

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

EXHIBIT "A"
LEGAL DESCRIPTION

Parent Tract

The North 324.17 feet of Tract 27 together with the North 324.17 feet of Tract 28 less the East 20 feet thereof for road in Section 2, Township 51 South, Range 40 East, EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION, according to the plat thereof, as recorded in Plat Book 2, Page 39 of the Public Records of Dade County, Florida.

Said lands situate, lying and being in the Town of Southwest Ranches, Broward County, Florida, containing 4.75 acres, more or less.

Lot 1:

The North one-half of the following described parcel:

The North 324.17 feet of Tract 27 together with the North 324.17 feet of Tract 28 less the East 20 feet thereof for road in Section 2, Township 51 South, Range 40 East, EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION, according to the plat thereof, as recorded in Plat Book 2, Page 39 of the Public Records of Dade County, Florida.

Said lands situate, lying and being in the Town of Southwest Ranches, Broward County, Florida, containing 2.37 acres, more or less.

Lot 2:

The South one-half of the following described parcel:

The North 324.17 feet of Tract 27 together with the North 324.17 feet of Tract 28 less the East 20 feet thereof for road in Section 2, Township 51 South, Range 40 East, EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION, according to the plat thereof, as recorded in Plat Book 2, Page 39 of the Public Records of Dade County, Florida.

Said lands situate, lying and being in the Town of Southwest Ranches, Broward County, Florida, containing 2.38 acres, more or less.

EXHIBIT "B" (1of 2) PRE-SUBDIVIDED CONDITON

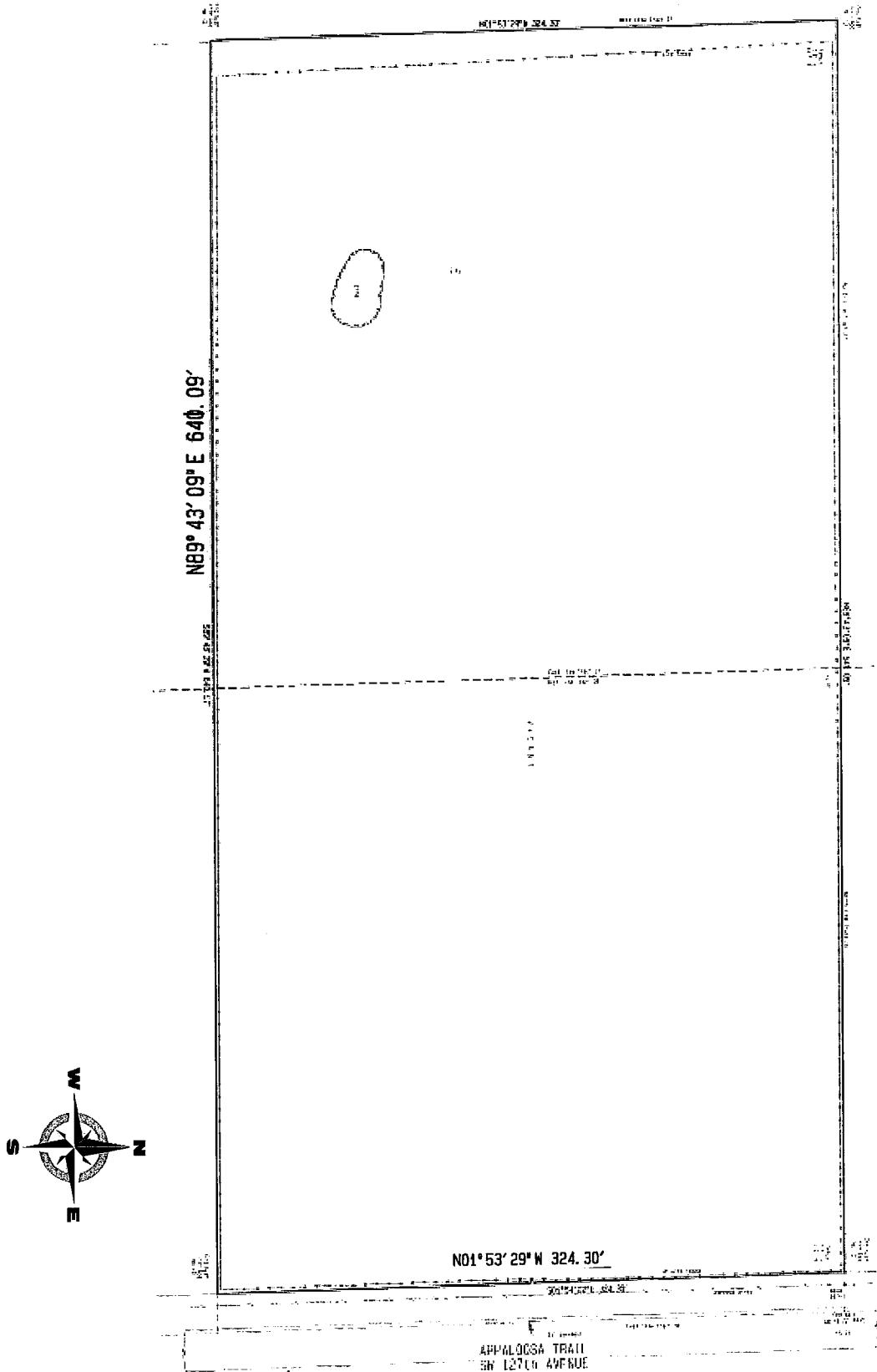


EXHIBIT "B" (2of 2) SUBDIVIDED CONDITION

