

RESOLUTION NO. R-2015-0010

RESOLUTION APPROVING ZONING APPLICATION ZV/PDD/DOA-2014-00940  
(CONTROL NO. 2004-00369)  
an Official Zoning Map Amendment to a Planned Development District  
APPLICATION OF Delray Beach Associates I, LLC  
BY G.L. Homes, AGENT  
(Valencia Cove AGR-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 ZV/PDD/DOA-2014-00940 was presented to the Board of County Commissioners at a public hearing conducted on January 8, 2015;

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 ZV/PDD/DOA-2014-00940, the application of Delray Beach Associates I, LLC, by G.L. Homes, agent, for an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-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 January 8, 2015 subject to the Conditions of Approval described in EXHIBIT C-2, attached hereto and made a part hereof.

Commissioner Abrams moved for the approval of the Resolution.

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

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

The Mayor thereupon declared that the resolution was duly passed and adopted on January 8, 2015.

Filed with the Clerk of the Board of County Commissioners on January 14, 2015.

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



EXHIBIT A

LEGAL DESCRIPTION

**LEGAL DESCRIPTION VALENCIA ASSEMBLAGE – DEVELOPMENT PARCEL**

BEING ALL OF TRACTS A-1, D-3 AND D-4, AND A PORTION OF TRACT A-2, OF CANYON ISLES PRESERVE PLAT TWO, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 104, PAGES 152 THROUGH 156, A PORTION OF ACME DAIRY ROAD RIGHT-OF-WAY ACCORDING TO THE ROAD, DYKE AND DITCH RESERVATION 30 FEET IN WIDTH, LYING BETWEEN TRACTS 73, 88, 105, 116 AND TRACTS 72, 89, 104 AND 117, BLOCK 63 ACCORDING TO PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 45, (SAID RESERVATION ALSO LYING BETWEEN SAID TRACTS A-1 AND A-2) ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID TRACT A-2; THENCE SOUTH 89°00'54" WEST, ALONG THE SOUTH LINE OF SAID TRACT A-2, A DISTANCE OF 306.73 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°00'54" WEST ALONG THE SOUTH LINE OF SAID TRACTS A-1 AND A-2, A DISTANCE OF 4650.31 FEET; THENCE ALONG THE WESTERLY BOUNDARY OF SAID TRACT A-1 FOR THE FOLLOWING SIX (6) DESCRIBED COURSES, NORTH 00°23'30" WEST, A DISTANCE OF 19.74 FEET; THENCE NORTH 89°00'54" EAST, A DISTANCE OF 100.01 FEET; THENCE NORTH 00°23'30" WEST, A DISTANCE OF 1327.06 FEET; THENCE NORTH 00°49'13" EAST, A DISTANCE OF 260.06 FEET; THENCE NORTH 00°23'30" WEST, A DISTANCE OF 209.23 FEET; THENCE NORTH 13°06'15" EAST, A DISTANCE OF 51.42 FEET; THENCE NORTH 00°23'30" WEST, A DISTANCE OF 331.83 FEET; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID TRACTS A-1 AND A-2 FOR THE FOLLOWING SEVEN (7) DESCRIBED COURSES, NORTH 89°36'30" EAST, A DISTANCE OF 390.00 FEET; THENCE NORTH 88°41'30" EAST, A DISTANCE OF 250.03 FEET; THENCE NORTH 88°20'07" EAST, A DISTANCE OF 720.18 FEET; THENCE NORTH 89°36'30" EAST, A DISTANCE OF 1143.18 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 2160.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°37'37", A DISTANCE OF 702.22 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 2040.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°46'10", A DISTANCE OF 27.39 FEET; THENCE NORTH 89°36'30" EAST, A DISTANCE OF 1313.43 FEET; THENCE SOUTH 00°23'30" EAST ALONG A LINE 300.00 FEET WEST OF (AS MEASURED AT RIGHT ANGLE TO) AND PARALLEL WITH THE EAST LINE OF SAID TRACT A-2, A DISTANCE OF 2292.46 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL OF LAND:

