

RESOLUTION R-2009- 1828

RESOLUTION CORRECTING RESOLUTION R-2009-1229
(CONTROL NO. 2004-00456)
RESOLUTION APPROVING ZONING APPLICATION OF Anasca Communities Llc
Villaggio Isles PUD
APPLICATION DOA-2008-02226

WHEREAS, Anasca Communities Llc, petitioned the Palm Beach County Board of County Commissioners on July 23, 2009 for a a Development Order Amendment to reconfigure the master plan; modify Conditions of Approval (Architectural Review, Engineering, Landscape, Planning, Planned Unit Development); to increase number of dwelling units; to restart commencement clock and; to waive the affordability limitation restrictions.; and

WHEREAS, Resolution R-2009-1229, adopted on July 23, 2009 confirming the action of the Board of County Commissioners inadvertently contained an error in Exhibit C; and

WHEREAS, ZONING-Landscape Condition-6 of Exhibit C of Resolution R-2009-1229 should have read as shown as follows:

LANDSCAPE - PERIMETER-LANDSCAPING ALONG THE SOUTH AND EAST PROPERTY LINES (FRONTAGES OF WEST ATLANTIC AVENUE AND HAGEN RANCH ROAD)

6. Landscape Condition 6 of Resolution R-2006-515, Control # 2004-456, which currently states:

In addition to the proposed landscaping and buffering program and code requirements, landscaping and/or buffer width along the south and east property lines (frontages of West Atlantic Avenue and Hagen Ranch Road), shall be upgraded to include:

- a. a minimum twenty (20) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
- b. a continuous berm with a minimum height of three (3) feet. Berm height shall be measured from the nearest top of curb, crown of the nearest street or the nearest finished floor elevation, whichever is higher;
- c. a six (6) foot high opaque concrete panel wall, or chain link fence, to be located on the plateau of the berm. The exterior side of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structures within the Terra Nova MUPD. A maximum of two (2) openings in the wall, or fence, shall be permitted to provide pedestrian connectivity;
- d. if a chain link fence is being utilized to meet the requirement, then a hedge, six (6) foot in height at installation shall be provided on both sides of the chain link fence;
- e. one (1) palm or pine for each for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters;
- f. shrub materials required by code shall be double in quantity;
- g. plant materials required by ULDC or by conditions of approval shall be planted alternating on both sides of the wall; and,
- h. prior to the issuance of the first building permit, the property owner shall submit a landscape plan to the Landscape Section for review and approval. This plan shall be prepared in accordance to the landscape code requirements and conditions as required under 1.a-1.g. (BLDG PERMIT: LANDSCAPE-Zoning) (Previous Lanscaping South and East Property Lines (Atlantic/Hagen)

Is hereby amended to read:

In addition to the proposed landscaping and buffering program and code requirements, landscaping and/or buffer width along the south and east property lines (frontages of West Atlantic Avenue and Hagen Ranch Road), shall be upgraded to include:

- a. a minimum twenty (20) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
- b. a continuous berm with a minimum height of two (2) feet. Berm height shall be measured from the nearest top of curb, crown of the nearest street or the nearest finished floor elevation, whichever is higher;
- c. a six (6) foot high opaque concrete panel wall, or chain link fence, to be located on the plateau of the berm. The exterior side of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structures within the Terra Nova MUPD. A maximum of two (2) openings in the wall, or fence, shall be permitted to provide pedestrian connectivity;
- d. if a chain link fence is being utilized to meet the requirement, then a hedge, six (6) foot in height at installation shall be provided on both sides of the chain link fence;
- e. one (1) palm or pine for each for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters;
- f. plant materials required by ULDC or by conditions of approval shall be planted alternating on both sides of the wall; and,
- g. prior to the issuance of the first building permit, the property owner shall submit a landscape plan to the Landscape Section for review and approval. This plan shall be prepared in accordance to the landscape code requirements and conditions as required under 1.a-1.g. (BLDG PERMIT: LANDSCAPE-Zoning)

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. ZONING-Landscape Condition- 6 of Exhibit C of Resolution R-2009-1229 is hereby corrected.

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:

Commissioner John F. Koons, Chairman	-	Aye
Commissioner Burt Aaronson, Vice Chairman	-	Aye
Commissioner Karen T. Marcus	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Jess R. Santamaria	-	Aye
Commissioner Priscilla A. Taylor	-	

The Chairperson thereupon declared the resolution was duly passed and adopted on October 22, 2009.

Filed with the Clerk of the Board of County Commissioners on October 26th, 2009

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

