

RESOLUTION R-2006-0742

RESOLUTION CORRECTING RESOLUTION R-2006-0522  
(CONTROL NO. 2005-452)  
RESOLUTION APPROVING ZONING APPLICATION  
OF PARAMOUNT HAGAN, LLC,  
WYNDSONG RANCH  
APPLICATION R/TDR-2005-1233

WHEREAS, Paramount Hagan, LLC., petitioned the Palm Beach County Board of County Commissioners on March 23, 2006 for A Requested Use to allow the Transfer of Development Rights for 5 units and to designate this application as the receiving area in the Planned Unit Development Zoning District; and

WHEREAS, Resolution R-2006-0522, adopted on March 23, 2006 confirming the action of the Board of County Commissioners inadvertently did not contain an Exhibit C-1; and

WHEREAS, Exhibit C-1 of Resolution R-2006-0522 should have read as shown on attached Exhibit C.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are hereby affirmed and ratified.
2. Exhibit C-1 of Resolution R-2006-0522 is hereby corrected.

Commissioner Aaronson moved for the approval of the Resolution.

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

Tony Masilotti, Chair	-	Absent
Addie L. Greene, Vice Chairperson	-	Aye
Karen T. Marcus	-	Aye
Jeff Koons	-	Aye
Warren H. Newell	-	Absent
Mary McCarty	-	Aye
Burt Aaronson	-	

The Chairman thereupon declared the resolution was duly passed and adopted on April 27, 2006.

Filed with the Clerk of the Board of County Commissioners 27th day of April, 2006

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY:   
COUNTY ATTORNEY


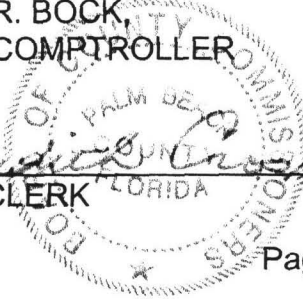
SHARON R. BOCK,  
CLERK & COMPTROLLER  
BY:   
DEPUTY CLERK  


EXHIBIT A  
LEGAL DESCRIPTION

ALL OF RARE SPECIES NURSERY, AS RECORDED IN PLAT BOOK 84, PAGE 154,  
PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

TRACTS 72, 71 AND THE WEST 30 FEET OF TRACT 70, INCLUSIVE, BLOCK 58,  
PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT  
THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, OF THE  
PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THE  
NORTH 70 FEET THEREOF AND THE WEST 30 FEET OF SAID TRACT 72, BLOCK  
58.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.  
CONTAINING 715,099 SQUARE FEET OR 16.439 ACRES, MORE OR LESS.  
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS AND  
RIGHTS-OF-WAY OF RECORD.

## EXHIBIT C-1

### TRANSFER OF DEVELOPMENT RIGHTS

1. The Master Plan dated January 13, 2006 and perimeter/internal buffers shown thereon shall not be modified unless approved by the BCC. (ONGOING: ZONING - Zoning)
2. At time of submittal for final Development Review Officer (DRO) approval, an official "Contract for Sale and Purchase of TDR Units", "TDR Escrow Agreement", and "TDR Deed" shall be submitted for final review and execution. (DRO: ZONING - Zoning)
3. Prior to final approval of the Master and/or Site Plans by the Development Review Officer (DRO), a "Contract for Sale and Purchase of TDRs" shall be executed by the property owner, in a manner and form approved by the Office of the County Attorney, and formally executed by the Chairman of the Board of County Commissioners. The Contract shall accommodate a maximum of 5 TDR units at a selling price of \$25,000.00 per unit. (DRO: COUNTY ATTORNEY - Zoning)
4. Prior to final approval by the Development Review Officer (DRO), two (2) recorded copies of the "Contract for Sale and Purchase of TDRs" shall be provided to the Palm Beach County Zoning Division. (DRO: ZONING - Zoning)
5. Prior to final approval by the Development Review Officer (DRO), monies representing 5 TDR units shall be placed in an escrow account in a form acceptable to Palm Beach County. (DRO: ZONING - Zoning)
6. Prior to the issuance of the first building permit, the escrow monies shall be released to Palm Beach County. (BLDG PERMIT: MONITORING - Zoning)
7. Prior to the issuance of the first building permit, a deed conveying the applicable TDR units from the County TDR bank to the subject property, shall be executed and recorded in a manner and form approved by the Office of the County Attorney. (BLDG PERMIT: MONITORING - Zoning)

### COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the property owner both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning)
2. Failure to comply with any of the conditions of approval for the subject property at any time may result in:
  - a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
  - b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or

- c. A requirement of the development to conform with the standards of the ULDC at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
- d. Referral to code enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or a Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Article 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Appeals of any departmental administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (ONGOING: MONITORING - Zoning)