

RESOLUTION NO. R-2018- 1701

RESOLUTION APPROVING ZONING APPLICATION ABN/ZV/Z/CA-2017-02003  
(CONTROL NO. 1981-00148)  
an Official Zoning Map Amendment  
APPLICATION OF American German Club Inc.  
BY JMorton Planning & Landscape Architecture, AGENT  
(American German Club)

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 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application ABN/ZV/Z/CA-2017-02003 was presented to the Board of County Commissioners at a public hearing conducted on October 25, 2018;

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 (Application Processes and 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 Processes) 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.B.6.C (Board Action) 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/ZV/Z/CA-2017-02003, the Application of American German Club Inc., by JMorton Planning & Landscape Architecture, Agent, for an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Institutional and Public Facilities (IPF) 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 October 25, 2018, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

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

The Mayor thereupon declared that the resolution was duly passed and adopted on October 25, 2018.

Filed with the Clerk of the Board of County Commissioners on November 5th, 2018.

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 FLORIDA



The seal is circular with a double-line border. The outer ring contains the text 'PALM BEACH COUNTY COMMISSIONERS' at the top and 'BOCA RATON' at the bottom, separated by a star. The inner ring contains 'FLORIDA' at the bottom.

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

THE NORTH 129.45 FEET OF THE W 1/2 OF THE SW 1/4 OF THE SE 1/4 OF THE SE 1/4 OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

PARCEL 2:

THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 44 S, RANGE 42 E, LESS THE NORTH 129.45 FEET THEREOF AND LESS THE SOUTH 40 FEET THEREOF AND THE WEST 40 FEET THEREOF FOR ROAD PURPOSES.

EXCEPTING THE SOUTH 20 FEET OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 44 S, RANGE 42 E, LESS THE NORTH 129.45 FEET THEREOF AND LESS THE SOUTH 40 FEET THEREOF AND THE WEST 40 FEET THEREOF FOR ROAD PURPOSES AS DESCRIBED IN RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 2474, PAGE 684.

PARCEL 3:

THE NORTH 1/2 OF THE NORTH 1/2 OF THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. LESS THE NORTH 25 FEET CONVEYED TO THE COUNTY OF PALM BEACH, FLORIDA IN OFFICIAL RECORDS BOOK 1689, PAGE 895.

PARCEL 4:

THE SOUTH 1/2 OF THE NORTH 1/2 OF THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

EXCEPTING FROM BOTH PARCELS 3 AND 4: A STRIP OF LAND 40 FEET WIDE OVER THE WEST PART AS CONVEYED TO THE COUNTY OF PALM BEACH COUNTY, FLORIDA, IN DEED BOOK 1088, PAGE 518.

LESS AND EXCEPT THAT PARCEL OF LAND DESCRIBED AS PARCEL NO. 111 AS DESCRIBED IN THAT CERTAIN STIPULATED FINAL JUDGMENT RECORDED IN OFFICIAL RECORDS BOOK 5721, PAGE 1599, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

A VARIABLE WIDTH STRIP OF LAND LYING WITHIN THE SOUTHEAST ONE-QUARTER OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST AND BEING A PORTION OF MYERS ROAD RIGHT-OF-WAY AS RECORDED IN DEED BOOK 1088, PAGE 518 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND TRACT "E" COLONY RESERVE AT LAKE WORTH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 119, PAGES 66 THRU 71 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT "E"; THENCE SOUTH 88°50'46" EAST ALONG THE NORTH LINE OF SAID TRACT "E" AND THE EASTERLY EXTENSION THEREOF, A DISTANCE OF 75.40 FEET TO A POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF MYERS ROAD AS RECORDED IN DEED BOOK 1088, PAGE 518 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 02°02'52" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1,273.55 FEET; THENCE NORTH 88°26'29" WEST, A DISTANCE OF 50.00 FEET TO A POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF MYERS ROAD AS RECORDED IN DEED BOOK 1088, PAGE 518 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 02°02'52" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 1,247.80 FEET TO THE SOUTHEAST CORNER OF SAID TRACT "E"; THENCE NORTH 43°23'57" WEST ALONG THE WEST LINE OF SAID TRACT "E", A DISTANCE OF 35.63 FEET TO THE POINT OF BEGINNING.

IN ALL CONTAINING 10.27 ACRES MORE OR LESS.

EXHIBIT B  
VICINITY SKETCH

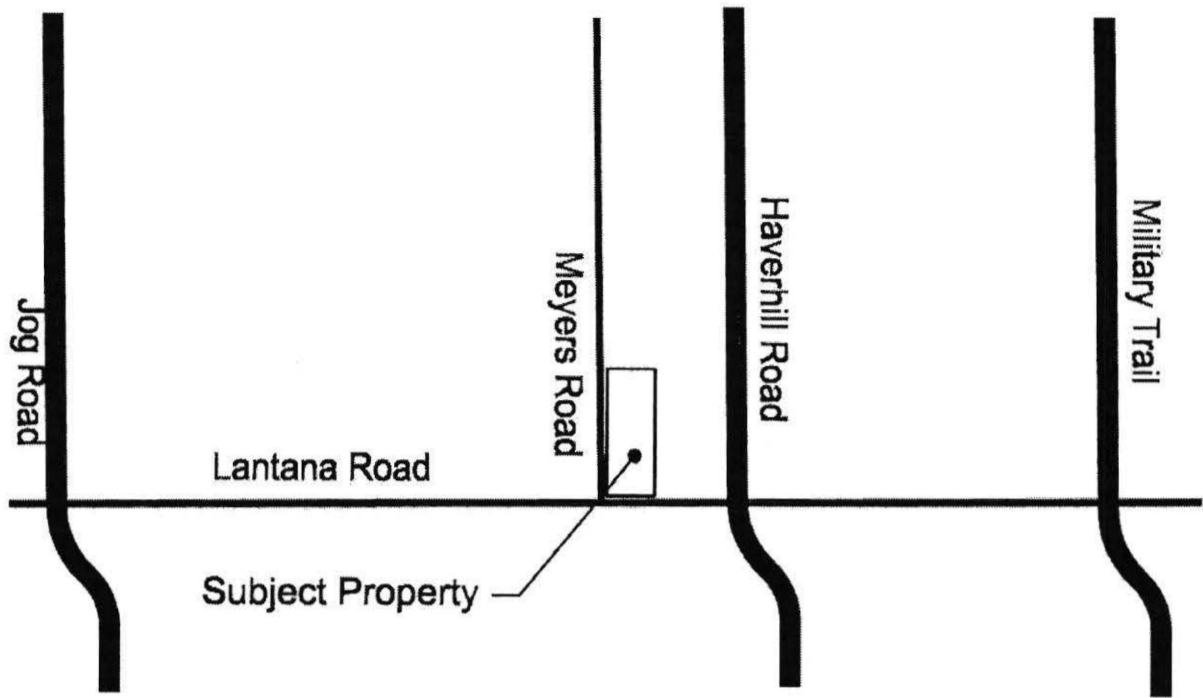


EXHIBIT C  
CONDITIONS OF APPROVAL

DISCLOSURE

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