

RESOLUTION APPROVING ZONING APPLICATION ABN/PDD/DOA-2013-03126
(CONTROL NO. 2008-00129)

an Official Zoning Map Amendment to a Planned Development District
APPLICATION OF Standard Pacific of South Florida, GP
BY Urban Design Kilday Studios, AGENT
(Andalucia PUD)

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

WHEREAS, the notice and public hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended), have been satisfied;

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

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of the various County review agencies, and the recommendation of the Zoning Commission;

WHEREAS, the, Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended) is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.1.B; and,

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 ABN/PDD/DOA-2013-03126, the application of Standard Pacific of South Florida, GP, by Urban Design Kilday Studios, agent, for an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch in EXHIBIT B, attached hereto and made a part hereof, was approved on May 22, 2014 subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

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 Mayor 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 June 11, 2014.

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



The seal is circular with a double-line border. The outer ring contains the text "BOARD OF COUNTY COMMISSIONERS" at the top and "PALM BEACH COUNTY FLORIDA" at the bottom, separated by a star on the left. The center of the seal contains the handwritten signature of Sharon R. Bock.

EXHIBIT A

LEGAL DESCRIPTION

ANDALUCIA PUD

9.73-ACRE LEGAL DESCRIPTION

DESCRIPTION

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.

CONTAINS 9.73 ACRES, MORE OR LESS.

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

EXHIBIT B
VICINITY SKETCH

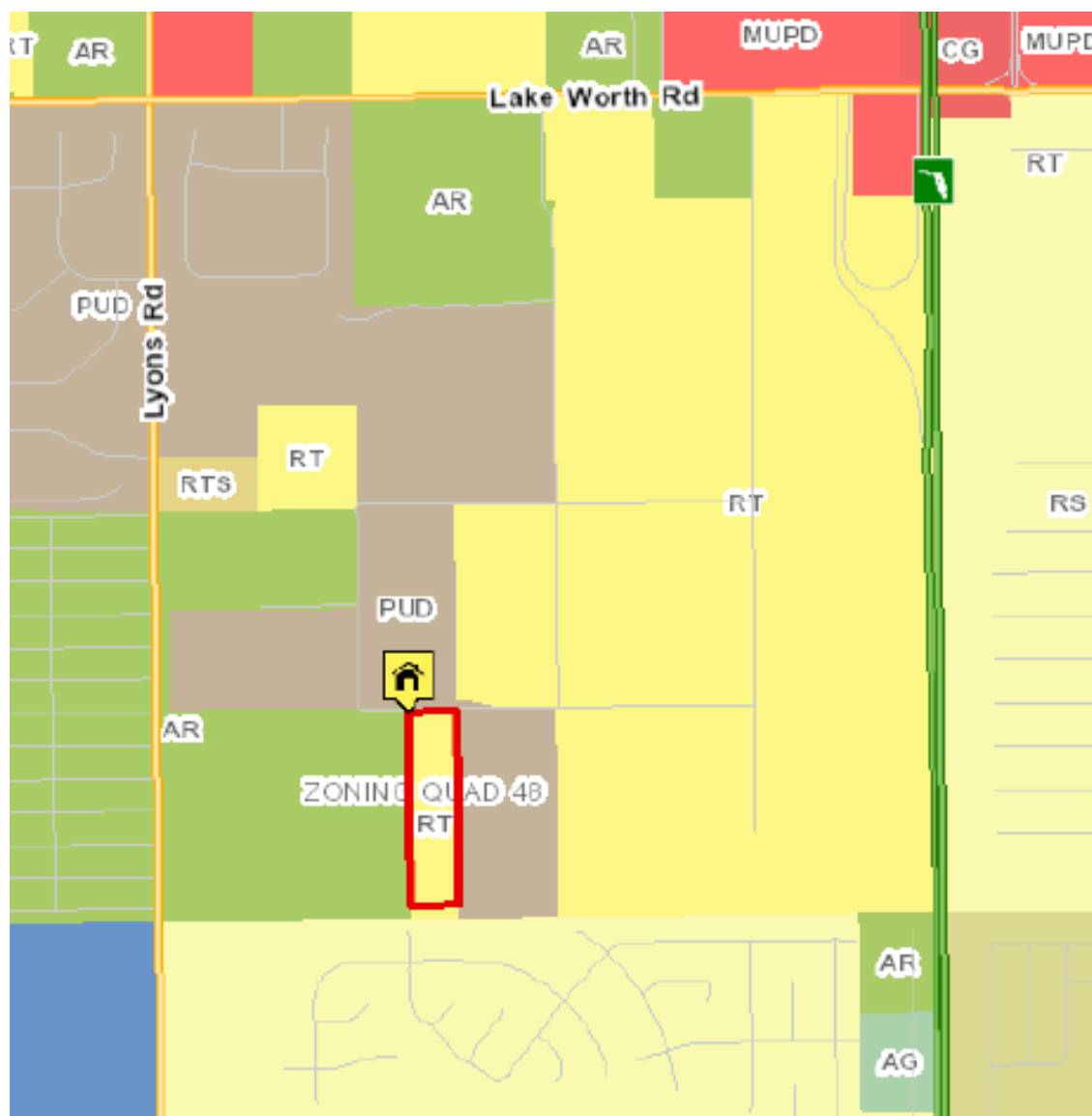


EXHIBIT C
CONDITIONS OF APPROVAL

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.