

**CORRECTIVE RESOLUTION NO. 2018 - 030**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-20-18 TO SUBDIVIDE APPROXIMATELY 4.7 NET ACRES OF PROPERTY INTO TWO LOTS OF APPROXIMATELY 2.38 AND 2.32 NET ACRES; GENERALLY LOCATED ON THE NORTH SIDE OF LURAY ROAD, APPROXIMATELY 700 FEET WEST OF SW 130<sup>TH</sup> AVENUE; LEGALLY DESCRIBED AS THE SOUTH ½ OF TRACT 22 LESS THE SOUTH 40 FEET THEREOF IN SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST, "EVERGLADES SUGAR AND LAND CO. SUBDIVISION", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 39, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID LANDS NOW LYING, BEING AND 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 of land into two lots; and

**WHEREAS**, at a duly noticed public hearing held on March 8, 2018, the Town Council reviewed Waiver of Plat Application No. WP-20-18 by Anthony and Renee DiFede ("Petitioner") to subdivide 4.7031 net acres of property located at 13201 Luray Road, Southwest Ranches ("Property") into two lots of 2.3837 acres (Lot A) and 2.3194 acres (Lot B) each; and

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

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

**WHEREAS**, access to the lots will be provided independently from Luray Road; and

**WHEREAS**, the 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. ADOPTION OF RECITALS.** The foregoing recitals are true and correct, and are incorporated herein by reference.

**Section 2.** That, at a duly noticed public hearing held on March 8, 2018, 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-20-18, for the subdivision of the Property, as described and depicted in Exhibit "A" attached hereto and made a part hereof, subject to the following conditions:

- (A) Applicant 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, and any related expenses that the Town has or will incur as a direct cost of this application.
- (B) Applicant shall ensure that existing improvements do not encroach into required setbacks once the Property is subdivided by removing the portion of the driveway/vehicular use area located within 5 feet of the new property line that will be created by this subdivision, and removing the portion of the carport within 25 feet of said property line. Applicant shall provide an updated as-built survey once the encroachments are removed.
- (C) Failure of the Applicant to comply with conditions (A) and (B) within 90 days of the passage of this Resolution shall automatically cause the approval to become null and void without further notice to the Applicant.

**Section 3.** 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, and any related expenses that the Town has or will incur as a direct cost of this application.

**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.** The Town Attorney shall cause this Resolution to be recorded in the Public Records of Broward County, Florida upon satisfaction of the conditions of approval enumerated in Section 2 herein.

**Section 6. EFFECTIVE DATE.** This Resolution shall become effective upon its recordation pursuant to Section 5 herein.

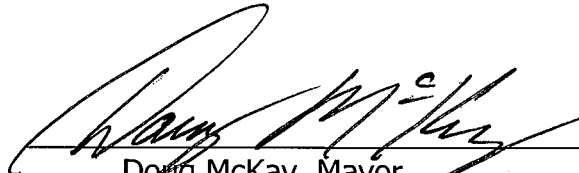
**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches,

this 8<sup>th</sup> day of March, 2018, on a motion by Council Member Breitkreuz,

seconded by Vice Mayor Fisikelli.

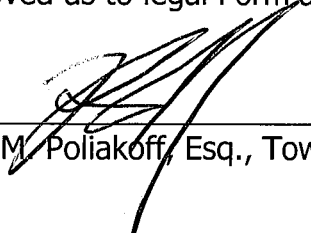
McKay	<u>Yes</u>	Ayes	<u>5</u>
Fisikelli	<u>Yes</u>	Nays	<u>0</u>
Breitkreuz	<u>Yes</u>	Absent	<u>0</u>
Jablonski	<u>Yes</u>	Abstaining	<u>0</u>
Schroeder	<u>Yes</u>		

ATTEST:

  
\_\_\_\_\_  
Doug McKay, Mayor

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

Approved as to legal Form and Correctness

  
\_\_\_\_\_  
Keith M. Poliakoff, Esq., Town Attorney

114750071.1

## **EXHIBIT A**

### **PARENT TRACT: (DIFEDE SITE)**

THE SOUTH 1/2 OF TRACT 22 IN SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST, "EVERGLADES SUGAR AND LAND CO. SUBDIVISION", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 39, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS NOW LYING, BEING AND SITUATE, IN BROWARD COUNTY, FLORIDA, LESS THE SOUTH 40 FEET THEREOF.

