

RESOLUTION NO. R-2016- 0545

RESOLUTION APPROVING ZONING APPLICATION ABN/Z/CA-2015-01717
(CONTROL NO. 2003-00061)
an Official Zoning Map Amendment
APPLICATION OF TLH-38 Purdy, LLC, K Angelocci Realty LLC
BY Wantman Group Inc., AGENT
(Purdy Royale)

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 pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application ABN/Z/CA-2015-01717 was presented to the Board of County Commissioners at a public hearing conducted on April 28, 2016;

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 ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Process) for an Official Zoning Map Amendment;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC 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 Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the ULDC 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/Z/CA-2015-01717, the Application of TLH-38 Purdy, LLC, K Angelocci Realty LLC, by Wantman Group Inc., Agent, for an Official Zoning Map Amendment to allow a rezoning from the Planned Unit Development (PUD) Zoning District to the Residential Single-Family (RS) Zoning District, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on April 28, 2016, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Abrams moved for the approval of the Resolution.

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

Commissioner Mary Lou Berger, Mayor	- Aye
Commissioner Hal R. Valeche, Vice Mayor	- Aye
Commissioner Paulette Burdick	- Aye
Commissioner Shelley Vana	- Aye
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 April 28, 2016.

Filed with the Clerk of the Board of County Commissioners on May 6th, 2016.

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 PER TITLE POLICY:

PARCEL 1:

THE WEST ONE-HALF OF THE EAST ONE-HALF OF THE EAST ONE-HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 44 SOUTH, RANGE 42 EAST, BEING A PART OF LOTS 21 TO 24, INCLUSIVE OF MODEL LAND COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 5, PAGE 78. LESS AND EXCEPT THE RIGHT-OF-WAY OF PURDY LANE AND ALSO LESS AND EXCEPT THE RIGHT-OF-WAY OF THE LAKE WORTH DRAINAGE DISTRICT L-9 CANAL.

PARCEL 2:

THE NORTH 464 FEET OF THE EAST 138 FEET OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. LESS AND EXCEPT THE RIGHT-OF-WAY OF PURDY LANE.

PARCEL 3:

THE EAST 138 FEET OF THE SOUTH 36 FEET OF THE NORTH 500 FEET OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

PARCEL 4:

THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. LESS AND EXCEPT THE NORTH 500.0 FEET OF THE EAST 138.0 FEET, THEREOF. ALSO LESS AND EXCEPT THE RIGHT-OF-WAY OF PURDY LANE AND ALSO LESS AND EXCEPT THE RIGHT-OF-WAY OF THE LAKE WORTH DRAINAGE DISTRICT L-9 CANAL.

ALSO LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCELS FROM PARCEL 4 ABOVE:

PARCEL B:

FROM THE NORTHEAST CORNER OF TRACT 21 OF THE MODEL LAND COMPANY SUBDIVISION OF SECTION 14, TOWNSHIP 44 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 5, PAGE 78 IN PALM BEACH COUNTY, FLORIDA, PUBLIC RECORDS, RUN SOUTH 89°31'20" WEST ALONG THE NORTH LINE OF SAID TRACT 21, 470.12 FEET TO A POINT; THENCE SOUTH 0° 2' 30" EAST A DISTANCE OF 280 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 0° 2'30" EAST A DISTANCE OF 110 FEET TO A POINT; THENCE WEST A DISTANCE OF 97.35 FEET TO A POINT; THENCE NORTH A DISTANCE OF 110 FEET TO A POINT; THENCE EAST A DISTANCE OF 97.27 FEET TO THE POINT OF BEGINNING. LESS THEREFROM THE WEST 15 FEET FOR ROADWAY PURPOSES.

PARCEL C:

PART OF THE WEST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF MODEL LAND CO. SUBDIVISION OF SECTION 14, TOWNSHIP 44 SOUTH, RANGE 42 EAST, LESS THE NORTH 500 FEET OF THE EAST 138 FEET THEREOF ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA IN PLAT BOOK 5, PAGE 78, PALM BEACH COUNTY, PUBLIC RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTHERLY ALONG THE EAST LINE OF THE ABOVE DESCRIBED PROPERTY, A DISTANCE OF 500.0 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF THE ABOVE DESCRIBED PROPERTY, A DISTANCE OF 138 FEET TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING, CONTINUE WESTERLY ALONG THE SAME COURSE A DISTANCE OF 97.43 FEET; THENCE NORTHERLY PARALLEL WITH THE WEST LINE OF THE ABOVE DESCRIBED PROPERTY A DISTANCE OF 110 FEET; THENCE EASTERLY PARALLEL WITH THE WESTERLY COURSE OF AFORE-DESCRIBED, A DISTANCE OF 97.35 FEET; THENCE SOUTHERLY ALONG THE EAST LINE OF THE ABOVE DESCRIBED PROPERTY A DISTANCE OF 110 FEET TO THE POINT OF BEGINNING.