BEING A PORTION OF TRACT A-1, CANYON ISLES PRESERVE PLAT ONE, AS RECORDED IN PLAT BOOK 104, PAGES 139 AND 140, A PORTION OF TRACT "A-1", CANYON SPRINGS PRESERVE PLAT NO. 2, AS RECORDED IN PLAT BOOK 107, PAGES 105 THROUGH 107, TOGETHER WITH A PORTION OF TRACTS 8 THROUGH 16, AND A PORTION OF THAT ROAD, DYKE AND DITCH RESERVATION 30.00 FEET IN WIDTH, LYING BETWEEN TRACTS 8 AND 9, ALL IN BLOCK 63 ACCORDING TO PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, TOGETHER WITH A PORTION OF VALENCIA COVE AGR-P.U.D. - PLAT ONE, AS RECORDED IN PLAT BOOK 117, PAGES 46 THROUGH 62, ALL OF VALENCIA COVE AGR-P.U.D. - PLAT TWO, AS RECORDED IN PLAT BOOK 117, PAGES 78 THROUGH 80, ALL OF VALENCIA COVE AGR-P.U.D. - PLAT THREE, AS RECORDED IN PLAT BOOK 117, PAGES 81 THROUGH 89, ALL OF VALENCIA COVE AGR-P.U.D. - PLAT FOUR, AS RECORDED IN PLAT BOOK 117, PAGES 123 THROUGH 131, ALL OF VALENCIA COVE AGR-P.U.D. - PLAT FIVE, AS RECORDED IN PLAT BOOK 117, PAGES 174 THROUGH 176, AND A PORTION OF VALENCIA COVE AGR-

P.U.D. - PLAT SIX, AS RECORDED IN PLAT BOOK 117, PAGES 157 THROUGH 165, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID VALENCIA COVE AGR-P.U.D. - PLAT SIX; THENCE NORTH 89°36'30" EAST ALONG THE SOUTH BOUNDARY LINE OF SAID VALENCIA COVE AGR-P.U.D. - PLAT SIX, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°23'30" WEST, ALONG THE EAST LINE OF TRACT OS1, ACCORDING TO SAID VALENCIA COVE AGR-P.U.D. - PLAT SIX, TRACT OS1 AND OS2 ACCORDING TO SAID VALENCIA COVE AGR-P.U.D. PLAT ONE AND ITS NORTHERLY EXTENSION, A DISTANCE OF 2,643.60 FEET; THENCE NORTH 89°36'30" EAST ALONG A LINE 26.40 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLE TO) AND PARALLEL WITH THE NORTH LINE OF SAID TRACTS 9 THROUGH 16, A DISTANCE OF 2525.08 FEET; THENCE SOUTH 00°23'29" EAST, A DISTANCE OF 3.96 FEET; THENCE NORTH 89°36'30" EAST ALONG A LINE 30.36 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLE TO) AND PARALLEL WITH THE NORTH LINE OF SAID TRACT 8, A DISTANCE OF 344.96 FEET; THENCE SOUTH 00°26'28" EAST ALONG THE EAST LINE OF SAID TRACT 8, A DISTANCE OF 5.64 FEET; THENCE NORTH 89°36'30" EAST ALONG THE NORTH BOUNDARY OF SAID VALENCIA COVE AGR-P.U.D. - PLAT THREE AND THE NORTH BOUNDARY OF SAID TRACT "A-1", CANYON SPRINGS PRESERVE PLAT NO. 2, A DISTANCE OF 660.00 FEET; THENCE ALONG THE NORTH BOUNDARY OF SAID TRACT "A-1", CANYON SPRINGS PRESERVE PLAT NO. 2, FOR THE FOLLOWING SIX (6) DESCRIBED COURSES, NORTH 00°26'28" WEST, A DISTANCE OF 0.36 FEET, THENCE NORTH 89°36'30" EAST, A DISTANCE OF 660.00 FEET; THENCE SOUTH 00°26'28" EAST, A DISTANCE OF 0.36 FEET; THENCE NORTH 89°36'30" EAST, A DISTANCE OF 330.00 FEET; THENCE NORTH 00°26'28" WEST, A DISTANCE OF 0.36 FEET; THENCE NORTH 89°36'30" EAST, A DISTANCE OF 29.66 FEET; THENCE DEPARTING SAID NORTH LINE, SOUTH 00°26'28" EAST ALONG A LINE 300.34 FEET WESTERLY OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE EAST LINE OF SAID TRACT "A-1", CANYON SPRINGS PRESERVE PLAT NO. 2, A DISTANCE OF 1,813.86 FEET; THENCE SOUTH 49°54'03" WEST, A DISTANCE OF 198.17 FEET; THENCE NORTH 82°55'09" WEST, A DISTANCE OF 496.45 FEET; THENCE SOUTH 26°34'43" WEST, A DISTANCE OF 437.90 FEET; THENCE SOUTH 39°07'46" WEST, A DISTANCE OF 321.79 FEET, TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 2,160.00 FEET, WHOSE RADIUS POINT BEARS SOUTH 09°57'30" EAST FROM SAID POINT AND A CENTRAL ANGLE OF 09°03'36"; THENCE WESTERLY, ALONG THE SOUTH LINE OF SAID TRACT A-1, CANYON ISLES PRESERVE PLAT ONE AND THE SOUTH LINE OF SAID VALENCIA COVE AGR-P.U.D. - PLAT THREE AND ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 341.55 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 2,040.00 FEET AND A CENTRAL ANGLE OF 03°34'26"; THENCE WESTERLY, ALONG THE SOUTH LINE OF SAID VALENCIA COVE AGR-P.U.D. - PLAT THREE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 127.25 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE SOUTH 89°36'30" WEST, ALONG THE SOUTH BOUNDARY LINE OF SAID VALENCIA COVE AGR-P.U.D. - PLAT THREE AND VALENCIA COVE AGR-P.U.D. - PLAT SIX, A DISTANCE OF 3050.52 FEET TO THE POINT OF BEGINNING

