

RESOLUTION NO. R-2001- 0142

RESOLUTION APPROVING ZONING PETITION PDD2000-032(A)
OFFICIAL ZONING MAP AMENDMENT
TO A PLANNED DEVELOPMENT DISTRICT(PDD)
PETITION OF GL HOMES
BY ROBERT BENTZ, AGENT
(SUSSMAN PUD)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20), have been satisfied: and

WHEREAS, Zoning Petition PDD2000-032(A) was presented to the Board of County Commissioners at a public hearing conducted on January 25, 2001; and,

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This official zoning map amendment (rezoning) is consistent with the Palm Beach County Comprehensive Plan;
2. This official zoning map amendment (rezoning) is consistent with the requirements of the Palm Beach County Unified Land Development Code;
3. This official zoning map amendment (rezoning) with approved conditions is compatible with surrounding uses and zones, as defined in the Palm Beach County Unified Land Development Code, is generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land;
4. This official zoning map amendment (rezoning) with approved conditions does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
5. This official zoning map amendment (rezoning) with approved conditions will result in a logical and orderly development pattern;
6. This official zoning map amendment (rezoning) complies with Article 11, (Adequate Public Facilities) of the Palm Beach County Unified Land Development Code, Ordinance 92-20; and,
7. This official zoning map amendment (rezoning) with approved conditions is consistent with the requirements of all other applicable local land development regulations.

WHEREAS, Article 5, Section 5.3.D.9 (Action by Board of County Commissioners) of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition PDD2000-032(A), the petition of GL Homes by Robert Bentz, agent, for an Official Zoning Map Amendment (PDD) from Agricultural Reserve (AGR) to Agricultural Reserve Planned Unit Development (AGR/PUD/P) on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on January 25, 2001, subject to the conditions of approval described in EXHIBIT C of DOA2000-032(A).

Commissioner McCarty moved for the approval of the Resolution.

The motion was seconded by Commissioner Aaronson and, upon being put to a vote, the vote was as follows:

Warren H. Newell, Chair	-	Aye
Carol A. Roberts, Vice Chair	-	Aye
Karen T. Marcus		Aye
Mary McCarty		Aye
Burt Aaronson		Aye
Tony Masilotti		Absent
Addie L. Greene		Aye

The Chair thereupon declared that the resolution was duly passed and adopted on January 25, 2001.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Richard Allen*
COUNTY ATTORNEY

BY: *Jan Dewey*
DEPUTY CLERK

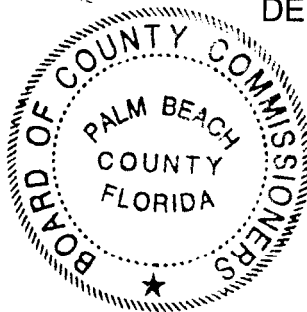


EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

PARCEL "A"

BEING THE EAST HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWESTQUARTER(SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA. SUBJECT TO AN INGRESS AND EGRESS EASEMENT OVER THE NORTH 50 FEET THEREOF AS DESCRIBED IN OFFICIAL RECORD BOOK 1714, PAGE 1012 PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL "B"

THE NORTH HALF (N 1/2) OF THE SOUTH HALF (S 1/2) OF THE NORTHWEST QUARTER (NW 1/4), AND THE NORTH 209.00 FEET OF THE WEST 209.00 FEET OF THE SOUTH HALF (S 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWESTQUARTER(NW 1/4); LESSTHEEASTHALF(E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4), ALL IN SECTION 13, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

SUBJECT TO A 50 FOOT ACCESS EASEMENT OVER THE NORTHERLY 50.00 FEET THEREOF.

PARCEL "C"

THE SOUTH ONE-HALF (S 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4), LESS THE NORTH 209 FEET OF THE WEST 209 FEET AND THE SOUTH ONE-HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4), LESS THE EAST ONE-HALF (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWESTQUARTER(NW 1/4), ALL LYING IN SECTION 13, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, TOGETHER WITH AN EASEMENT OVER THE EAST 30 FEET OF SECTION 14, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA FOR DISCHARGE OF SURPLUS WATERS.

