

RESOLUTION NO. R-2006-0933

RESOLUTION APPROVING ZONING APPLICATION W2005-1460
(CONTROL NO.2005-323)

WAIVER OF OBJECTIVES AND STANDARDS (PERFORMANCE STANDARDS) (W)
APPLICATION OF J LENDACKI, KIT SHIOTANI, MARION BAILEY, SOUTH FLORIDA
WATER MANAGEMENT DISTRICT, SWANEY PROPERTIES LLC, WILLIAM
CHINNICK CHARITABLE FOUNDATION INC.
BY KILDAY & ASSOCIATES, INC., AGENT
(RAVELLO AGR 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), as amended, have been satisfied; and

WHEREAS, Zoning Application W2005-1460 was presented to the Board of County Commissioners at a public hearing conducted on May 25, 2006 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 Application W2005-1460, the application of J Lendacki, Kit Shiotani, Marion Bailey, South Florida Water Management District, Swaney Properties LLC William Chinnick Charitable Foundation Inc., by Kilday & Associates, Inc., Agent, for a WAIVER OF OBJECTIVES AND STANDARDS (PERFORMANCE STANDARDS (WAIVER) to allow deviation from the cul-de-sac or dead-end restrictions in the Agricultural Reserve 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 May 25, 2006.

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

The Chairman thereupon declared that the resolution was duly passed and adopted on May 25, 2006.

Filed with the Clerk of the Board of County Commissioners on 13th day of June, 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

SHARON BOCK,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

RAVELLO DEVELOPMENT PARCEL:

TRACTS 41 THROUGH 44, INCLUSIVE, LESS THE NORTH 110.00 FEET THEREOF FOR BOYNTON CANAL RIGHT-OF-WAY; TRACTS 53 THROUGH 56, INCLUSIVE; TOGETHER WITH THAT 30.00 FOOT PLATTED ROADWAY, LYING BETWEEN SAID TRACTS 53 THROUGH 56 AND TRACTS 73 THROUGH 76; TOGETHER WITH THE WEST HALF OF THAT 30.00 FOOT PLATTED ROADWAY, LYING EAST OF AND ADJACENT TO SAID TRACT 41, LESS THE NORTH 110.00 FEET FOR BOYNTON CANAL RIGHT-OF-WAY, AND ADJACENT TO SAID TRACT 56, AND ADJACENT TO THAT SAID 30.00 FOOT PLATTED ROADWAY LYING BETWEEN TRACTS 53 THROUGH 56 AND TRACTS 73 THROUGH 76, ALL IN BLOCK 50 OF THE "PALM BEACH FARMS CO. PLAT NO. 3", AS RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA IN PLAT BOOK 2, PAGES 45 THROUGH 54.

TOGETHER WITH:

TRACTS "A", "B", AND "W", "ST. JOSEPH'S SCHOOL", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 101, PAGES 89 AND 90, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA, AND CONTAIN 101.857 ACRES, MORE OR LESS.

PRESERVE AREA # 1 & 2

LEGAL DESCRIPTION – BAILEY PARCEL

TRACTS 49 THROUGH 56, BLOCK 18, "PALM BEACH FARMS COMPANY PLAT 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2 AT PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, AND CONTAINING 40.639 ACRES, MORE OR LESS.

PRESERVE AREA #3

LEGAL DESCRIPTION - Shiotani, Pearlstein, Hollingsworth

TRACTS 57, 58, 59 AND 60, BLOCK 17, "PALM BEACH FARMS COMPANY PLAT 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2 AT PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THE SOUTH 15.00 FEET OF SAID TRACTS 57 THROUGH 60 AND LESS THE WEST 15.00 FEET OF SAID TRACT 57 (SAID 15.00 FOOT STRIPS SHOWN AS RIGHT-OF-WAY EASEMENTS ON SAID PLAT) ALSO LESS AND EXCEPT THAT PORTION OF SAID TRACT 60 LYING IN THE RIGHT-OF-WAY OF THE LAKE WORTH DRAINAGE DISTRICT E-2 CANAL.

ALSO LESS AND EXCEPT THE EAST 15.00 FEET OF THE WEST 30.00 FEET OF SAID TRACT 57, LESS THE NORTHERLY 15.00 FEET THEREOF.

