

RESOLUTION NO. R-2021-0544

RESOLUTION APPROVING ZONING APPLICATION PDD/DOA-2020-01701
(CONTROL NO. 2002-00067)

an Official Zoning Map Amendment

APPLICATION OF G.L. Homes of Palm Beach Associates, Ltd., Isabel Tomas, Janice Sellars, Twin States Land Holdings, LLC, Carly Landco, Inc., RND Landholdings, LLC, Elton Sellars, Amy Belcher, Gasper Tomas
BY G.L. Homes, AGENT
(Canyon Lakes 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 pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code (ULDC), Ordinance 2003-067 as amended, have been satisfied;

WHEREAS, Zoning Application PDD/DOA-2020-01701 was presented to the Board of County Commissioners at a public hearing conducted on April 22, 2021;

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 PDD/DOA-2020-01701, the Application of G.L. Homes of Palm Beach Associates, Ltd., Isabel Tomas, Janice Sellars, Twin States Land Holdings, LLC, Carly Landco, Inc., RND Landholdings, LLC, Elton Sellars, Amy Belcher, Gasper Tomas, by G.L. Homes, Agent, for an Official Zoning Map Amendment 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 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 22, 2021, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Weinroth moved for the approval of the Resolution.

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

- Commissioner Dave Kerner, Mayor - Aye
- Commissioner Robert S. Weinroth, Vice Mayor - Aye
- Commissioner Maria G. Marino - Aye
- Commissioner Gregg K. Weiss - Aye
- Commissioner Maria Sachs - Aye
- Commissioner Melissa McKinlay - Aye
- Commissioner Mack Bernard - Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on April 22, 2021.

Filed with the Clerk of the Board of County Commissioners on April 30th, 2021.

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

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK 

EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION: CANYON LAKES PRESERVE NO. 10

TRACT 125, IN SECTION 19, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, ACCORDING TO THE PLAT OF THE PALM BEACH FARMS CO. PLAT NO. 1, RECORDED IN PLAT BOOK 2, PAGES 26 TO 28 INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 5.112 ACRES MORE OR LESS

LEGAL DESCRIPTION: CANYON LAKES PRESERVE NO. 18

THE SOUTH 2.00 FEET OF TRACT 67, AND ALL OF TRACT 94, BLOCK 50, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS THE NORTH 28.00 FEET OF TRACT 94 AND THE SOUTH 2.00 FEET OF TRACT 67, BLOCK 50 FOR ROAD RIGHT-OF-WAY.

ALSO LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE SOUTHWEST CORNER OF SAID TRACT 94, THENCE NORTH 00°57'03" WEST ALONG THE WEST LINE OF SAID TRACT 94, A DISTANCE OF 206.78 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE, NORTH 00°57'03" WEST, A DISTANCE OF 193.60 FEET; THENCE NORTH 89°02'57" EAST, A DISTANCE OF 225.00 FEET; , SOUTH 00°57'03" EAST, A DISTANCE OF 193.60 FEET; THENCE SOUTH 89°02'57" WEST, A DISTANCE OF 225.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.788 ACRES MORE OR LESS.

LEGAL DESCRIPTION: CANYON LAKES PRESERVE NO. 19

TRACT 46, LESS THE WEST 296.15 FEET THEREOF, TOGETHER WITH THE WEST 56.15 FEET OF TRACT 47, BLOCK 52, OF THE PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO LESS AND EXCEPT THAT PORTION PREVIOUSLY CONVEYED FOR RIGHT-OF-WAY PURPOSES AND RECORDED IN OFFICIAL RECORDS BOOK 10901, PAGE 1163, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO LESS AND EXCEPT THE NORTH 13.36 FEET OF THE SOUTH 30.36 FEET OF SAID TRACT 46, LESS THE WEST 296.15 FEET THEREOF, TOGETHER WITH THE WEST 56.15 FEET OF SAID TRACT 47.

CONTAINING 4.709 ACRES MORE OR LESS.

