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RESOLUTION NO. R-2007- 0002

2007 JAN -3 PM 4: 39

SHARON R. BOCK  
CLERK & COMPTROLLER  
BCC SERVICES/MINUTES-PBC

RESOLUTION APPROVING ZONING APPLICATION PDD2006-1183  
(CONTROL NO. 1973-030)  
OFFICIAL ZONING MAP AMENDMENT  
TO A PLANNED DEVELOPMENT DISTRICT (PDD)  
APPLICATION OF LOST TREE CLUB, INC.  
BY LUCIDO & ASSOCIATES, AGENT  
(LOST TREE BEACH CLUB)

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, and the Palm Beach County Unified Land Development Code, as amended, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, the notice and 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 PDD2006-1183 was presented to the Board of County Commissioners at a public hearing conducted on January 4, 2007; and,

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant 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 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 stated purpose and intent and requirements of the Palm Beach County Unified Land Development Code. The rezoning request is also consistent with the requirements of all other applicable local land development regulations;
3. This official zoning map amendment (rezoning) is compatible and generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land;
4. The applicant has demonstrated that there are sufficient changed conditions or circumstances that require an amendment;
5. This official zoning map amendment (rezoning) 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;
6. This official zoning map amendment (rezoning) will result in a logical, orderly and timely development pattern; and,
7. This official zoning map amendment (rezoning) complies with Article 2.F (CONCURRENCY - Adequate Public Facilities Standards) of the Palm Beach County Unified Land Development Code.

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) 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 PDD2006-1183, the application of Lost Tree Club, Inc., by Lucido & Associates, Agent, for an Official Zoning Map Amendment from the Residential Single Family Zoning District to the Residential Planned Unit Development 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 4, 2007, subject to the conditions of approval described in EXHIBIT C of DOA2006-1183.

Commissioner Koons moved for the approval of the Resolution.

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

Addie L. Greene, Chairperson	-	Aye
John F. Koons, Vice Chair	-	Aye
Karen T. Marcus	-	Aye
Warren H. Newell	-	Aye
Mary McCarty	-	Aye
Burt Aaronson	-	Absent
Jess R. Santamaria	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on January 4th, 2007

Filed with the Clerk of the Board of County Commissioners on 4th day of January, 2007

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 R. BOCK,  
CLERK & COMPTROLLER

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK



EXHIBIT A  
LEGAL DESCRIPTION

Lot 4, **OCEAN HOUSE SUBDIVISION**, according to the Plat thereof, as recorded in Plat Book 28, Page 109, Public Records of Palm Beach County, Florida.

**TOGETHER WITH:**

A parcel of land in Section 3, Township 42 South, Range 43 East, Palm Beach County, Florida, being a portion of Turtle Beach Road, according to **PLAT NO. 1 – OLD PORT VILLAGE**, as recorded in Plat Book 27, Page 18, Public Records of Palm Beach County, Florida, more particularly described as follows:

**COMMENCE** at the Southwest corner of Lot 4, **OCEAN HOUSE SUBDIVISION**, recorded in Plat Book 28, Page 109, Public Records of Palm Beach County, Florida, said point also being the Southeast corner of Tract "U" according to said Plat No. 1;  
thence North  $88^{\circ}30'16''$  West, along the South line of said Tract "U" (the South line of Tract "U" is assumed to bear North  $88^{\circ}30'16''$  West and all other bearings are relative thereto), a distance of 94.60 feet to the beginning of a curve concave to the Southeast having a radius of 260.79 feet, a central angle of  $2^{\circ}11'50''$  and a chord bearing of North  $00^{\circ}39'31''$  East;  
thence Northerly, along the arc of said curve, a distance of 10.00 feet to the **POINT OF BEGINNING** of the hereinafter described parcel, said point lying on the North line of said Tract "U";  
thence continue Northerly, through a central angle of  $36^{\circ}08'13''$  an arc distance of 164.48 feet to the beginning of a reverse curve, concave to the Northwest, having a radius of 377.68 feet and a central angle of  $2^{\circ}34'21''$ ;  
thence Northeasterly along the arc of said curve, a distance of 16.96 feet to a point of cusp on the West line of said Lot 4, said point lying on a curve concave to the East, having a radius of 128.41 feet, a central angle of  $82^{\circ}10'29''$  and a chord bearing of South  $05^{\circ}45'56''$  East;  
thence Southerly along the arc of said curve and said West line of Lot 4, a distance of 184.17 feet to a point on said North line of Tract "U";  
thence North  $88^{\circ}30'16''$  West, along said North line, a distance of 81.96 feet to the **POINT OF BEGINNING**.

EXHIBIT B  
VICINITY SKETCH

