

RESOLUTION NO. R-2007- 1614

RESOLUTION APPROVING ZONING APPLICATION PDD2007-051  
(CONTROL NO. 1995-022)  
OFFICIAL ZONING MAP AMENDMENT  
TO A PLANNED DEVELOPMENT DISTRICT (PDD)  
APPLICATION OF ARRIGO ENTERPRISES, INC.  
BY GREENBERG TRAUIG, PA, AGENT  
( ARRIGO DODGE MUPD )

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 Process) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) have been satisfied; and

WHEREAS, Zoning Application PDD2007-051 was presented to the Board of County Commissioners at a public hearing conducted on September 24, 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 recommendations of the Zoning Commission; and

WHEREAS, this approval is subject to Article 2.E (Monitoring) of the Palm Beach County Unified Land Development Code (ULDC) and other provisions requiring that development commence in a timely manner; 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. 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.
5. This official zoning map amendment (rezoning) will result in a logical, orderly and timely development pattern.
6. This official zoning map amendment is consistent with applicable Neighborhood Plans.
7. This official zoning map amendment (rezoning) complies with Article 2.F (Concurrency) of the Palm Beach County Unified Land Development Code.

8. The applicant has demonstrated that there are sufficient changed conditions or circumstances that require an amendment.

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 PDD2007-051, the application of Arrigo Enterprises, Inc., by Greenberg Traurig, PA, agent, for an Official Zoning Map Amendment to a Planned Development District from the Agricultural Residential Zoning District to the Multiple Use Planned Development Zoning District on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on September 24, 2007, subject to the conditions of approval described in EXHIBIT C of DOA2007-051.

Commissioner Aaronson 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	- Absent
Jeff Koons, Vice Chair	- Absent
Karen T. Marcus	- Aye
Robert J. Kanjian	- Aye
Mary McCarty	- Aye
Burt Aaronson	- Aye
Jess R. Santamaria	- Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on September 24, 2007.

Filed with the Clerk of the Board of County Commissioners on October 11th, 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

**PARCEL 1:**

THE EAST ONE-HALF OF THE WEST ONE-HALF OF TRACT 1, BLOCK 4, "THE PALM BEACH FARMS CO. PLAT NO. 3", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**PARCEL 2:**

THE EAST ONE-HALF OF TRACT 27, LESS THE NORTH 38 FEET THEREOF, BLOCK 1, THE PALM BEACH FARMS CO. PLAT NO. 9, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 58, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**PARCEL 4:**

THAT PORTION OF THE NORTH 15 FEET OF THAT CERTAIN 30-FOOT-WIDE PLATTED ROADWAY LYING BETWEEN THE SOUTHERLY EXTENSION OF THE EAST BOUNDARY LINE OF THE PLAT OF PALM BEACH PLAZA MUPD ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 87, PAGE 38, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE EAST RIGHT-OF-WAY LINE OF JOG ROAD AS SHOWN ON SAID PLAT, AS SAID ROADWAY IS SHOWN LYING SOUTH OF TRACT 1 AND NORTH OF TRACT 5, BLOCK 4, "THE PALM BEACH FARMS CO. PLAT NO. 3", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**PARCEL 7:**

THAT PORTION OF THE NORTH 15 FEET OF THAT CERTAIN 30-FOOT-WIDE PLATTED ROADWAY LYING BETWEEN THE SOUTHERLY EXTENSIONS OF THE WEST BOUNDARY LINE AND OF THE EAST BOUNDARY LINE OF THE EAST 1/2 OF THE WEST 1/2 OF TRACT 1, BLOCK 4, "THE PALM BEACH FARMS CO. PLAT NO. 3", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AS SAID ROADWAY IS SHOWN LYING SOUTH OF TRACT 1 AND NORTH OF TRACT 5, BLOCK 4, OF SAID PLAT OF "THE PALM BEACH FARMS CO. PLAT NO. 3".

