

RESOLUTION NO. R-2017- 0970

RESOLUTION APPROVING ZONING APPLICATION ZV/PDD/DOA-2016-02199  
(CONTROL NO. 1991-00047)  
an Official Zoning Map Amendment to a Planned Development District  
APPLICATION OF Mazal Land, LLC  
BY Miller Land Planning, AGENT  
(Hagen Ranch Commerce Center MUPD)

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 ZV/PDD/DOA-2016-02199 was presented to the Board of County Commissioners at a public hearing conducted on July 27, 2017;

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 ZV/PDD/DOA-2016-02199, the Application of Mazal Land, LLC, by Miller Land Planning, Agent, for an Official Zoning Map Amendment to allow rezoning from the Agriculture Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) 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 July 27, 2017, 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	- Aye
Commissioner Hal R. Valeche	- Absent
Commissioner Dave Kerner	- Aye
Commissioner Steven L. Abrams	- Absent
Commissioner Mary Lou Berger	- Aye
Commissioner Mack Bernard	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on July 27, 2017.

Filed with the Clerk of the Board of County Commissioners on August 2nd, 2017.

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

#### LAND DESCRIPTION:

##### PARCEL 1:

COMMENCING AT A POINT AT THE SOUTHWEST CORNER OF THE FOLLOWING DESCRIBED PARCEL, TO-WIT; THE EAST HALF OF TRACT 7 AND THE WEST ONE-QUARTER OF TRACT 6, BLOCK 55, "PALM BEACH FARMS COMPANY PLAT NO. 3" (SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, FOR A POINT OF BEGINNING; THENCE RUN NORTHERLY, ALONG THE WEST BOUNDARY OF THE ABOVE-DESCRIBED PARCEL A DISTANCE OF 275 FEET TO A POINT; THENCE EASTERLY, PARALLEL TO THE SOUTH BOUNDARY OF THE ABOVE-DESCRIBED PARCEL FOR A DISTANCE OF 100 FEET TO A POINT; THENCE SOUTHERLY, PARALLEL TO THE FIRST DESCRIBED COURSE A DISTANCE OF 275 FEET TO A POINT; THENCE WESTERLY ALONG THE SOUTH BOUNDARY OF THE ABOVE-DESCRIBED PARCEL A DISTANCE OF 100 FEET TO THE POINT OF BEGINNING.

AND

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 7, BLOCK 55, "PALM BEACH FARMS COMPANY PLAT NO. 3", SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 45, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE RUN EASTERLY ALONG THE SOUTH LINE OF TRACT 7, A DISTANCE OF 165 FEET; THENCE RUN NORTHERLY PARALLEL TO THE WEST LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 275 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTHERLY 90 FEET AND PARALLEL TO THE WEST LINE OF TRACT 7; THENCE RUN EASTERLY AND PARALLEL TO THE SOUTH LINE OF TRACT 7, A DISTANCE OF 100 FEET; THENCE RUN SOUTHERLY AND PARALLEL TO THE WEST LINE OF TRACT 7, A DISTANCE OF 90 FEET; THENCE RUN WESTERLY AND PARALLEL TO THE SOUTH LINE OF TRACT 7, A DISTANCE OF 100 FEET TO THE POINT OF BEGINNING.

##### PARCEL 2:

COMMENCING AT A POINT AT THE SOUTHEAST CORNER OF THE FOLLOWING PARCEL, TO-WIT: THE EAST HALF OF TRACT 7 AND THE WEST ONE-QUARTER OF TRACT 6, BLOCK 55, "PALM BEACH FARMS COMPANY PLAT NO.3", SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, FOR A POINT OF BEGINNING; THENCE RUN NORTHERLY ALONG THE EAST BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR A DISTANCE OF 75 FEET TO A POINT; THENCE WESTERLY PARALLEL TO THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR A DISTANCE OF 75 FEET TO A POINT; THENCE SOUTHERLY PARALLEL TO THE FIRST DESCRIBED COURSE, A DISTANCE OF 75 FEET TO A POINT; THENCE EASTERLY ALONG THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL, A DISTANCE OF 75 FEET TO THE POINT OF BEGINNING.