PARCEL "D"

THEEASTHALF(E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

PARCEL "E"

THE SOUTH QUARTER (S 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA;
LESS THE FOLLOWING PARCEL OF LAND:

BEING A 20 ACRE PARCEL OF LAND IN THE SOUTH QUARTER (S 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 13; THENCE SOUTH 88°58'31" WEST (STATE PLANE GRID BEARING DATUM) ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 13, A DISTANCE OF 69.14 FEET OF THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 7 AS SHOWN ON THE RIGHT-OF-WAY MAP FILED IN ROAD PLAT BOOK 1, PAGE 39 PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE CONTINUE SOUTH 88°58'31" WEST ALONG SAID SOUTH LINE, 158.00 FEET TO THE ULTIMATE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7,

BEING 233 FEET WEST OF AND PARALLEL WITH THE BASE LINE OF SURVEY OF SAID STATE ROAD 7 (SAID BASE LINE ALSO BEING THE EAST RIGHT-OF-WAY LINE OF THE ORIGINAL 75 FOOT RIGHT-OF-WAY AS SHOWN ON SAID RIGHT-OF-WAY MAP FILED IN ROAD PLAT BOOK 1, PAGE 39), SAID ULTIMATE RIGHT-OF-WAY LINE ALSO BEING DESCRIBED IN THE STIPULATED ORDER OF TAKING FILED IN OFFICIAL RECORD BOOK 10440, AT PAGE 161, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND TO THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN; THENCE CONTINUE SOUTH $88^{\circ}58'31''$ WEST ALONG SAID SOUTH LINE, 1314.47 FEET; THENCE NORTH $00^{\circ}55'15''$ WEST PARALLEL WITH THE BASE LINE OF SURVEY OF SAID STATE ROAD NO. 7 AS DELINEATED ON SAID RIGHT-OF-WAY MAP, 662.56 FEET TO THE NORTH LINE OF THE SOUTH QUARTER (S 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 13; THENCE NORTH $88^{\circ}57'24''$ EAST ALONG SAID NORTH LINE, 1314.47 FEET TO THE SAID ULTIMATE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 7; THENCE SOUTH $00^{\circ}55'15''$ EAST ALONG SAID ULTIMATE RIGHT-OF-WAY LINE, 662.99 FEET TO THE POINT OF BEGINNING.

PARCEL "F"

