

RESOLUTION NO. 2002-8

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, DENYING THE CHRIST COVENANT CHURCH SITE PLAN MODIFICATIONS; AND AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE SAID DENIAL; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, the Christ Covenant Church described as that portion of tract 50 in section 25, TWP 50, S, range 39 E, according to the plat of the Everglades Land Company's subdivision of sec. 36 and South one-half (S ½) of section 25, TWP. 50 S, range 39 E, as recorded in PB1, PG53, of the public records of Dade County, Florida that lies within that of the West one-half (W ½) of the North two-thirds (N 2/3) of the South three-fourths (S ¾) of the Northwest quarter of the Southeast quarter (SE ¼) of the Southeast one-quarter (SE ¼) of section 25, TWP 50, S, range 39 E lying South of the right-of-way line of the South New River Canal, together with all of lot 1, BLK 4, Alamo Country Est, PB 89 / PG 50 Broward County public records said lands lying and situate in Broward County, Florida and containing 174,693 square feet, 4.01 acres more or less; having the address of 4700 SW 188 Avenue Southwest Ranches, Florida, 33332, has sought approval of two site plan modifications to provide for a school and a modular building; and

WHEREAS, the site plan for the church was approved by Broward County on January 20, 1998; and

WHEREAS, the approved site plan contains a note that states:

“The Presbyterian Church at Weston, Inc. proposes to build and use facilities on this property for the promotion of the Christian religion through organization and provision of a church as set forth in its Articles of Incorporation and as permitted under current A-1 zoning regulations. Daycare, school and preschool use is not permitted;” and

WHEREAS, the approved site plan also contains a modular unit with a notation, which states:

“Remove modular space when not needed;” and

WHEREAS, the site plan package also states:

“Remove this modular space when Phase 1 building completed;” and

WHEREAS, despite these self imposed site plan restrictions, the Church has authorized a school to open on its premises and has relocated the modular unit on the property despite the fact that Phase 1 building has been completed.

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. The Town Council finds that the self imposed site plan restrictions were based in part on an agreement between the Church and the surrounding residents and that there are no change of circumstances, which would justify a modification of the site plan.

Section 3. The Town Council finds, therefore, that the Christ Covenant Church site plan modifications are hereby denied.

Section 4. The Mayor, Town Administrator and Town Attorney are each authorized to execute said denial.

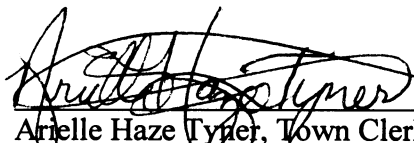
Section 5. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 8th day of November 2001.




Mecca Fink, Mayor

Attest:



Arielle Haze Tyler, Town Clerk

Approved as to Form and Correctness:



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