LEGAL DESCRIPTION: CANYON LAKES PRESERVE NO. 20

THE WEST 1/2 OF TRACT 4, BLOCK 67, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH THE EASTERLY 15.00 OF THAT ROAD, DYKE AND DITCH RESERVATION 30 FEET IN WIDTH, ACCORDING TO SAID PALM BEACH FARMS CO. PLAT NO. 3, LYING WESTERLY OF AND ABUTTING SAID TRACT 4, BOUNDED ON THE NORTH BY THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID TRACT 4 AND BOUNDED ON THE SOUTH BY THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID TRACT 4.

LESS THE NORTH 30.00 FEET OF ALL OF THE ABOVE DESCRIBED LANDS.

CONTAINING 5.217 ACRES MORE OR LESS.

LEGAL DESCRIPTION: CANYON LAKES PRESERVE NO. 21

TRACT 35, LESS THE NORTH 110 FEET THEREOF, TOGETHER WITH THE NORTH 120 FEET OF TRACT 62, BLOCK 50, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY WHICH WAS CONVEYED TO PALM BEACH COUNTY BY RIGHT-OF-WAY WARRANTY DEED, RECORDED IN OFFICIAL RECORDS BOOK 5165, PAGE 304, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA:

A PARCEL OF LAND 30 FEET IN WIDTH FOR ROAD RIGHT-OF-WAY PURPOSES, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 30 FEET OF THE NORTH 120 FEET OF TRACT 62, BLOCK 50, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO, LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTH 90 FEET OF SAID TRACT 62; THENCE NORTH 00°57'03" WEST ALONG THE WEST LINE OF SAID TRACT 62, A DISTANCE OF 68.54 FEET; THENCE NORTH 89°02'57" EAST, A DISTANCE OF 36.08 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°02'57" EAST, A DISTANCE OF 115.00 FEET; THENCE NORTH 00°57'03" WEST, A DISTANCE OF 378.78 FEET; THENCE SOUTH 89°02'57" WEST, A DISTANCE OF 115.00 FEET; THENCE SOUTH 00°57'03" EAST, A DISTANCE OF 378.78 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.841 ACRES, MORE OR LESS.

LEGAL DESCRIPTION: CANYON LAKES PRESERVE NO. 22

THE NORTH HALF (1/2) OF THE SOUTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

SUBJECT TO AN EASEMENT FOR INGRESS-EGRESS OVER THE NORTH 30 FEET OF THE AFOREDESCRIBED PARCEL.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE NORTHWEST CORNER OF SAID THE NORTH HALF (1/2) OF THE SOUTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 45 SOUTH, RANGE 41 EAST; THENCE NORTH 88°07'50" EAST ALONG THE NORTH LINE OF SAID NORTH HALF (1/2) OF THE SOUTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF THE NORTHEAST QUARTER OF SECTION 14, A DISTANCE OF 29.22 FEET; THENCE SOUTH 01°52'10" EAST, A DISTANCE OF 48.04 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°07'50" EAST, A DISTANCE OF 185.00 FEET; THENCE SOUTH 01°52'10" EAST, A DISTANCE OF 235.46 FEET; THENCE SOUTH 88°07'50" WEST, A DISTANCE OF 185.00 FEET; THENCE NORTH 01°52'10" WEST, A DISTANCE OF 235.46 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS-EGRESS OVER THE NORTH 30 FEET OF THE EAST THREE QUARTERS (3/4) OF THE SOUTH HALF (1/2) OF THE

SOUTH HALF (1/2) OF THE NORTHEAST QUARTER (1/4) OF SAID SECTION 14.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER THE NORTH 50 FEET OF THE SOUTH HALF (1/2) OF THE NORTH HALF (1/2) OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, AND A NON-EXCLUSIVE RIGHT OF INGRESS AND EGRESS OVER THE PROPERTY ON WHICH FLORIDA POWER & LIGHT COMPANY PRESENTLY HOLDS AN EASEMENT, SUBJECT HOWEVER TO THE EASEMENT RIGHTS OF FLORIDA POWER & LIGHT COMPANY.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS CONTAINED IN OFFICIAL RECORDS BOOK 3710, PAGE 3, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 4.020 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