### **PROPOSED LOT A:**

THE SOUTH 1/2 OF TRACT 22 IN SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST, "EVERGLADES SUGAR AND LAND CO. SUBDIVISION", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 39, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS NOW LYING, BEING AND SITUATE, IN BROWARD COUNTY, FLORIDA, LESS THE SOUTH 40 FEET THEREOF, LESS AND EXCEPT THEREFROM THE FOLLOWING DESCRIBED PORTION OF SAID TRACT 22:

COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT 22, SAID POINT LYING ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE NORTH 01°51'44" WEST ON THE EAST LINE OF SAID TRACT 22 FOR 40.02 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°42'31" WEST ON THE NORTH RIGHT-OF-WAY LINE OF LURAY ROAD (SW 66th STREET) AS RECORDED IN OFFICIAL RECORDS BOOK 4230, PAGE 626, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA 147.50 FEET; THENCE NORTH 01°51'44" WEST 20.60 FEET; THENCE SOUTH 89°42'31" WEST 7.58 FEET; THENCE NORTH 04°25'01" WEST 150.87 FEET; THENCE SOUTH 88°08'16" WEST 3.19 FEET; THENCE NORTH 01°51'44" WEST 449.67 FEET TO THE INTERSECTION WITH THE NORTH LINE OF SAID SOUTH 1/2 OF TRACT 22; THENCE NORTH 89°42'31" EAST ON SAID NORTH LINE 165.00 FEET TO THE NORTHEAST CORNER OF SAID SOUTH 1/2 OF TRACT 22; THENCE SOUTH 01°51'44" EAST ON THE EAST LINE OF SAID TRACT 22 FOR 620.70 FEET TO THE POINT OF BEGINNING.

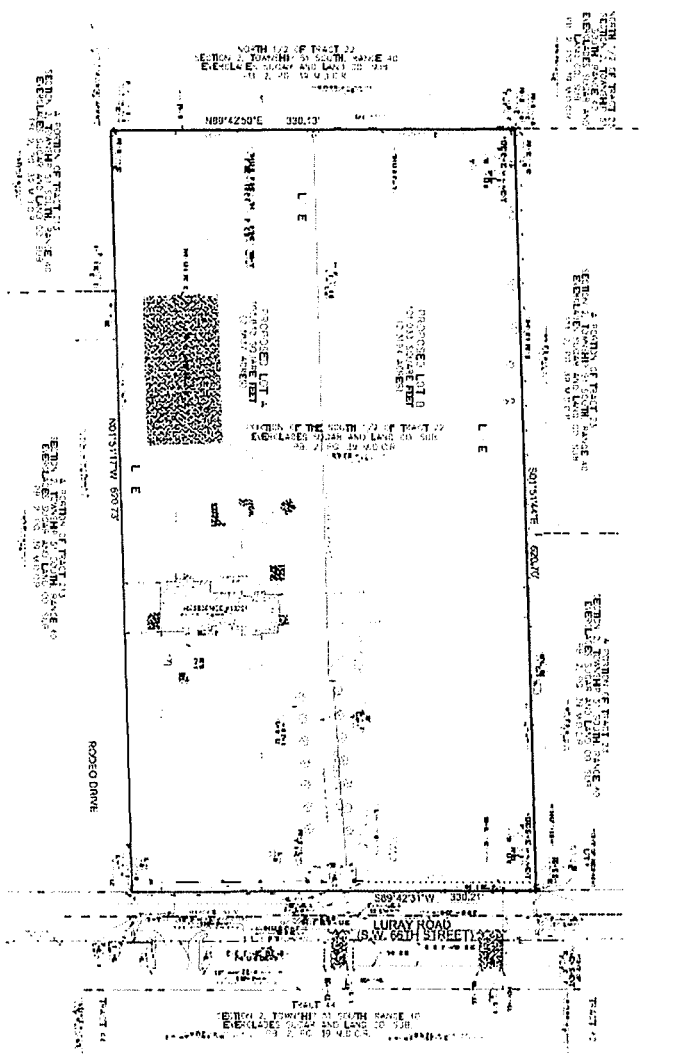
SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, CONTAINING 103,832 SQUARE FEET (2.3737 ACRES), MORE OR LESS.

