

RESOLUTION NO. R-2012- 1052

RESOLUTION REVOKING RESOLUTIONS  
R-2005-1048, R-2005-1049 and R-2010-0310  
(CONTROL NUMBER 2004-00458)  
AFFIRMING THE LEGISLATIVE ABANDONMENT  
OF ZONING APPLICATION ABN/DOA/R/TDR-2011-03177

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapters 125 and 163, Florida Statutes, is authorized and empowered to consider petitions related to zoning; and

WHEREAS, Zoning Application PDD/TDR/W/ABN/R-2004-661 and PDD/DOA/R/TDR-2009-3303 were presented to the Board of County Commissioners at public hearings on May 26, 2005 and February 25, 2010; and

WHEREAS, Resolutions R-2005-1048, R-2005-1049 and R-2010-0310 approving these applications were adopted by the Board of County Commissioners on May 26, 2005 and March 1, 2010 and

WHEREAS, the Zoning Director has determined the request to legislatively abandon the development order, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended), meets the requirements contained therein; and

WHEREAS, the Zoning Director has legislatively abandoned the development order, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) and

WHEREAS, the Zoning Director presented the abandonment of the development order to the Board of County Commissioners for ratification on July 26, 2012; and

WHEREAS, Article 2.A.1.K (Public Hearing Procedures) of the Palm Beach County Unified Land Development Code (ULDC) requires that 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 Resolutions R-2005-1048, R-2005-1049 and R-2010-0310, approving Zoning Application PDD/TDR/W/ABN/R-2004-661 and PDD/DOA/R/TDR 2009-3303, the petitions of ANSCA Communities LLC and Hypoluxo Acquisition LLC, by Land Design South and CMS Engineering, LLC, agents, for a Transfer of Development Rights to allow the Transfer of Development Rights for 14 units; for a Waiver of Objectives and Standards (Performance Waivers (Waiver)) to allow deviation from cul-de-sac and dead-end restrictions in a PUD Zoning District; and for a Transfer of Development Rights to allow the Transfer of Development Rights for 126 units and approved the reduced price of \$1.00 per unit for the Transfer of Development Rights are hereby revoked.

Commissioner Burdick 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 Shelley Vana, Chair	-	Nay
Commissioner Steven L. Abrams, Vice Chairman	-	Aye
Commissioner Karen T. Marcus	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Burt Aaronson	-	Nay

Commissioner Jess R. Santamaria  
Commissioner Priscilla A. Taylor

- Aye  
- Aye

The Chair thereupon declared that the resolution was duly passed and adopted on July 26, 2012.

Filed with the Clerk of the Board of County Commissioners on 31 day of July, 2012.

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

DESCRIPTION:

ALL OF ISOLA BELLA ISLES - PHASE I, AS RECORDED IN PLAT BOOK 111, PAGES 119 THROUGH 122 OF PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

TOGETHER WITH:

TRACT 14, AND THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER, OF THE NORTHWEST ONE-QUARTER OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS SHOWN ON THE AMENDED PLAT OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, MARY A. LYMAN ET. AL., AS RECORDED IN PLAT BOOK 9, PAGE 74, LYING SOUTH OF THE LAKE WORTH DRAINAGE DISTRICT CANAL L-18, AS RECORDED IN OFFICIAL RECORD BOOK 7511, PAGE 1952, ALL OF PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID ISOLA BELLA ISLES - PHASE I; THENCE SOUTH 88°50'23" EAST ALONG THE NORTH LINE THEREOF, A DISTANCE OF 777.25 FEET; THENCE SOUTH 02°19'29" WEST ALONG THE EAST LINE OF SAID ISOLA BELLA ISLES - PHASE I, A DISTANCE OF 316.08 FEET; THENCE SOUTH 89°12'21" EAST ALONG THE NORTH LINE OF SAID ISOLA BELLA ISLES - PHASE I, A DISTANCE OF 385.72 FEET; THENCE SOUTH 02°52'11" WEST ALONG THE EAST LINE OF SAID ISOLA BELLA ISLES - PHASE I, A DISTANCE OF 962.15 FEET; THENCE NORTH 89°35'07" WEST ALONG THE SOUTH LINE OF SAID ISOLA BELLA ISLES - PHASE I, A DISTANCE OF 376.64 FEET; THENCE SOUTH 02°19'29" WEST ALONG THE EAST LINE OF SAID ISOLA BELLA ISLES - PHASE I, A DISTANCE OF 1,336.39 FEET; THENCE SOUTH 89°36'43" WEST ALONG THE SOUTH LINE OF SAID ISOLA BELLA ISLES - PHASE I, A DISTANCE OF 724.74 FEET; THENCE NORTH 01°10'08" EAST ALONG THE WEST LINE OF SAID ISOLA BELLA ISLES - PHASE I, A DISTANCE OF 686.29 FEET; THENCE NORTH 89°19'20" WEST ALONG THE SOUTH LINE OF SAID TRACT 14 OF THE AMENDED PLAT OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, MARY A. LYMAN ET. AL., A DISTANCE OF 434.49 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST; THENCE NORTH 04°29'07" EAST SAID WEST LINE, A DISTANCE OF 1,956.51 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID LAKE WORTH DRAINAGE DISTRICT CANAL L-18; THENCE SOUTH 89°00'25" EAST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 4.77 FEET; THENCE SOUTH 88°50'23" EAST, A DISTANCE OF 316.53 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.  
CONTAINING 3,075,805 SQUARE FEET OR 70.6108 ACRES MORE OR LESS.  
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.