

RESOLUTION NO. 2003-14

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AFFIRMING THE APPROVAL OF THE MACMURDO PLAT; AND AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE SAID PLAT AFFIRMATION; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, the MacMurdo Plat described as Tract B. MacMurdo Estates. According to the Plat thereof. As recorded in Plat Book 160, Page 31, of the public records of Broward County, Florida. F/K/A that a portion of Tract B in Section 36, Township 50 South, Range 39 East, according to the Plat of "The Everglades Land Company's Subdivision of Section 35, & South Half of Section 25, Township 50 S., Range 39 E." as recorded in Plat Book 1, Page 63 of the public records of Dade County, Florida. That lies within the West One-Half (W ½) of the South One-Half (S ½) of the North One-Half (N ½) of the Northwest One-Quarter (NW ¼) of the Northwest One-Quarter (NW ¼) of the Northwest One-Quarter (NW ¼) of Section 36, Township 50 South, Range 39 East. The subject property lying and being in Broward County, Florida, was approved by the Broward County Commission in 1996; and

WHEREAS, at a duly noticed public hearing held on December 12, 2002, the Town Council reviewed a request to affirm the MacMurdo Plat, which allows two (2) single-family units to be built on a 2.36-acre parcel; and

WHEREAS, the parcel has a Rural Ranches land use designation and is located in an Agricultural Estates, A-1, zoning district, which generally allows residential and ancillary uses on parcels that are a minimum of two (2) net acres or two and one-half (2.5) gross acres in size; and

WHEREAS, the approved plat divided the property into two (2) lots of approximately 1.086 acres each; and

WHEREAS, although the plat seems to violate the parcel's land use and zoning, Broward County approved the plat based on its interpretation of Section 2.4 of the Administrative Rules Document, which states that zoning that is consistent with the already established density of a developed area shall be deemed to be in substantial conformity with the local land use plan.

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

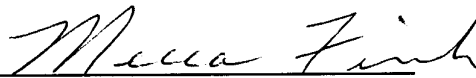
Section 1. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. That following the review of the staff report and all written and oral evidence received during the public hearing, the Town Council hereby approves the affirmation of the MacMurdo Plat.

Section 3. The Mayor, Town Administrator and Town Attorney are each authorized to execute said plat affirmation.

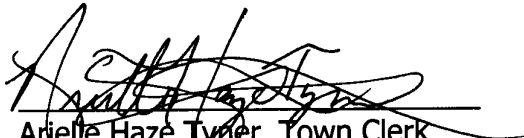
Section 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 12th day of December 2002.



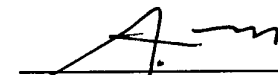
Mecca Fink, Mayor

Attest:



Arielle Haze Tyner, Town Clerk

Approved as to Form and Correctness:



Gary A. Poliakoff, J.D., Town Attorney