

RESOLUTION NO. R-2005-0150

RESOLUTION APPROVING ZONING PETITION PDD2004-015
(Control No. 2004-015)
WAIVER OF OBJECTIVES AND STANDARDS (PERFORMANCE STANDARDS) (W)
PETITION OF GL HOMES OF BOCA RATON ASSOCIATES V, LTD.
BY MILLER LAND PLANNING CONSULTANTS, INC., AGENT
(COLLIER 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 public hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067), have been satisfied; and

WHEREAS, Zoning Petition PDD2004-015 was presented to the Board of County Commissioners at a public hearing conducted on January 27, 2005; 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 has considered the findings in the staff report and the following findings of fact:

1. This proposed development is consistent with the provisions of the Article 3.E.1.C.1;
2. This proposed development is consistent with the provisions of the Article 3.E.1.C.2, except the following which the BCC is waiving:
 - a) No more than 25 percent of the local streets in a PDD shall terminate in a cul-de-sac or a dead-end.
3. The waiver will not adversely impact the development of this property and will result in logical, timely and orderly development patterns.

WHEREAS, Article 2.K.3.b (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 PDD2004-015, the petition of GL Homes of Boca Raton Assoc. V, Ltd., by Miller Land Planning Consultants, Inc., agent, for a WAIVER OF OBJECTIVES AND STANDARDS (PERFORMANCE STANDARDS) to allow deviation from cul-de-sac restrictions in the Residential Planned Unit Development Zoning District 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 27, 2005.

Commissioner GREENE moved for the approval of the Resolution.

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

Tony Masilotti, Chairman	¥ AYE
Addie L. Greene, Vice Chairperson	¥ AYE
Karen T. Marcus	¥ AYE
Jeff Koons	¥ AYE
Warren H. Newell	¥ AYE
Mary McCarty	¥ ABSENT
Burt Aaronson	¥ AYE

The Chair thereupon declared that the resolution was duly passed and adopted on January 27, 2005.

Filed with the Clerk of the Board of County Commissioners on 9TH day of FEBRUARY, 2005.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON ROCK, CLERK AND COMPTROLLER

BY: 
COUNTY ATTORNEY

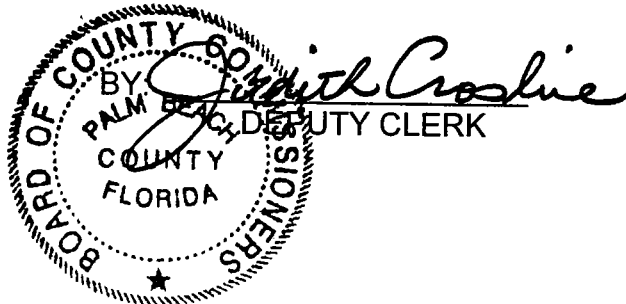


EXHIBIT A

LEGAL DESCRIPTION

BEING ALL OF TRACTS 39 THROUGH 42 INCLUSIVE, ACCORDING TO THE PLAT OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 2 AS RECORDED IN PLAT BOOK 1, PAGE 102 PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

BEING A PORTION OF THE SOUTH 15.00 FEET OF A STRIP OF LAND 30 FEET IN WIDTH, AS SHOWN IN THE PLAT OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 2, AS RECORDED IN PLAT BOOK 1, PAGE 102, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LYING WITHIN SECTION 14, TOWNSHIP 47 SOUTH, RANGE 41 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (S.W. 1/4) OF SECTION 11, TOWNSHIP 47 SOUTH, RANGE 41 EAST, SAID PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 00°50'48" EAST, A DISTANCE OF 15.00 FEET; THENCE SOUTH 89°47'30" WEST, ALONG A LINE 15 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 11, A DISTANCE OF 2641.82 FEET; THENCE NORTH 00°40'28" WEST, A DISTANCE OF 15.00 FEET TO THE SOUTH LINE OF SAID SECTION 11; THENCE NORTH 89°47'30" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 2641.77 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

BEING A PORTION OF TRACTS 36 THROUGH 38 INCLUSIVE, ACCORDING TO THE PLAT OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 2, AS RECORDED IN PLAT BOOK 1, PAGE 102, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, LYING IN SAID SECTION 11, TOWNSHIP 47 SOUTH, RANGE 41 EAST, SAID PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW1/4) OF SAID, SECTION 11, TOWNSHIP 47 SOUTH, RANGE 41 EAST; THENCE NORTH 00°50'48" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER (SW1/4), A DISTANCE OF 659.28 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 89°47'18" WEST, A DISTANCE OF 120.01 FEET; THENCE NORTH 00°50'48" WEST, ALONG A LINE 120.0 FEET WEST OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL WITH SAID EAST LINE, A DISTANCE OF 337.48 FEET; THENCE SOUTH 89°46'57" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 00°50'48" WEST, ALONG A LINE 135.0 FEET WEST OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL WITH SAID EAST LINE, A DISTANCE OF 654.07 FEET; THENCE NORTH 89°46'54" EAST, ALONG THE NORTH LINE OF SAID TRACT 36, A DISTANCE OF 135.00 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER (SW1/4); THENCE SOUTH 00°50'48" EAST, ALONG SAID EAST LINE, A DISTANCE OF 991.56 FEET TO THE POINT OF BEGINNING.

CONTAINING 44.055 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