AND

COMMENCING AT A POINT AT THE SOUTHEAST CORNER OF THE FOLLOWING DESCRIBED PARCEL, TO-WIT: THE EAST HALF OF TRACT 7 AND THE WEST ONE-QUARTER OF TRACT 6, BLOCK, 55, "PALM BEACH FARMS COMPANY PLAT NO. 3", IN SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THENCE RUN NORTHERLY ALONG THE EAST BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR A DISTANCE OF 75 FEET TO A POINT; THENCE WESTERLY PARALLEL TO THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL A DISTANCE OF 75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE WESTERLY PARALLEL TO THE SOUTH BOUNDARY 50 FEET TO A POINT; THENCE SOUTHERLY PARALLEL TO THE FIRST DESCRIBED COURSE, A DISTANCE OF 75 FEET TO A POINT; THENCE EASTERLY ALONG THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL A DISTANCE OF 50 FEET TO A POINT; THENCE NORTHERLY A DISTANCE OF 75 FEET TO THE POINT OF BEGINNING.

AND

COMMENCING AT A POINT AT THE SOUTHEAST CORNER OF THE FOLLOWING DESCRIBED PARCEL, TO-WIT: THE EAST HALF OF TRACT 7 AND THE WEST ONE-QUARTER OF TRACT 6, BLOCK 55, "PALM BEACH FARMS COMPANY PLAT NO.3", IN SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE RUN NORTHERLY ALONG THE EAST BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR A DISTANCE OF 75 FEET TO A POINT OF BEGINNING; THENCE CONTINUE NORTHERLY ALONG THE SAID EASTERLY BOUNDARY FOR A DISTANCE OF 200 FEET TO O POINT; THENCE WESTERLY PARALLEL WITH THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR A DISTANCE OF 100 FEET TO A POINT; THENCE SOUTHERLY PARALLEL WITH THE FIRST DESCRIBED COURSE A DISTANCE OF 200 FEET TO A POINT; THENCE EASTERLY ALONG A LINE WHICH IS 75 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF TRACTS 6 AND 7 A DISTANCE OF 100 FEET TO THE POINT OF BEGINNING.



AND

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 7, BLOCK 55, "THE PALM BEACH FARMS COMPANY PLAT NO. 3", SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THENCE RUN EASTERLY ALONG THE SOUTH LINE OF TRACT 7, A DISTANCE OF 265 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTHERLY PARALLEL WITH THE WEST LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 275.0 FEET TO A POINT; THENCE RUN EASTERLY ALONG A LINE PARALLEL WITH THE SOUTH LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 47.5 FEET TO A POINT; THENCE RUN SOUTHERLY ALONG A LINE PARALLEL WITH THE WEST LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 200.0 FEET TO A POINT; THENCE RUN WESTERLY ALONG A LINE PARALLEL TO THE SOUTH LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 25.0 FEET TO A POINT; THENCE RUN SOUTHERLY ALONG A LINE PARALLEL WITH THE WEST LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 75.0 FEET TO A POINT IN THE SOUTH LINE OF TRACT 7, BLOCK 55, THENCE RUN WESTERLY ALONG THE SOUTH LINE OF TRACT 7, A DISTANCE OF 22.5 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO THE FOLLOWING DESCRIBED PARCELS FOR INGRESS AND EGRESS:

A STRIP OF LAND 20 FEET IN WIDTH IN TRACT 7, BLOCK 55, "PALM BEACH FARMS COMPANY PLAT NO. 3", AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THE CENTER LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 7; THENCE RUN EASTERLY ALONG THE SOUTH LINE OF TRACT 7, A DISTANCE OF 175 FEET; THENCE RUN NORTHERLY PARALLEL TO THE WEST LINE OF TRACT 7, A DISTANCE OF 275 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTHERLY, PARALLEL TO THE WEST LINE OF TRACT 7, A DISTANCE OF 487.28 FEET AND THERE TERMINATING.

