

RESOLUTION NO. R-2008- 0266

RESOLUTION APPROVING ZONING APPLICATION TDD2007-1606  
(CONTROL NUMBER 2004-616)  
TRADITIONAL TOWN DEVELOPMENT  
APPLICATION OF ASCOT AG LAND LLC  
BY ASCOT DEVELOPMENT, AGENT  
(DELRAY MARKETPLACE TMD)

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, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 2 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Application TDD2007-1606 was presented to the Board of County Commissioners at a public hearing conducted on February 28, 2008; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 2.E (Compliance with Time Limitations), of the Palm Beach County Unified Land Development Code 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. 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.
7. This official zoning map amendment is consistent with the applicable Neighborhood Plans.
8. This official zoning map amendment (rezoning) complies with Article 2.F (CONCURRENCY) 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 TDD2007-1606, the petition of Ascot Ag Land LLC, by Ascot Development, agent, for an Official Zoning Map Amendment from the Agricultural Reserve Planned Unit Development (Preservation Area) Zoning District to the Traditional Marketplace Development (Preservation Area) 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 attached as EXHIBIT B, attached hereto and made a part hereof, was approved on February 28, 2008, subject to the conditions of approval described in DOA2007-1606 of EXHIBIT C.

Commissioner Marcus moved for the approval of the Resolution.

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

Addie L. Greene, Chairperson	¥	Aye
Jeff Koons, Vice Chair	¥	Aye
Karen T. Marcus	¥	Aye
Robert J. Kanjian	¥	Aye
Mary McCarty	¥	Aye
Burt Aaronson	¥	Aye
Jess R. Santamaria	¥	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on February 28, 2008.

Filed with the Clerk of the Board of County Commissioners on February 28, 2008.

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

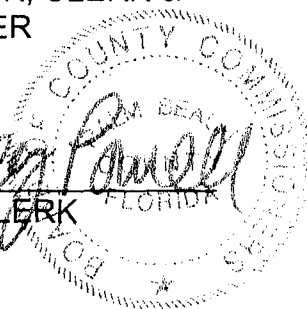


EXHIBIT A

LEGAL DESCRIPTION

PRESERVE AREA 2

TRACTS 17 AND 18, BLOCK 17, PALM BEACH FARMS COMPANY PLAT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 26,27 AND 28, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO KNOWN AS TRACT B, ASCOT-LYONS & ATLANTIC PUD PRESERVE PARCEL 6, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 110, PAGE 75 THROUGH 77, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, AND CONTAINING 10.11 ACRES, MORE OR LESS.

PRESERVE AREA 4

TRACT 30, PALM BEACH FARMS CO. PLAT NO. 1 OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 26 THROUGH 28 INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO KNOWN AS TRACT D, ASCOT-LYONS & ATLANTIC PUD PRESERVE PARCEL 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 110, PAGE 62 THROUGH 64, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, AND CONTAINING 4.962 ACRES, MORE OR LESS.

EXHIBIT B  
VICINITY SKETCH