### **PROPOSED LOT B:**

A PORTION OF THE SOUTH 1/2 OF TRACT 22, IN SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST, "EVERGLADES SUGAR AND LAND CO. SUBDIVISION", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 39, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS NOW LYING, BEING AND SITUATE, IN BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT 22, SAID POINT LYING ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE NORTH 01°51'44" WEST ON THE EAST LINE OF SAID TRACT 22 FOR 40.02 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°42'31" WEST ON THE NORTH RIGHT-OF-WAY LINE OF LURAY ROAD (SW 66th STREET) AS RECORDED IN OFFICIAL RECORDS BOOK 4230, PAGE 626, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA 147.50 FEET; THENCE NORTH 01°51'44" WEST 20.60 FEET; THENCE SOUTH 89°42'31" WEST 7.58 FEET; THENCE NORTH 04°25'01" WEST 150.87 FEET; THENCE SOUTH 88°08'16" WEST 3.19 FEET; THENCE NORTH 01°51'44" WEST 449.67 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF SAID TRACT 22; THENCE NORTH 89°42'50" EAST ON SAID NORTH LINE 165.00 FEET TO THE NORTHEAST CORNER OF SAID SOUTH 1/2 OF TRACT 22; THENCE SOUTH 01°51'44" EAST ON THE EAST LINE OF SAID TRACT 22 FOR 620.70 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, CONTAINING 101,033 SQUARE FEET (2.3194 ACRES), MORE OR LESS.



**SECTION 103000 - REBAR**

NO.	DESCRIPTION	QUANTITY	UNIT
1	REBAR	1000	LINEAR FEET
2	WELDED WIRE FABRIC	500	SQUARE FEET

**NOTES**

1. ALL REBAR SHALL BE #4 BARS.

2. ALL WELDED WIRE FABRIC SHALL BE 18" X 18" SQUARE.

3. REBAR SHALL BE WELDED TO WELDED WIRE FABRIC AT ALL CORNERS AND MIDPOINTS.

4. REBAR SHALL BE PLACED AT 4" FROM FACE OF CONCRETE.

5. WELDED WIRE FABRIC SHALL BE PLACED AT 4" FROM FACE OF CONCRETE.

6. ALL CONCRETE SHALL BE 3000 PSI STRENGTH.

7. ALL CONCRETE SHALL BE CAST IN PLACE.

8. ALL CONCRETE SHALL BE CURING COVERED.

9. ALL CONCRETE SHALL BE FINISHED TO A SMOOTH, LEVEL SURFACE.

10. ALL CONCRETE SHALL BE PROTECTED FROM DAMAGE DURING AND AFTER CONSTRUCTION.

11. ALL CONCRETE SHALL BE PROTECTED FROM DAMAGE DURING AND AFTER CONSTRUCTION.

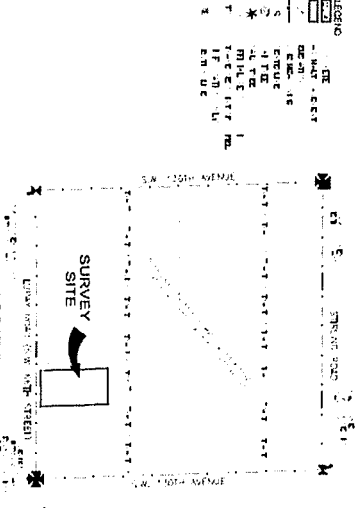
12. ALL CONCRETE SHALL BE PROTECTED FROM DAMAGE DURING AND AFTER CONSTRUCTION.

