

RESOLUTION NO. R-2014- 0731

RESOLUTION REVOKING RESOLUTIONS R-2009-374; R-2009-375; and,  
R-2011-1113  
(CONTROL NUMBER 2008-00129)  
AFFIRMING THE LEGISLATIVE ABANDONMENT  
OF ZONING APPLICATION ABN/PDD/DOA-2013-03126

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 ABN/PDD/DOA-2013-03126 was presented to the Board of County Commissioners at a public hearing on May 22, 2014; and

WHEREAS, Resolutions R-2009-374; R-2009-375; and, R-2011-1113 approving this application were adopted by the Board of County Commissioners on February 25, 2009 and July 28, 2011; 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 2008-00129; 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-2009-374; R-2009-375; and, R-2011-1113, approving Zoning Application PDD/R/TDR-2008-00798, the petition of Standard Pacific of South FL GP, Inc by Kilday & Associates, Inc., and the petition of Westbrooke Homes, Inc. and Standard Pacific of South Florida by Land Design South, Inc., agent, for a Requested Use to allow the Transfer of Development Rights (TDRs) for 115 TDR units and designate the site as a receiving area and to reduce the number of TDR units to 24, is hereby revoked.

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 Priscilla A. Taylor, Mayor	-	Aye
Commissioner Paulette Burdick, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Jess R. Santamaria	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted

on May 22, 2014.

Filed with the Clerk of the Board of County Commissioners on 11th day of June,  
2014

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

**ANDALUCIA PUD**  
**OVERALL LEGAL DESCRIPTION**

**DESCRIPTION**

TRACT 38, LESS THE NORTH 35.64 FEET, BLOCK 28, THE PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

TRACT 41, LESS THE WEST 70 FEET THEREOF AS DESCRIBED IN OFFICIAL RECORD BOOK 4549, PAGE 1311, BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH: TRACTS 42 & 43, BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

TRACTS 53 & 60, LESS THE SOUTH 35 FEET OF TRACT 60, BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

A PARCEL OF LAND LYING IN TRACT 44, BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT 44; THENCE NORTH 00°00'29" WEST ALONG THE WEST LINE OF SAID TRACT 44, A DISTANCE OF 49.96 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 540.00 FEET AND WHOSE CHORD BEARS SOUTH 82°06'07" EAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 14°27'05", A DISTANCE OF 136.20 FEET TO A POINT OF TANGENCY; THENCE SOUTH 74°52'34" EAST, A DISTANCE OF 58.77 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 460.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 14°39'56", A DISTANCE OF 117.74 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 44; THENCE SOUTH 89°59'31" WEST ALONG SAID SOUTH LINE OF TRACT 44, A DISTANCE OF 307.61 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

TOGETHER WITH:

THE EAST ½ OF TRACTS 54 AND 59, LESS THE SOUTH 35 FEET THEREOF, BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;  
TOGETHER WITH A PERPETUAL NON-EXCLUSIVE EASEMENT FOR EGRESS AND INGRESS FOR ALL PURPOSES AND IN ALL MANNERS OF TRAVERSE AND

PASSAGE FOR ITSELF, ITS SUCCESSORS AND ASSIGNS, AS WELL AS FOR ITS AGENTS AND SERVANTS, OVER, ALONG, UPON AND ACROSS THE FOLLOWING DESCRIBED LAND SITUATE IN PALM BEACH COUNTY, STATE OF FLORIDA, TO WIT:

THE WEST 30 FEET OF THE EAST 70 FEET OF TRACT 5, LESS THE NORTH 27 FEET THEREOF, BLOCK 28, ACCORDING TO THE PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 48, IN AND FOR THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND ALSO

COMMENCING AT THE NORTHEAST CORNER OF TRACT 12, BLOCK 28, ACCORDING TO THE PALM BEACH FARMS COMPANY PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGE 48, IN AND FOR THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WESTERLY, ALONG THE NORTH LINE OF SAID TRACT 12, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE WESTERLY ALONG THE NORTH LINE OF SAID TRACT 12, A DISTANCE OF 30 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 115.00 FEET AND A CENTRAL ANGLE OF 49°27'30" (THE TANGENT OF THE CURVE IS PERPENDICULAR TO THE LAST DESCRIBED COURSE); THENCE SOUTHERLY AND SOUTHEASTERLY, ALONG THE ARC OF THE SAID CURVE A DISTANCE OF 99.27 FEET TO THE END OF SAID CURVE AND THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 85.00 FEET AND A CENTRAL ANGLE OF 49°27'30", THENCE SOUTHEASTERLY AND SOUTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 73.37 FEET TO THE END OF THE SAID CURVE AND A POINT ON THE EAST LINE OF SAID TRACT 12; THENCE NORTHERLY ALONG THE EAST LINE OF SAID TRACT 12, A DISTANCE OF 77.46 FEET TO A POINT ON A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 115.00 FEET AND A CENTRAL ANGLE OF 7°06'57" (AND BEING CONCENTRIC WITH THE PREVIOUSLY DESCRIBED CURVE); THENCE NORTHWESTERLY, ALONG THE ARC OF THE SAID CURVE, A DISTANCE OF 14.28 FEET TO THE END OF THE SAID CURVE AND THE BEGINNING OF A CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 85.00 FEET AND A CENTRAL ANGLE OF 49°27'30" (AND BEING CONCENTRIC WITH THE FIRST DESCRIBED CURVE); THENCE NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 73.37 FEET TO THE END OF THE SAID CURVE AND THE POINT OF BEGINNING TOGETHER WITH ALL IMPROVEMENTS LOCATED THEREON.

THE ABOVE DESCRIBED PARCELS OF LAND CONTAINS 67.76 ACRES, MORE OR LESS.

ACCESS EASEMENTS TO PROPERTY NOT DEPICTED HEREON. ACCESS IS CONTINUOUS FROM SOUTH LINE OF L.W.D.D. CANAL RW THROUGH ACCESS EASEMENTS AND PLATTED PALM BEACH FARMS COMPANY PLATTED ROAD RIGHTS OF WAY, TO THE SUBJECT PARCEL