

RESOLUTION No. 2010-010

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN AMENDMENT TO THE LANDMARK RANCH ESTATES SITE PLAN TO PROVIDE FOR A MASTER ELECTRONIC ENTRY GATE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE THE SITE PLAN AMENDMENT; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, on February 14, 2002, pursuant to Resolution No. 2002-29, the Town Council approved the Landmark Ranch Estates Site Plan; and

WHEREAS, the Landmark Ranch Estates Site Plan is described as Tracts 1 through 6 (inclusive), Tracts 9 through 18 (inclusive), the North one-half (N ½) of Tracts 21, 22, 23 and 24, in the Southwest one-quarter (SW ¼) of Section 32, Township 50 South, Range 40 East, AND: Tracts 7, 8, and the South one-half (S ½) of Tracts 23 and 24 in the Northwest one-quarter (NW ¼) of Section 32, Township 50 South, Range 40 East; TOGETHER WITH: the platted roadway adjacent to said Tracts 1, 8, 9, 10, 23 and 24, CHAMBERS LAND COMPANY SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 2, at Page 68, of the Public Records of Dade County, Florida, and re-recorded in Plat Book 1, at Page 5A of the Public Records of Broward County, Florida.

Said lands lying and situate in the Town of Southwest Ranches, Broward County, Florida and containing 138.761 acres, more or less; and

WHEREAS, Landmark Ranch Estates is generally located on the east side of SW 172nd Avenue between SW 54th and SW 59th Streets; and

WHEREAS, when the original site plan was approved the developer stated that the site plan did not include a master entry gate, but that gates would be provided for the individual property owners; and

WHEREAS, the residents of Landmark Ranch Estates desire to amend the original site plan and representations to install a master electronic entry gate and to widen a portion of the south side of Windsor Boulevard to allow for visitor and guest lanes, and adding a stabilized paved stub-out on the north side of Windsor Boulevard in front of the proposed gate in order to accommodate turn around movements of larger vehicles; and

WHEREAS, the South Broward Drainage District, Town Engineer, Broward County Fire Marshal, Broward County Sheriff's Office, and Broward County Highway Construction and Engineering Division have no objections to the site plan modification;

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 October 15, 2009, following the review of the staff report and all written and oral evidence received during the advertised public hearing, the Town Council hereby approves a modification to the Landmark Ranch Estates Site Plan to provide a master electronic entry gate, subject to the following agreed upon conditions:

- a. That the applicant shall submit additional fixture details for approval by the Town Engineer to ensure the lighting fixtures shown on the entry gates comply with the Outdoor Lighting Standards of Article 95 of the Town's Unified Land Development Code.
- b. That the applicant shall obtain approval from FPL, AT&T, Comcast, TECO gas, and the City of Sunrise Utilities Department for the turn-around located within the utility easement.
- c. That the applicant shall provide a Knox key entry system box along with an entry pass code to the Town for emergency services personnel.
- d. That the home owners association shall execute an agreement, in a form and format approved by the Town Attorney, indemnifying and holding the Town, its agents, contractors, and employees, harmless for the installation of the master entry gate.
- e. That the applicant shall dedicate an equestrian trail easement to the general public over its existing paved roadway network to allow equestrian use of its paved roadways, and shall provide for an appropriate unencumbered equestrian entrance to its community from 172nd Avenue.
- f. That the applicant agrees to use its best efforts to investigate and, if determined by applicant to be reasonably feasible, to move the entry gate up to sixty feet (60') further inside of the community.

- g. That the applicant shall provide a safe and sufficient turn-around prior to the entry gate, as approved by the Town Engineer.
- h. That the Town Planner, Landscape Inspector, and Code Enforcement Officer, shall inspect the property to confirm that the property is in full compliance with the Town's Code and the development orders issued for the development. In the event that code violations are found, said violations shall be fixed prior to the issuance of a building permit for the construction of the entry gate.
- i. The applicant shall pay an amount equal to the total expenses incurred by the Town in the processing and finalization of this application, prior to the issuance of a building permit. This amount shall include, but shall not be limited to, expenses for engineering, planning, legal advertising, five (5%) percent administrative fee, and any related expenses that the Town has or will incur as a direct cost of this application.
- j. All other conditions of the original site plan approval shall remain in full force and effect.

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 become effective immediately upon adoption.

[Signatures on Following Page]

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 15th day of October 2009, on a motion by Vice Mayor Steve Breitkreuz and seconded by Council Member Freddy Fisikelli.

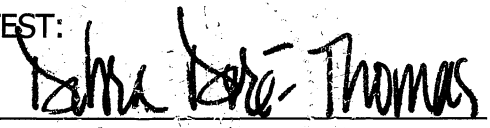
Nelson	<u>Y</u>
Breitkreuz	<u>Y</u>
Fisikelli	<u>Y</u>
Knight	<u>Y</u>
McKay	<u>Y</u>

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




Jeff Nelson, Mayor

ATTEST:



Debra Doré-Thomas, CMC, Town Clerk

Approved as to Form and Correctness:



Gary A. Poliakoff, J.D., Town Attorney
ACTIVE: 2774347_1