**PARCEL 8:**

THAT CERTAIN 30-FOOT WIDE ROAD RIGHT-OF-WAY LYING NORTH OF THE EAST ONE-HALF OF THE WEST ONE-HALF OF TRACT 1, BLOCK 4, "THE PALM BEACH FARMS CO. PLAT NO. 3", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BOUNDED ON THE WEST BY THE SOUTHERLY EXTENSION OF WEST BOUNDARY LINE OF THE EAST ONE-HALF OF TRACT 27, BLOCK 1, "THE PALM BEACH FARMS CO. PLAT NO. 9," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 58, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BOUNDED ON THE EAST BY THE NORTHERLY EXTENSION OF THE EAST BOUNDARY LINE OF SAID EAST ONE-HALF OF THE WEST ONE-HALF OF TRACT 1, BLOCK 4 AND BOUNDED ON THE NORTH BY THE SOUTH BOUNDARY LINE OF SAID EAST ONE-HALF OF TRACT 27, BLOCK 1; TOGETHER WITH THE NORTH 15 FEET OF THE SAID 30-FOOT-WIDE ROAD RIGHT-OF-WAY LYING SOUTH OF AND ABUTTING THE EAST 68.67 FEET OF SAID EAST ONE-HALF OF TRACT 27, BLOCK 1, BOUNDED ON THE WEST BY THE NORTHERLY EXTENSION OF THE EAST BOUNDARY LINE OF SAID EAST ONE-HALF OF THE WEST ONE-HALF OF TRACT 1, BLOCK 4 AND BOUNDED ON THE EAST BY THE WEST BOUNDARY LINE OF THE

PLAT OF "AUTONATION OF PALM BEACH," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 83, PAGE 92, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**PROPOSED ACCESS PARCEL:**

ALL THAT LOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, THE SAME BEING PORTIONS OF TRACT 5 OF BLOCK 4, AS WELL AS A PORTION OF THE 30-FOOT WIDE RIGHT OF WAY ABUTTING THE NORTHERLY BOUNDARY THEREOF, IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, BOTH AS SHOWN ON THE PLAT OF "THE PALM BEACH FARMS CO. PLAT NO. 3," ACCORDING TO THE PLAT THEREOF, AS RECORDED AUGUST 20, 1912 IN PLAT BOOK 2 AT PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, VIZ.:

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT 5 OF BLOCK 4 IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST AS SHOWN ON SAID PLAT OF "THE PALM BEACH FARMS CO. PLAT NO. 3;" THENCE N89°02'59"E ALONG THE NORTHERLY LINE OF SAID TRACT 5 OF BLOCK 4 AND THE SOUTHERLY RIGHT OF WAY LINE OF SAID 30-FOOT WIDE ROAD RIGHT OF WAY FOR 390.38 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF JOG ROAD AS SHOWN ON THOSE CERTAIN UNRECORDED RIGHT OF WAY MAPS ENTITLED "COUNTY OF PALM BEACH STATE OF FLORIDA BOARD OF COUNTY COMMISSIONERS PROJECT NO. 84225 JOG ROAD WALLIS ROAD TO OKEECHOBEE BOULEVARD" PREPARED BY GREENHORNE & O'MARA, INC. FOR THE PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS DEPARTMENT DATED NOVEMBER 5, 1990 (HEREINAFTER, THE "JOG ROAD RIGHT OF WAY MAPS"), WITH SAID POINT OF INTERSECTION ALSO BEING THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND; FROM SAID POINT OF BEGINNING, THENCE N48°28'10"W ALONG SAID EASTERLY RIGHT OF WAY LINE OF JOG ROAD AS SHOWN ON THE JOG ROAD RIGHT OF WAY MAPS FOR 22.21 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF SAID 30 FOOT WIDE ROAD RIGHT OF WAY; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE OF JOG ROAD, N89°02'59"E ALONG SAID CENTERLINE OF THE 30-FOOT WIDE ROAD RIGHT OF WAY FOR 152.08 FEET; THENCE DEPARTING SAID CENTERLINE OF THE 30-FOOT WIDE ROAD RIGHT OF WAY, S38°56'13"W FOR 103.50 FEET TO A POINT OF NON-TANGENT INTERSECTION WITH SAID EASTERLY RIGHT OF WAY LINE OF JOG ROAD AS SHOWN ON SAID JOG ROAD RIGHT OF WAY MAPS, WITH SAID EASTERLY RIGHT OF WAY LINE BEING THE ARC OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND WITH SAID POINT OF NON-TANGENT INTERSECTION BEARING N43°45'52"E FROM THE CENTER OF SAID CURVE; THENCE NORTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE OF JOG ROAD AS SHOWN ON THE JOG ROAD RIGHT OF WAY MAPS AND THE ARC OF SAID CURVE, HAVING A RADIUS OF 903.68 FEET AND A CENTRAL ANGLE OF 02°14'02" FOR 35.23 FEET TO THE POINT OF TANGENCY; THENCE N48°28'10"W ALONG SAID EASTERLY RIGHT OF WAY LINE OF JOG ROAD AS SHOWN ON THE JOG ROAD RIGHT OF WAY MAPS FOR 59.41 FEET TO THE POINT OF BEGINNING.



EXHIBIT B

VICINITY SKETCH