**DESCRIPTION**

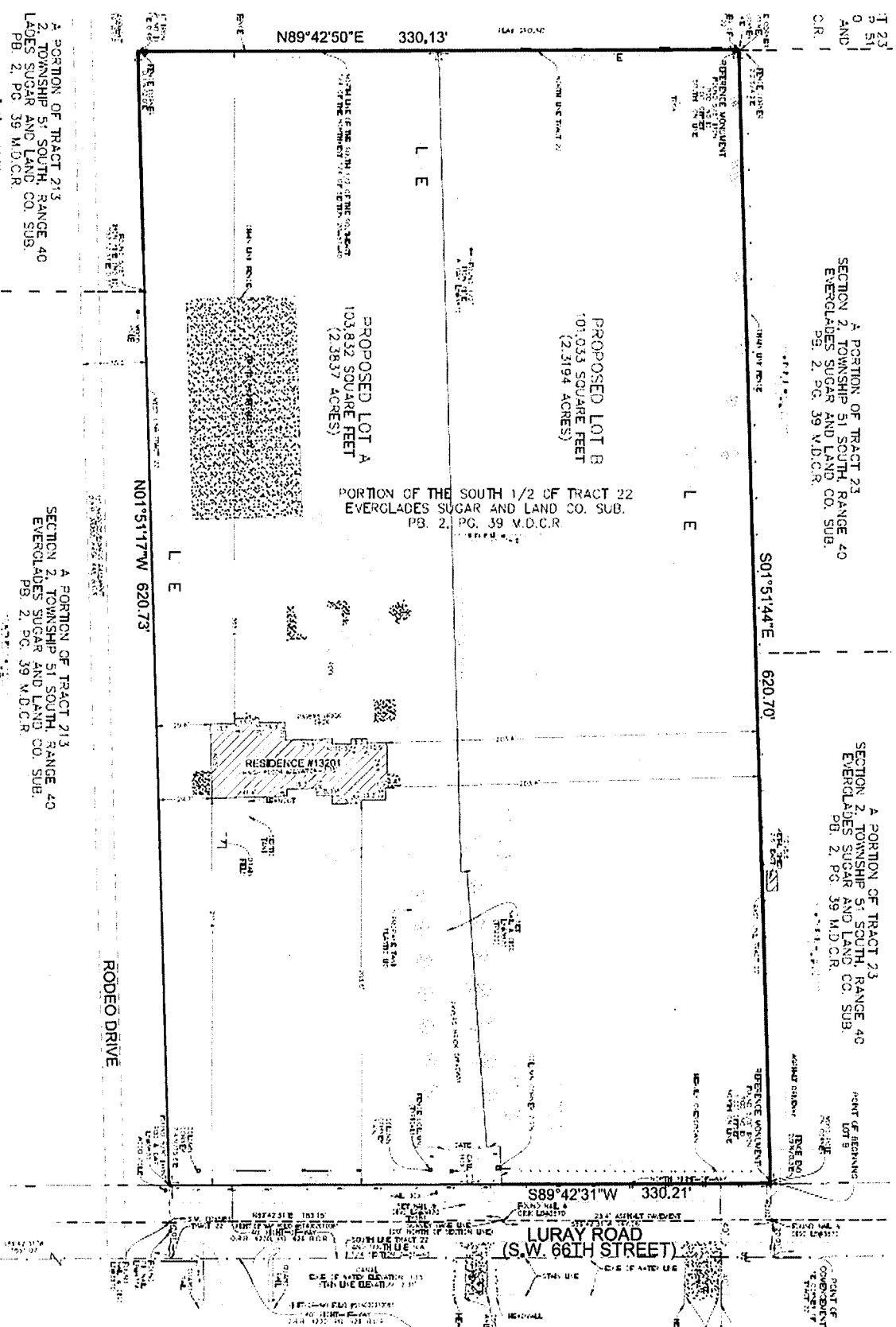
THIS SURVEY IS A TOPOGRAPHIC SURVEY OF THE PROPERTY DESCRIBED IN THE ADJOINING RECORDS. THE SURVEY SHOWS THE BOUNDARIES OF THE PROPERTY, THE LOCATION OF THE PROPOSED LOTS, AND THE LOCATION OF THE ROSSO DRIVE AND SOUTHVIEW DRIVE. THE SURVEY IS BASED ON THE DATA PROVIDED BY THE CLIENT AND THE DATA OBTAINED FROM THE TOPOGRAPHIC SURVEY. THE SURVEY IS SUBJECT TO THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT AND THE DATA OBTAINED FROM THE TOPOGRAPHIC SURVEY.

**GRAPHIC SCALE**

0 10 20 30 40 50 60 70 80 90 100 FEET



<b>BOUNDARY AND TOPOGRAPHIC SURVEY AND WAIVER OF PLAT</b>	
<b>OWNER</b>	<b>DATE</b>
<b>PAULS LAND SURVEYORS, INC.</b>	<b>11/15/2011</b>
<b>11111 11TH STREET, SUITE 1111</b>	<b>11111 11TH STREET, SUITE 1111</b>
<b>11111 11TH STREET, SUITE 1111</b>	<b>11111 11TH STREET, SUITE 1111</b>
<b>11111 11TH STREET, SUITE 1111</b>	<b>11111 11TH STREET, SUITE 1111</b>



A PORTION OF TRACT 213  
 2, TOWNSHIP 51 SOUTH, RANGE 40  
 EVERGLADES SUGAR AND LAND CO. SUB.  
 PB. 2, PG. 39 M.D.C.R.

A PORTION OF TRACT 213  
 SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40  
 EVERGLADES SUGAR AND LAND CO. SUB.  
 PB. 2, PG. 39 M.D.C.R.

T 23  
 R 51  
 0  
 AND  
 C.R.

A PORTION OF TRACT 23  
 SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40  
 EVERGLADES SUGAR AND LAND CO. SUB.  
 PB. 2, PG. 39 M.D.C.R.

A PORTION OF TRACT 23  
 SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40  
 EVERGLADES SUGAR AND LAND CO. SUB.  
 PB. 2, PG. 39 M.D.C.R.