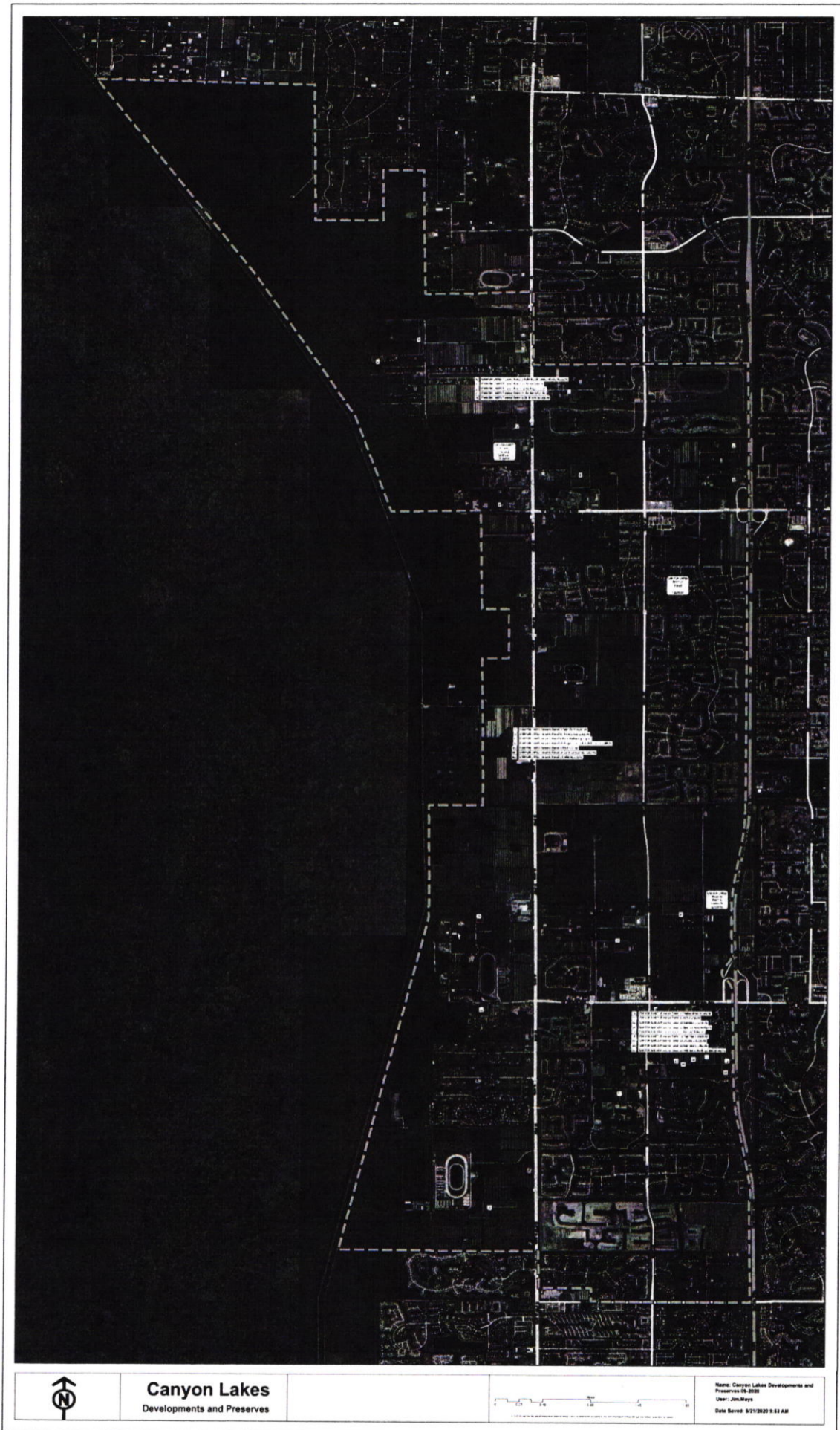


EXHIBIT C

CONDITIONS OF APPROVAL

PDD- Residential Planned Development District

DISCLOSURE

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