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL OF LAND:

BEING A PORTION OF TRACT "A", CANYON SPRINGS PRESERVE PLAT NO. 5, AS RECORDED IN PLAT BOOK 107, PAGES 112 THROUGH 114, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA TOGETHER WITH A PORTION OF ACME DAIRY ROAD RIGHT-OF-WAY ACCORDING TO OFFICIAL RECORDS BOOK 18673, PAGE 7 AND ABANDONED ACCORDING TO OFFICIAL RECORDS BOOK 25584, PAGE 959, ALL OF SAID PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID TRACT "A", CANYON SPRINGS PRESERVE PLAT NO. 5; THENCE SOUTH 89°36'30" WEST ALONG THE SOUTH LINE OF SAID TRACT "A", A DISTANCE OF 300.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°36'30" WEST ALONG SAID SOUTH LINE OF SAID TRACT "A" AND ITS WESTERLY EXTENSION, A DISTANCE OF 1,858.90 FEET, TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1,640.00 FEET, WHOSE RADIUS POINT BEARS SOUTH 62°05'38" EAST FROM SAID POINT AND A CENTRAL ANGLE OF 18°16'21"; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT AND ALONG THE EASTERLY BOUNDARY LINE OF CANYON SPRINGS, AS RECORDED IN PLAT BOOK 107, PAGES 145 THROUGH 169, SAID PUBLIC RECORDS, A DISTANCE OF 523.02 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1,660.00 FEET AND A CENTRAL ANGLE OF 17°11'06"; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT AND ALONG SAID EASTERLY BOUNDARY LINE, A DISTANCE OF 497.89 FEET TO A POINT OF RADIAL INTERSECTION; THENCE SOUTH 61°00'23" EAST, A DISTANCE OF 80.00 FEET TO A POINT OF RADIAL INTERSECTION WITH A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1,740.00 FEET AND A CENTRAL ANGLE OF 04°50'23"; THENCE ALONG THE WESTERLY BOUNDARY OF SAID OF SAID TRACT "A" FOR THE FOLLOWING SIX (6) DESCRIBED COURSE, NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 146.98 FEET TO A POINT TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 32.00 FEET AND A CENTRAL ANGLE OF 47°19'17"; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 26.43 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 77.00 FEET AND A CENTRAL ANGLE OF 100°02'46"; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 134.45 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 32.00 FEET AND A CENTRAL ANGLE OF 47°19'17"; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 26.43 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1,740.00 FEET AND A CENTRAL ANGLE OF 29°26'05"; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 893.89 FEET TO A POINT OF TANGENCY; THENCE NORTH 10°41'03" WEST, A DISTANCE OF 409.41 FEET; THENCE NORTH 89°36'33" EAST, ALONG A LINE 300.01 FEET SOUTHERLY OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE NORTH LINE OF SAID TRACT "A", CANYON SPRINGS PRESERVE PLAT NO. 5, A DISTANCE OF 1042.66 FEET; THENCE SOUTH 00°26'28" EAST ALONG A LINE 300.01 FEET WESTERLY OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE EAST LINE OF SAID TRACT "A", A DISTANCE OF 2332.77 FEET TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 556.963 ACRES, MORE OR LESS.