SAID LANDS LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, AND CONTAINING 19.00 ACRES, MORE OR LESS.

PRESERVE AREA #3 (Shiotani et.al.) – CONSERVATION EASEMENT

A PORTION OF TRACTS 57, 58, 59 AND 60, BLOCK 17, "PALM BEACH FARMS COMPANY PLAT 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 26 THROUGH 28 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT 57; THENCE NORTH 01°07'28" WEST, ALONG THE WEST LINE OF SAID TRACT 57, A DISTANCE OF 15.00 FEET; THENCE NORTH 89°00'39" EAST, ALONG A LINE 15.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID TRACT 57, A DISTANCE OF 30.00 FEET; THENCE NORTH 01°07'28" WEST, ALONG A LINE 30.00 FEET EAST OF AND PARALLEL WITH SAID WEST LINE OF TRACT 57, A DISTANCE OF 310.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 01°07'28" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 335.62 FEET; THENCE SOUTH 89°12'45" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 01°07'28" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 89°12'45" EAST, ALONG THE NORTH LINE OF SAID TRACTS 57, 58, 59, AND 60, A DISTANCE OF 1269.81 FEET; THENCE SOUTH 01°24'01" EAST, ALONG THE WEST LINE OF THE LAKE WORTH DRAINAGE DISTRICT E-2 CANAL, A DISTANCE OF 656.21 FEET; THENCE SOUTH 89°00'39" WEST, ALONG A LINE 15.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID TRACTS 57, 58, 59, AND 60, A DISTANCE OF 666.85 FEET; THENCE NORTH 01°07'28" WEST, A DISTANCE OF 385.03 FEET; THENCE SOUTH 88°52'32" WEST, A DISTANCE OF 453.27 FEET; THENCE SOUTH 01°07'28" EAST, A DISTANCE OF 22.53 FEET; THENCE SOUTH 88°52'32" WEST, A DISTANCE OF 15.18 FEET; THENCE SOUTH 01°07'28" EAST, A DISTANCE OF 51.10 FEET; THENCE SOUTH 88°52'32" WEST, A DISTANCE OF 122.65 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA, AND CONTAIN 14.00 ACRES, MORE OR LESS.

PRESERVE AREA #4

LEGAL DESCRIPTION - LENDACKI

PARCEL "A"

THE EAST ONE-HALF (1/2) OF THE FOLLOWING DESCRIBED PROPERTY:

BEING A PARCEL OF LAND IN THE NORTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING DELINEATED ON THE ADAIR & BRADY, INC., SURVEY DRAWING NO. FP-1298 AS REVISED IN 1996, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 1 AS MARKED BY AN 8" ROUND CONCRETE MONUMENT WITH A DISK INSCRIBED "PRECISE SURVEY CITY OF WEST PALM BEACH" AS SET BY BROCKWAY, WEBER & BROCKWAY; THENCE SOUTH 00°54'39" EAST (STATE PLANE GRID BEARING DATUM) ALONG THE EAST LINE OF SECTION 1, A DISTANCE OF 2037.63 FEET TO AN IRON ROD; THENCE SOUTH 89°28'27" WEST, 87.75 FEET TO THE POINT OF BEGINNING, BEING A 1" PIPE IN CONCRETE ON THE WEST RIGHT-OF-WAY LINE OF STATE

ROAD 7 AS RECORDED IN PLAT BOOK 1, PAGE 38, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 89°28'27" WEST, 1328.96 FEET TO A 1" PIPE IN CONCRETE; THENCE SOUTH 01°04'59" EAST, 330.02 FEET TO A 1" PIPE IN CONCRETE; THENCE NORTH 89°28'27" EAST. 1329.48 FEET TO A 1" PIPE IN CONCRETE ON SAID WEST RIGHT-OF-WAY LINE OF S.R. 7; THENCE NORTH 01°10'24" WEST ALONG SAID RIGHT-OF-WAY LINE, 330.02 FEET TO THE POINT OF BEGINNING.