THE NORTH ONE-HALF (N 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; LESS RIGHT-OF-WAY FOR STATE ROAD NO. 7, AND LESS THE FOLLOWING DESCRIBED PARCEL: BEING A PARCEL OF LAND IN THE NORTH HALF (N 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 13; THENCE SOUTH $88^{\circ}54'02''$ WEST ALONG THE NORTH LINE OF SECTION 13 (STATE PLANE GRID BEARING DATUM), 227.25 FEET TO THE ULTIMATE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 7 AS DESCRIBED IN THE ORDER OF TAKING RECORDED IN OFFICIAL RECORD BOOK (O.R.B.) 10056, PAGE 651, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS SHOWN ON THE F.D.O.T. RIGHT-OF-WAY MAP SECTION NO. 93210-2525, SHEETS 7, 8 AND 25 OF 32, SAID LINE BEING 233.00 FEET WEST OF AND PARALLEL WITH THE STATE ROAD 7 BASE LINE AS DELINEATED ON THE STATE ROAD 7 RIGHT-OF-WAY MAP AS FILED IN ROAD PLAT BOOK 1, PAGE 39, PAGE 39, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH $00^{\circ}55'15''$ EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, 835.82 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH $00^{\circ}55'15''$ EAST ALONG SAID RIGHT-OF-WAY LINE, 396.90 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF ARMONE PLACE (ALSO KNOWN AS OSPREY POND LANE) AS SHOWN ON SAID RIGHT-OF-WAY MAP; THENCE SOUTH $89^{\circ}02'05''$ WEST ALONG SAID RIGHT-OF-WAY LINE 0.26 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG SAID RIGHT-OF-WAY LINE, BEING AN ARC OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 348.16 FEET; A CENTRAL ANGLE OF $29^{\circ}46'34''$, AN ARC DISTANCE OF 180.94 FEET TO A POINT OF REVERSE CURVATURE; THENCE WESTERLY ALONG SAID RIGHT-OF-WAY LINE, BEING AN ARC OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 275.20 FEET, A CENTRAL ANGLE OF $29^{\circ}40'46''$, AN ARC DISTANCE OF 142.55 FEET TO A POINT OF TANGENCY ON A LINE THAT IS 11.48 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID NORTH HALF (N 1/2) OF THE NORTHEAST QUARTER (NE 1/4); THENCE SOUTH $88^{\circ}56'17''$ WEST ALONG SAID RIGHT-OF-WAY LINE, 75.72 FEET; THENCE SOUTH $01^{\circ}03'43''$ EAST ALONG SAID RIGHT-OF-WAY LINE, 11.48 FEET TO THE SOUTH LINE OF SAID NORTH HALF (N 1/2) OF THE NORTHEAST QUARTER (NE 1/4); THENCE SOUTH $88^{\circ}56'17''$ WEST ALONG SAID SOUTH LINE, 95.46 FEET; THENCE NORTH $00^{\circ}55'15''$ WEST PARALLEL WITH SAID WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, A DISTANCE OF 489.85 FEET; THENCE NORTH $88^{\circ}54'02''$ EAST PARALLEL WITH THE SAID NORTH LINE OF SECTION 13, A DISTANCE OF 480.45 FEET TO THE POINT OF BEGINNING.

PARCEL "H"

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 13, THENCE SOUTH 88°58'31" WEST (STATE PLANE GRID BEARING DATUM) ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 13, A DISTANCE OF 69.14 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 7 AS SHOWN ON THE RIGHT-OF-WAY MAP FILED IN ROAD PLAT BOOK 1, PAGE 39, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE CONTINUE SOUTH 88°58'31" WEST ALONG SAID SOUTH LINE, 158.00 FEET TO THE ULTIMATE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, BEING 233 FEET WEST OF AND PARALLEL WITH THE BASE LINE OF SURVEY OF SAID STATE ROAD 7 (SAID BASE LINE ALSO BEING THE EAST RIGHT-OF-WAY LINE OF THE ORIGINAL 75 FOOT RIGHT-OF-WAY AS SHOWN ON SAID RIGHT-OF-WAY MAP FILED IN ROAD PLAT BOOK 1, PAGE 39), SAID ULTIMATE RIGHT-OF-WAY LINE ALSO BEING DESCRIBED IN THE STIPULATED ORDER OF TAKING FILED IN OFFICIAL RECORD BOOK 10440, AT PAGE 161, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE CONTINUE SOUTH 88°58'31" WEST ALONG SAID SOUTH LINE, 985.92 FEET TO THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN; THENCE SOUTH 88°58'31" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 328.55 FEET; THENCE NORTH 00°55'15" WEST PARALLEL WITH THE BASE LINE OF THE SURVEY OF SAID STATE ROAD NO. 7 AS DELINEATED ON SAID RIGHT-OF-WAY MAP, A DISTANCE OF 662.56 FEET TO THE NORTH LINE OF THE SOUTH QUARTER (S 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 13; THENCE NORTH 88°57'24" EAST ALONG SAID NORTH LINE, A DISTANCE OF 328.55 FEET; THENCE SOUTH 00°55'15" EAST PARALLEL WITH SAID ULTIMATE RIGHT-OF-WAY LINE, A DISTANCE OF 662.66 FEET TO THE POINT OF BEGINNING.

EXHIBIT B
VICINITY SKETCH

