

RESOLUTION NO. 2010-054

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE CHINESE AMERICAN BENEVOLENT ASSOCIATION'S, INC. (DE-013-10) DELEGATION REQUEST, TO ALLOW FOR SINGLE-FAMILY RESIDENTIAL USE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE DELEGATION REQUEST; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, the Chinese American Benevolent Association ("CABA") Cultural Plat is legally described as:

THE SOUTH ONE-HALF (S½) LESS THE NORTH 264 FEET THEREOF (AS MEASURED ALONG THE WEST LINE), OF TRACT 57 IN SECTION 3, TOWNSHIP 51 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT OF "EVERGLADES SUGAR AND LAND CO. SUBDIVISION" OF SAID SECTION 3, AS RECORDED IN PLAT BOOK 2, PAGE 39, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; LESS ALL THAT PART THEREOF LYING WITHIN 60,000 FEET OF THE SOUTH LINE OF SAID SECTION 3 AND LESS ALL THAT PART THEREOF LYING WITHIN 30.00 FEET OF THE WEST LINE OF THE SE ¼ OF SAID SECTION 3 CONTAINING 2.393 ACRES SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

WHEREAS, the CABA Cultural Center Plat was recorded in Plat Book 55, Page 16, on December 7, 1993; and

WHEREAS, the Plat was restricted to 4,000 square feet of community center use, with residential uses not permitted without the approval of the Board of County Commissioners; and

WHEREAS, the property contains a building of approximately 4,000 square feet in area that was originally intended to be a meeting and administrative facility for the Chinese American Benevolent Association; and

WHEREAS, the property also contains wetland area on its north and west sides that cover approximately 0.75 acres; and

WHEREAS, at the time the plat was submitted to Broward County, a facility of this type and size was technically permitted in the Rural Ranches District; and

WHEREAS, the Town’s Unified Land Development Code (“ULDC”), however, does not permit this type of facility in the Rural Ranches District; and

WHEREAS, since the existing structure was never completed, and since the building permits have expired, the property has lost its nonconforming use; and

WHEREAS, accordingly, the CABA is now requesting approval to change the restrictive use note on the plat to only allow for single-family residential use, consistent with the Rural Ranches District; and

WHEREAS, all other terms and conditions set forth in the original plat approval and resolution are to remain in full force and effect.

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 April 15, 2010, following the review of the staff report and all written and oral evidence received during the public hearing, the Town Council hereby approves the Chinese American Benevolent Association, Inc. Delegation Request DE-013-10 to modify its plat note from 4,000 square feet of community center use, to single-family residential use.

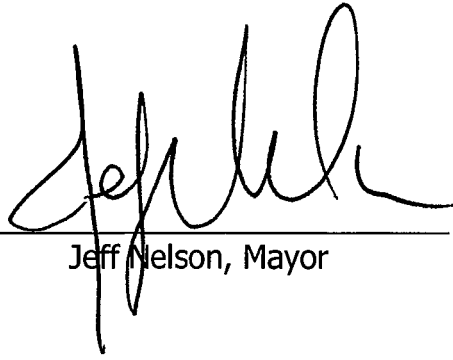
Section 3. The Mayor, Town Administrator and Town Attorney are each authorized to execute any and all documents necessary to effectuate the delegation request.

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

PASSED AND ADOPTED this 15th day of April, 2010, on a motion made by Vice Mayor Knight and seconded by Council Member McKay.

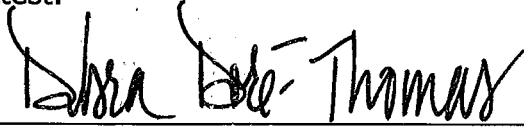
Nelson	<u>AYE</u>	Ayes	<u>5</u>
Knight	<u>AYE</u>	Nays	<u>0</u>
Breitkreuz	<u>AYE</u>	Absent	<u>0</u>
Fisikelli	<u>AYE</u>	Abstaining	<u>0</u>
McKay	<u>AYE</u>		

[Signatures on following page]



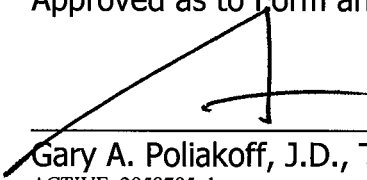
Jeff Nelson, Mayor

Attest:



Debra Doré-Thomas, CMC, Town Clerk

Approved as to Form and Correctness:



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

ACTIVE: 2959785_1