AND

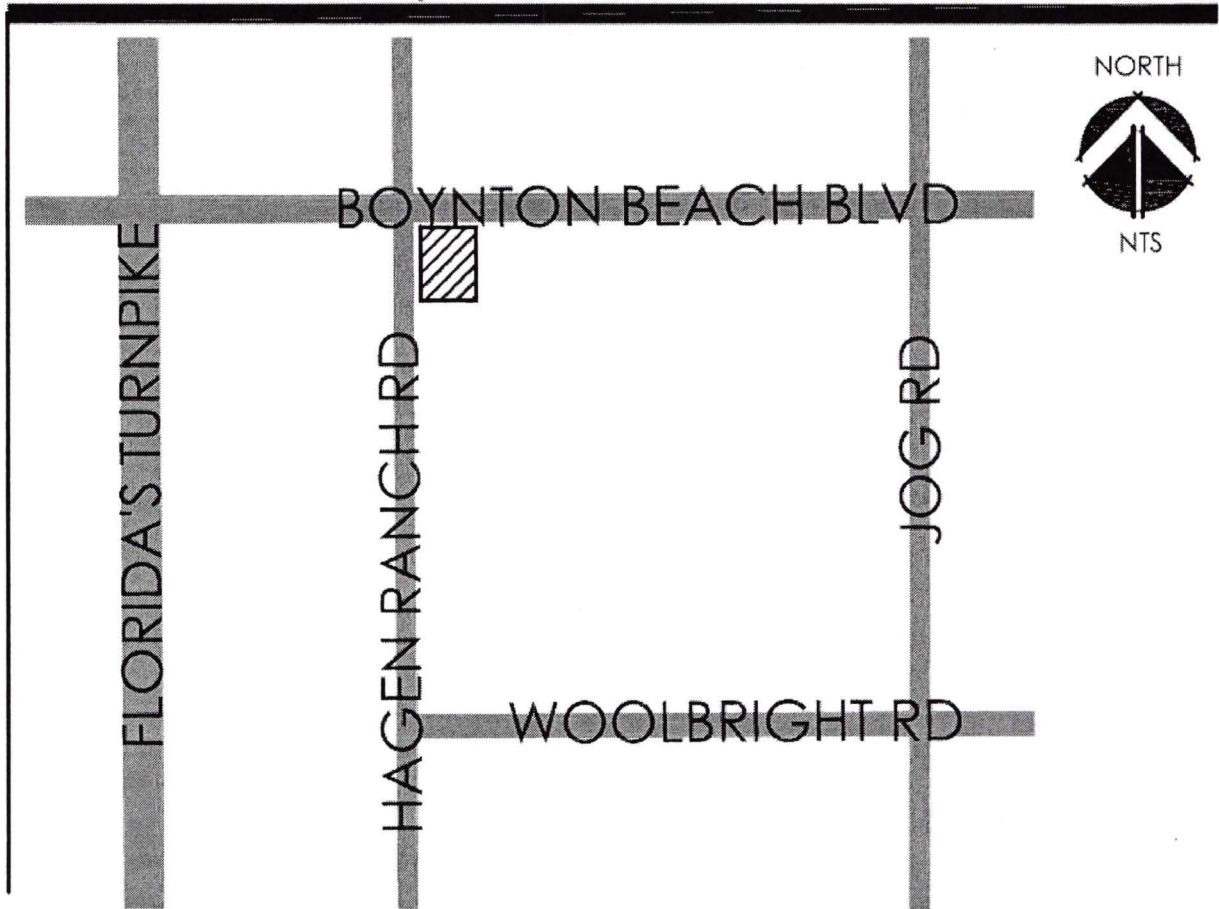
A STRIP OF LAND 20 FEET IN WIDTH IN TRACTS 6 AND 7, BLOCK 55, "PALM BEACH FARMS COMPANY PLAT NO. 3", AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THE CENTER LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 7, THENCE RUN EASTERLY ALONG THE SOUTH LINE OF TRACT 7 A DISTANCE OF 165 FEET; THENCE RUN NORTHERLY PARALLEL TO THE WEST LINE OF TRACT 7 A DISTANCE OF 285 FEET TO THE POINT OF BEGINNING, THENCE RUN EASTERLY PARALLEL TO THE SOUTH LINE OF TRACTS 6 AND 7 A DISTANCE OF 247.5 FEET AND THERE TERMINATING.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA; CONTAINING 76,956 SQUARE FEET OR 1.7667 ACRES MORE OR LESS.

EXHIBIT B  
VICINITY SKETCH

# Location Map





## EXHIBIT C

### CONDITIONS OF APPROVAL

#### Non Residential Planned Development District

##### ALL PETITIONS

1. The approved Site Plan is dated May 11, 2017. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning) (ONGOING: ZONING - Zoning)

##### COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: ZONING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: ZONING - Zoning)

##### DISCLOSURE

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