AND

PARCEL "B"

LESS THE EAST ONE-HALF OF THE FOLLOWING PROPERTY:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 1 AS MARKED BY AN 8" ROUND CONCRETE MONUMENT WITH A DISK INSCRIBED "PRECISE SURVEY CITY OF WEST PALM BEACH" AS SET BY BROCKWAY, WEBER & BROCKWAY; THENCE SOUTH 00°54'39" EAST (STATE PLANE GRID BEARING DATUM) ALONG THE EAST LINE OF SECTION 1, A DISTANCE OF 2037.63 FEET TO AN IRON ROD; THENCE SOUTH 89°28'27" WEST, 87.75 FEET TO THE POINT OF BEGINNING, BEING A 1" PIPE IN CONCRETE ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7 AS RECORDED IN PLAT BOOK 1, PAGE 38, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 89°28'27" WEST, 1328.96 FEET TO A 1" PIPE IN CONCRETE; THENCE SOUTH 01°04'59" EAST, 330.02 FEET TO A 1" PIPE IN CONCRETE; THENCE NORTH 89°28'27" EAST. 1329.48 FEET TO A 1" PIPE IN CONCRETE ON SAID WEST RIGHT-OF-WAY LINE OF S.R. 7; THENCE NORTH 01°10'24" WEST ALONG SAID RIGHT-OF-WAY LINE, 330.02 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL;

PARCEL NO. 106

A PORTION OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF TRACT "B", "PLAT OF S.T.J. PROPERTIES, INC.", AS RECORDED IN PLAT BOOK 73, PAGE 178 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID CORNER BEING A FOUND CONCRETE MONUMENT WITH NAIL & TAB; THENCE SOUTH 89°33'21" WEST, A DISTANCE OF 1.621 METERS (5.32 FEET); THENCE NORTH 01°10'57" WEST ALONG A LINE 71.628 METERS (235.00 FEET) WEST OF AND PARALLEL WITH SAID BASELINE OF SURVEY, A DISTANCE OF 135.238 METERS (443.69 FEET) TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 01°10'57" WEST, A DISTANCE OF 48.769 METERS (160.00 FEET) TO A POINT ON SAID WESTERLY EXISTING RIGHT-OF-WAY LINE FOR STATE ROAD 7 (U.S. 441); THENCE SOUTH 01°10'57" EAST ALONG SAID WESTERLY EXISTING RIGHT OF WAY LINE AND A LINE 22.860 METERS (75 FEET) WEST OF AND PARALLEL WITH SAID BASELINE OF SURVEY, A DISTANCE OF 100.569 METERS (329.95 FEET); THENCE SOUTH 89°28'26" WEST, A DISTANCE OF 48.769 METERS (160.00 FEET) TO THE POINT OF BEGINNING.(CONTAINING 0.4904 HECTARES (1.212 ACRES), MORE OR LESS.

PRESERVE AREA #5

LEGAL DESCRIPTION - SFWMD:

BEING THE SOUTH 988.44 FEET OF THE NORTH 2308.75 FEET OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 14, TOWNSHIP 45 SOUTH, RANGE 41 EAST, ALL LYING WITHIN PALM BEACH COUNTY, FLORIDA.

CONTAINING 60.000 ACRES, MORE OR LESS.

PRESERVE AREA #6

LEGAL DESCRIPTION – KORBEL PARCEL

TRACT 43, BLOCK 18, "PALM BEACH FARMS COMPANY PLAT 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2 AT PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, AND CONTAIN 5.022 ACRES, MORE OR LESS.

PRESERVE AREA # 7

LEGAL DESCRIPTION – HILL PARCEL (2)

TRACT 45, BLOCK 18, "PALM BEACH FARMS COMPANY PLAT 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2 AT PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, AND CONTAIN 5.021 ACRES, MORE OR LESS.

PRESERVE AREA # 8

LEGAL DESCRIPTION - BOWMAN

THE SOUTH ONE-HALF OF TRACT 42, BLOCK 18, "PALM BEACH FARMS COMPANY PLAT 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2 AT PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, AND CONTAIN 2.456 ACRES, MORE OR LESS.

PRESERVE # 9

LEGAL DESCRIPTION - BRYANT

THE NORTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 14, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA, AND CONTAIN 5.017 ACRES, MORE OR LESS.

PRESERVE AREA # 10

LEGAL DESCRIPTION - KLEINRICHERT

THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 14, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA, AND CONTAIN 10.054 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

