

RESOLUTION R-2010-1759

RESOLUTION CORRECTING RESOLUTION R-2010-1170
(CONTROL NO. 1996-00081)
RESOLUTION APPROVING ZONING APPLICATION OF
Civic Development Group LLC
(Villages of Windsor SE Civic)
APPLICATION DOA/R-2009-03933

WHEREAS, Civic Development Group LLC, petitioned the Palm Beach County Board of County Commissioners on July 22, 2010 for a Development Order Amendment to reconfiguration the site plan; and

WHEREAS, Resolution R-2010-1170, adopted on July 22, 2010 confirming the action of the Board of County Commissioners inadvertently omitted a prior Landscape Condition of Approval and correct the numbering of the Landscape Conditions of Approval in Exhibit C of R-2010-1170; and

WHEREAS, ZONING LANDSCAPING Conditions of Exhibit C of Resolution R-2010-1170 should have read as shown as follows:

LANDSCAPE – PERIMETER

LANDSCAPING ALONG THE NORTH AND SOUTH PROPERTY LINE (ABUTTING HYPOLUXO ROAD)

6. Landscaping and buffering along the north and south property line adjacent to Hypoluxo Road shall be upgraded to include:

- a. A minimum fifty (50) foot wide landscape buffer strip including the ten (10) foot wide easement encroachment. Along the frontage of the civic site, the width may be reduced to a minimum of twenty-five (25) feet ;
- b. A minimum three (3) to five (5) foot high undulating berm with an average height of four (4) feet measured from top of curb. Height of berm for civic site frontage may reduced to two (2) to four (4) foot high with an average height of three (3) feet measured from top of curb;
- c. One (1) canopy tree planted for each thirty (30) linear feet of property line;
- d. One (1) palm or pine tree for each thirty (30) linear feet of property line, with a maximum spacing of sixty (60) feet between clusters;
- e. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation;
- f. one (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and,
- g. one (1) large shrub for each six (6) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation. (Previous Landscape Condition 6 of Resolution R-2005-1127, Control No. 1996-081)(CO: LANDSCAPE - Zoning)

LANDSCAPE - PERIMETER

LANDSCAPING ALONG THE EAST PROPERTY LINE (ABUTTING FLORIDA TURNPIKE)

7. Landscaping and buffering along the east property line adjacent to the Turnpike (except for property line abutting the existing Tree Farm parcel per PDP dated June 6, 2002) shall be upgraded to include:

- a. a minimum one hundred (100) foot wide landscape buffer strip or a combination of one hundred (100) foot wide lake and buffer strip, as long as the buffer strip is not reduced below fifty (50) feet. No overall width reduction shall be permitted;
- b. a minimum four (4) foot continuous berm measured from top of road curb;
- c. a minimum six (6) foot high opaque concrete wall to be placed on the plateau of the berm. Both sides of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure. (Previous Landscape Condition 7 of Resolution R-2005-1127, Control 1996-081) (CO: LANDSCAPE - Zoning)

8. The following landscaping requirements shall be installed on both sides of the required wall:

- a. one (1) canopy tree planted every twenty (20) feet on center, alternating on both sides of the wall;
- b. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters, alternating on both sides of the wall; and,
- c. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation;
- d. one (1) medium shrub for each six (6) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and,
- e. one (1) large shrub for each eight (8) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation. (Previous Landscape Condition 8 of Resolution R-2005-1127, Control No. 1996-081)(CO: LANDSCAPE - Zoning)

ZONING - LANDSCAPING ALONG THE EAST AND WEST PROPERTY LINES (ABUTTING SR7/US441 AND LYONS ROAD)

9. Landscaping and buffering along the east and west property lines adjacent to SR7/US441 and Lyons Road shall be upgraded to include:

- a. A minimum thirty (30) foot wide landscape buffer strip. No width reduction shall be permitted;
- b. A minimum three (3) to five (5) foot high undulating berm with an average height of four (4) feet measured from top of curb;
- c. One (1) canopy tree planted for each thirty (30) linear feet of property line;
- d. One (1) palm or pine tree for each thirty (30) linear feet of property line, with a maximum spacing of sixty (60) feet between clusters;
- e. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation;
- f. one (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and,
- g. one (1) large shrub for each six (6) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation. (Previous Landscape Condition 9 of Resolution R-2005-1127, Control No. 1996-081)(CO: LANDSCAPE - Zoning)

ZONING - LANDSCAPING ALONG THE NORTH AND WEST PROPERTY LINES ADJACENT TO THE LACUNA AND SHERBROOKE ESTATES PUDs

10. Landscaping and buffering along the north and west property lines adjacent to the Lacuna and Sherbrooke Estates PUDs shall be upgraded to include:

- a. A minimum ten (10) foot wide landscape buffer strip;
- b. One (1) canopy tree planted for each twenty (20) linear feet of property line;
- c. One (1) palm or pine tree for each thirty (30) linear feet of property line, with a maximum spacing of sixty (60) feet between clusters;
- d. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation; and
- e. one (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation.
- f. The above landscape requirements H.1.a through H.1.f shall be installed prior to the issuance of the first Certificate of Occupancy of the adjacent pod that this buffer is serving. If the project is phased or platted by pod, then that area adjacent to the corresponding phase or pod shall be installed prior to the first Certificate of Occupancy of that area.
- g. The portion of this landscape buffer located to the northwest of Pod F, adjacent to the Sherbrooke Estates PUD, can be modified through an Alternate Landscape Plan submittal at the time of final DRC for Pod F. This modification would be for the purpose of providing views of the golf course to the adjacent lot owner(s) (lot 14 of Greenbriar I in Sherbrooke PUD). (Previous Landscape Condition 10 of Resolution R-2005-1127,

Control No. 1996-081)(CO: LANDSCAPE - Zoning)

ZONING - LANDSCAPING ALONG THE RECREATION POD, SECTION III (ABUTTING SHERBROOKE ESTATES PUD)

11. Landscaping and buffering along the recreation pod, Section III shall be upgraded to include:

- a. a minimum thirty (30) foot wide landscape buffer strip;
- b. a minimum three foot continuous berm measured from top of road curb;
- c. a minimum six (6) foot high opaque concrete wall to be placed on the plateau of the berm. Both sides of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure. (Previous Landscape Condition 11 of Resolution R-2005-1127, Control No. 1996-081)(CO: LANDSCAPE - Zoning)

12. The following landscaping requirements shall be installed on both sides of the required wall:

- a. one (1) canopy tree planted every twenty (20) feet on center, and on both sides of the wall, with each row offset from the other to provide a visual perception of a tighter spacing;
- b. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters, alternating on both sides of the wall; and,
- c. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation;
- d. one (1) medium shrub for each six (6) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and,
- e. one (1) large shrub for each eight (8) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation. (Previous Landscape Condition 12 of Resolution R-2005-1127, Control No. 1996-081)(CO: 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 LANDSCAPING Conditions of Exhibit C of Resolution R-2010-1170 are hereby corrected.

Commissioner Vana moved for the approval of the Resolution.

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

Commissioner Burt Aaronson, Chair	- Aye
Commissioner Karen T. Marcus, Vice Chair	- Absent
District 2	-
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 28, 2010

Filed with the Clerk of the Board of County Commissioners on October 29th, 2010

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

