

RESOLUTION NO. R-2016- 1836

RESOLUTION APPROVING ZONING APPLICATION ABN/PDD/DOA-2016-01248
(CONTROL NO. 2014-00064)
an Official Zoning Map Amendment
APPLICATION OF Lennar Homes LLC, Verzaal Family Ltd Ptnrshp
BY Urban Design Kilday Studios, AGENT
(Flavor Pict Townhomes 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 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/PDD/DOA-2016-01248 was presented to the Board of County Commissioners at a public hearing conducted on December 7, 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/PDD/DOA-2016-01248, the Application of Lennar Homes LLC, Verzaal Family Ltd Ptnrshp, by Urban Design Kilday Studios, Agent, for an Official Zoning Map Amendment to allow a rezoning from the Residential Transitional Urban (RTU) Zoning District to the Planned Unit Development (PUD) 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 indicated on a vicinity sketch in EXHIBIT B, attached hereto and made a part hereof, was approved on December 7, 2016 subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Berger moved for the approval of the Resolution.

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

Commissioner Paulette Burdick, Mayor	- Aye
Commissioner Melissa McKinlay, Vice Mayor	- Absent
Commissioner Hal R. Valeche	- Aye
Commissioner Dave Kerner	- Aye
Commissioner Steven L. Abrams	- Aye
Commissioner Mary Lou Berger	- Aye
Commissioner Mack Bernard	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on December 7, 2016.

Filed with the Clerk of the Board of County Commissioners on December 19th, 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

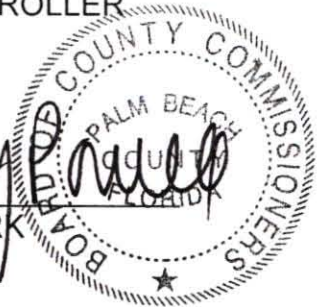


EXHIBIT A
LEGAL DESCRIPTION

PARCEL 1:

A PARCEL OF LAND SITUATE IN SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST ONE-HALF (E ½) OF THE NORTHEAST ONE-QUARTER (NE ¼) OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHEAST ONE-QUARTER (SE ¼), LESS AND EXCEPTING THE NORTH 8.00 FEET THEREOF, AND THE SOUTH 2.00 FEET OF THE NORTH 10.00 FEET OF THE EAST 169.16 FEET THEREOF, AND THE WEST 60.00 FEET THEREOF; AND LESS AND EXCEPT:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 2; THENCE SOUTH 01°53'42" EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼), 10.00 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 89°11'04" WEST ALONG THE EXISTING RIGHT-OF-WAY LINE OF FLAVOR-PICT ROAD, PER ROAD PLAT 3, PAGE 59, OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY, 169.19 FEET TO A POINT ON THE WEST LINE OF THE EAST 169.16 FEET OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 2; THENCE CONTINUE SOUTH 89°11'04" WEST 0.42 FEET; THENCE NORTH 00°48'56" WEST 2.0 FEET; THENCE SOUTH 89°11'04" WEST AGAIN ON THE EXISTING SOUTH RIGHT-OF-WAY LINE OF FLAVOR-PICT ROAD REFERENCED ABOVE, 103.11 FEET TO THE EAST LINE OF THE WEST 60.00 FEET OF THE EAST HALF (E ½) OF SAID NORTHEAST QUARTER (NE ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 2; THENCE SOUTH 01°49'16" EAST ALONG SAID EAST LINE 31.52 FEET TO THE PROPOSED SOUTH RIGHT-OF-WAY LINE OF FLAVOR-PICT ROAD; THENCE NORTH 89°58'09" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 103.58 FEET TO THE WEST LINE OF THE EAST 169.16 FEET OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 2; THENCE CONTINUE NORTH 89°58'09" EAST ALONG THE PROPOSED RIGHT-OF-WAY LINE 162.02 FEET TO A POINT; THENCE NORTH 89°11'04" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE AND 43.16 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 2, 7.23 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 2; THENCE NORTH 01°53'42" WEST ALONG SAID EAST LINE, 33.16 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A PARCEL OF LAND SITUATE IN SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 123.87 FEET OF THE NORTHWEST ONE-QUARTER (NW ¼) OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF THE SOUTHEAST ONE-QUARTER (SE ¼), LESS AND EXCEPTING THE NORTH 10.00 FEET THEREOF, LESS AND EXCEPT: THE SOUTH 33.16 FEET OF THE NORTH 43.16 FEET OF THE WEST 123.87 FEET OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SAID SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 2.

CONTAINING 249,362 SQUARE FEET OR 5.725 ACRES, MORE OR LESS.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

EXHIBIT B
VICINITY SKETCH

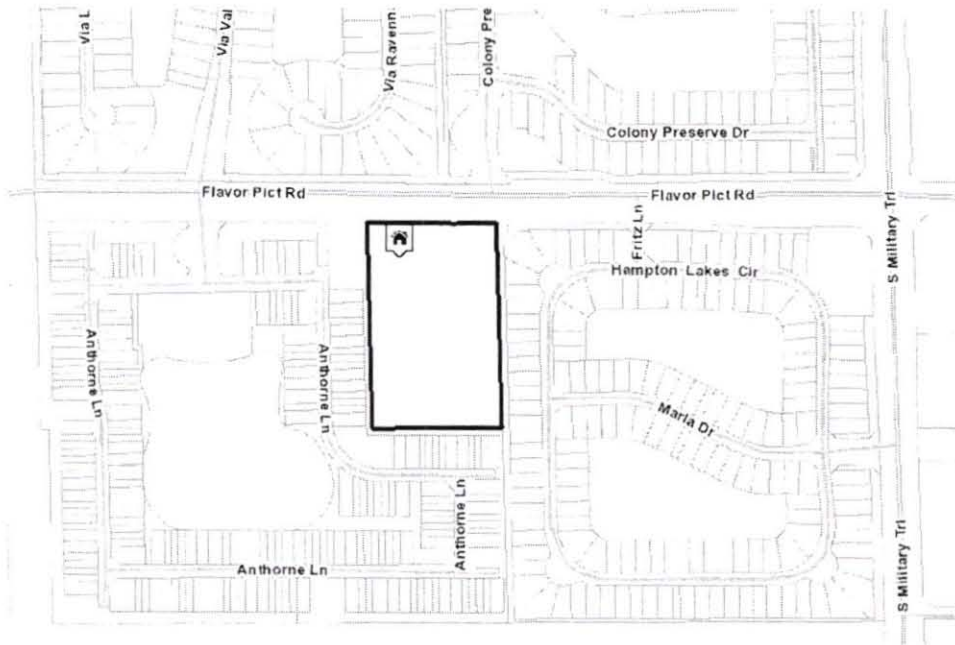


EXHIBIT C
CONDITIONS OF APPROVAL

DISCLOSURE

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