PARCEL D:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 14, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; THENCE RUNNING SOUTH 2° 13' 57" W ALONG THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 1300.85 FEET TO THE CENTER LINE OF PURDY LANE AS LAID OUT AND IN USE; THENCE SOUTH 88°07'33" WEST; ALONG THE CENTER LINE OF SAID PURDY LANE AND PARALLEL TO THE NORTH LINE OF THE SOUTH ONE HALF (1/2) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 14, A DISTANCE OF 2001.98 FEET; THENCE SOUTH 2° 25' 12" WEST A DISTANCE OF 270.74 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 2° 25' 12" WEST A DISTANCE OF 110 FEET; THENCE SOUTH 88°13' 10" EAST A DISTANCE OF 97 FEET; THENCE N 2° 25' 12" EAST A DISTANCE OF 110 FEET; THENCE SOUTH 88° 13'10" WEST A DISTANCE OF 97 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT THE RIGHT-OF-WAY FOR WESTWOOD ROAD AS NOW LAID OUT AND IN USE AND AS DESCRIBED IN DEEDS RECORDED IN O.R. BOOK 2730, PAGE 1808; O.R. BOOK 2730, PAGE 1811; O.R. BOOK 2730, PAGE 1830; O.R. BOOK 2730, PAGE 1832; O.R. BOOK 2730, PAGE 1834 AND O.R. BOOK 2771, PAGE 688, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOTAL AREA CONTAINING 593,196.81 SQUARE FEET OR 13.618 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

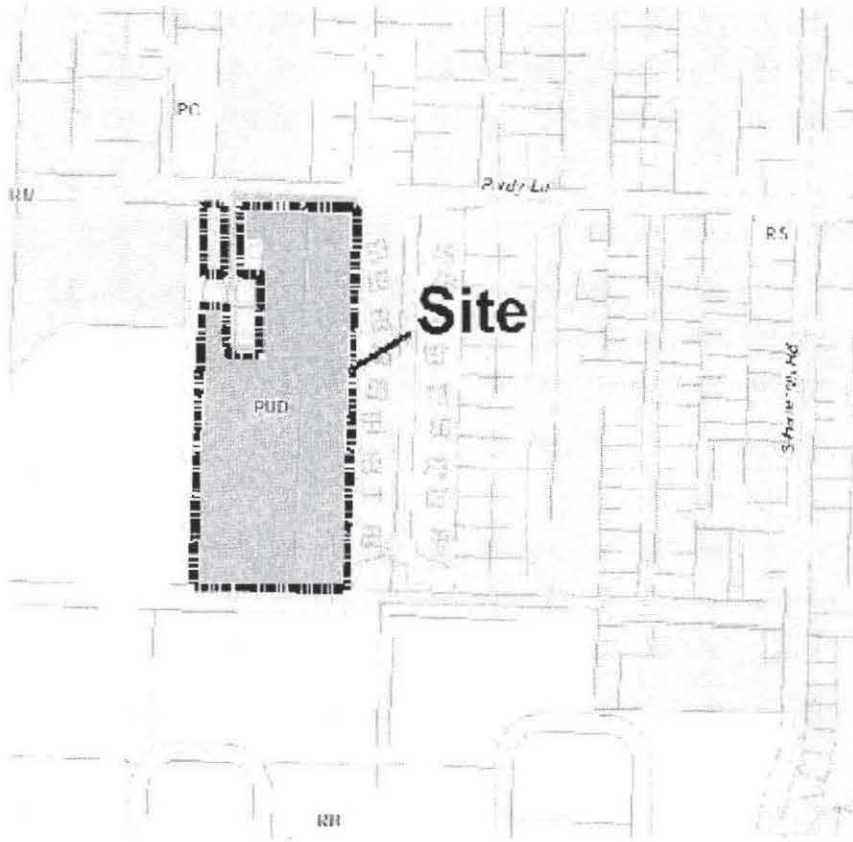


EXHIBIT C
CONDITIONS OF APPROVAL

DISCLOSURE

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