EXHIBIT B

VICINITY SKETCH

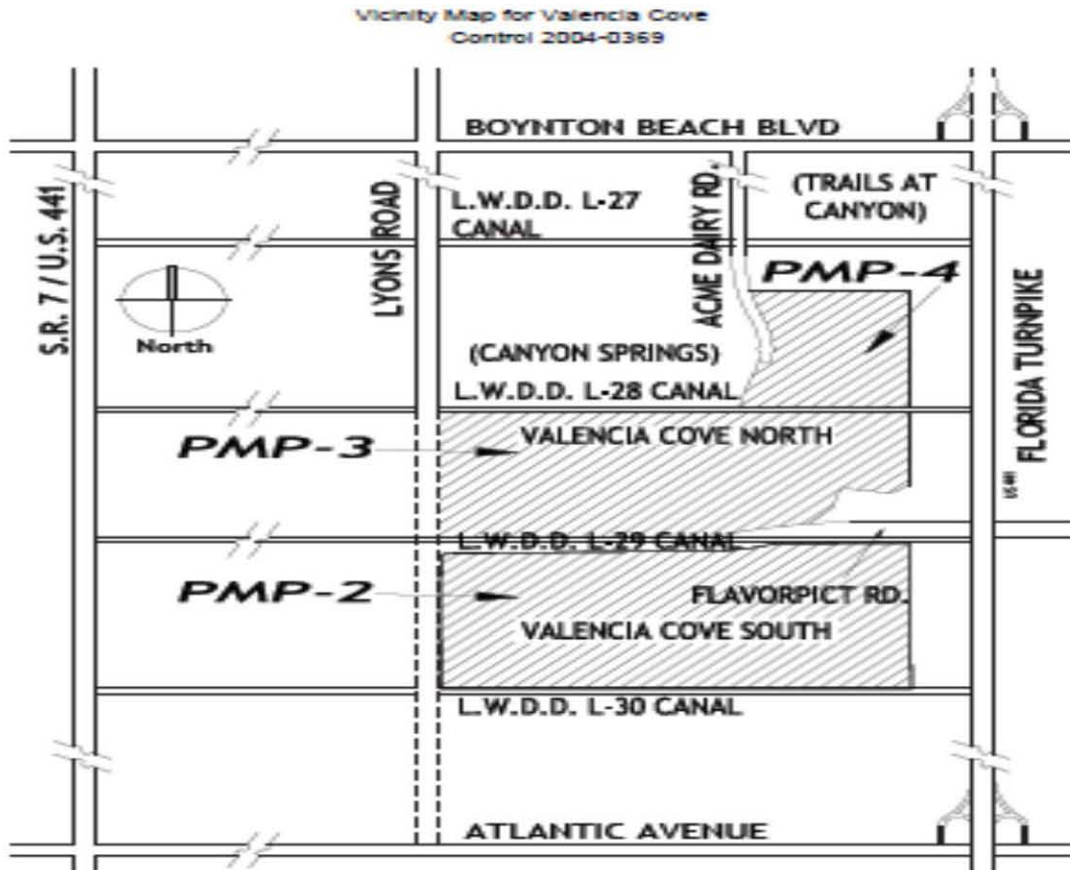


EXHIBIT C-2

CONDITIONS OF APPROVAL

**Official Zoning Map Amendment**

DISCLOSURE

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