

RESOLUTION NO. R-2021- 0547

RESOLUTION APPROVING ZONING APPLICATION Z-2020-01699
(CONTROL NO. 2020-00141)
an Official Zoning Map Amendment
APPLICATION OF G.L. Homes of Palm Beach Associates, Ltd.
BY G.L. Homes, AGENT
(Hyder West Rezoning)

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 Z-2020-01699 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 Z-2020-01699, the Application of G.L. Homes of Palm Beach Associates, Ltd., by G.L. Homes, Agent, for an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) 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

BEING A PORTION OF TRACTS 16, 17, 32 AND 33, AND A PORTION OF ROAD, DYKE AND DITCH RESERVATIONS 30 FEET IN WIDTH, ALL IN BLOCK 69, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTH LINE OF TRACT 48 OF SAID BLOCK 69 AND THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 7 AS SHOWN ON THAT RIGHT-OF-WAY MAP PREPARED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION, SECTION NO. 93210-2515 AND ACCORDING TO THAT ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 10622, PAGE 830, SAID PUBLIC RECORDS; THENCE NORTH 01°28'29" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 683.27 FEET; THENCE SOUTH 89°34'36" WEST ALONG A LINE 683.15 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE SOUTH LINE OF TRACTS 40 THROUGH 48 OF SAID BLOCK 69, A DISTANCE OF 2,447.33 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID PARALLEL LINE, SOUTH 89°34'36" WEST, A DISTANCE OF 681.95 FEET; THENCE NORTH 00°22'42" WEST, A DISTANCE OF 1050.90 FEET; THENCE NORTH 89°34'36" EAST, A DISTANCE OF 924.09 FEET; THENCE SOUTH 00°22'32" EAST, A DISTANCE OF 22.60 FEET; THENCE SOUTH 89°36'38" WEST, A DISTANCE OF 242.95 FEET; THENCE SOUTH 00°25'24" EAST, A DISTANCE OF 1,028.44 FEET TO THE POINT OF BEGINNING.

CONTAINING 16.568 ACRES, MORE OR LESS.

NOTE: LANDS SHOWN HEREON LIE WITHIN SECTION 36, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

EXHIBIT B
VICINITY SKETCH

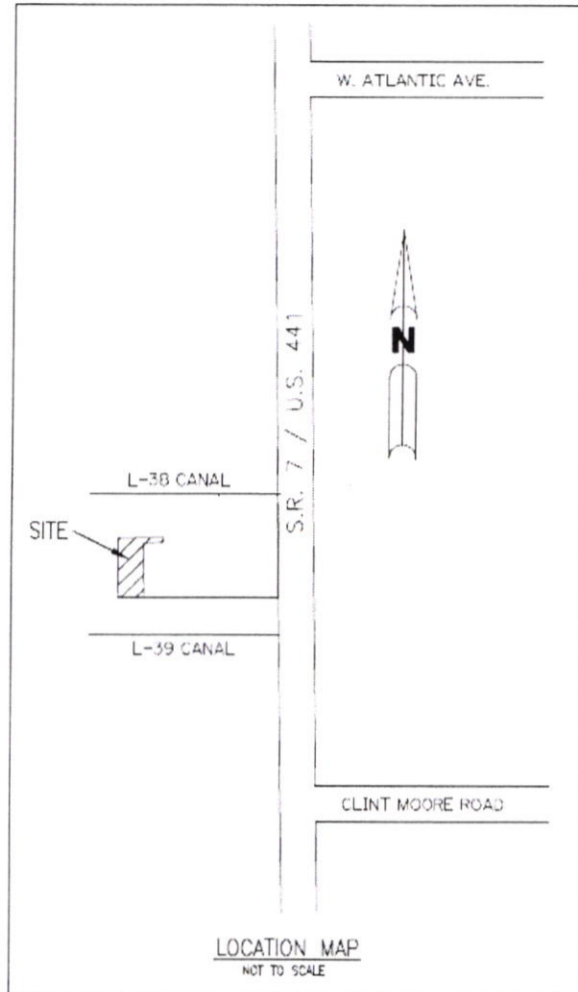


EXHIBIT C
CONDITIONS OF APPROVAL

DISCLOSURE

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

RESOLUTION APPROVING ZONING APPLICATION Z-2020-01715
(CONTROL NO. 1983-00090)
an Official Zoning Map Amendment
APPLICATION OF Solid Waste Authority, Palm Beach County
BY Schmidt Nichols, AGENT
(PBC Mosquito Control Complex Redevelopment)

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 Z-2020-01715 was presented to the Board of County Commissioners at a public hearing conducted on March 25, 2021 and 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 Z-2020-01715, the Application of Solid Waste Authority, Palm Beach County, by Schmidt Nichols, Agent, for an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) and Residential Estate (RE) Zoning Districts to the Public Ownership (PO) 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

A PORTION OF LAND IN TRACT 44, BLOCK 34, PALM BEACH FARMS CO. PLAT NO. 3, RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 31, TOWNSHIP 44 SOUTH, RANGE 42 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS: TRACT 44, BLOCK 34, OF THE PALM BEACH FARMS PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, AS AMENDED BY PALM BEACH FARMS PLAT NO. 13, AS RECORDED IN PLAT BOOK 6, PAGES 98 AND 99; LESS AND EXCEPT THOSE PORTIONS OF TRACT 44 CONVEYED IN RIGHT-OF-WAY DEEDS AS RECORDED IN OFFICIAL RECORDS BOOK 818, PAGE 461 AND OFFICIAL RECORDS BOOK 4451, PAGE 1947 AND ALSO LESS AND EXCEPT THOSE PORTIONS OF TRACT 44, CONVEYED IN DEEDS RECORDED IN OFFICIAL RECORDS BOOK 5888, PAGE 745 AND OFFICIAL RECORDS BOOK 11338, PAGE 521, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TOGETHER WITH

MISSION LAKE PARCEL 1-A

A PARCEL OF LAND LYING IN TRACTS 21, 22, 23, 26, 27 AND 39, BLOCK 34, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND ALSO BEING A PORTION OF THAT CERTAIN 30 FOOT PLATTED ROAD RIGHT-OF-WAY LYING BETWEEN AND CONTIGUOUS TO SAID TRACTS 26 AND 39 AS SHOWN ON SAID PLAT; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT NORTHWEST CORNER OF SAID TRACT 23; THENCE, N89°00'48"E, ALONG THE NORTH LINE OF SAID TRACTS 23, 22 AND 21, A DISTANCE OF 1471.55 FEET TO THE NORTHWESTERLY CORNER OF THE LAKE PARCEL, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 5888, PAGE 745, SAID PUBLIC RECORDS; THENCE, S00°59'07"E, ALONG SAID LAKE PARCEL BOUNDARY, A DISTANCE OF 489.81 FEET; THENCE S44°58'12"W, CONTINUING ALONG SAID LAKE PARCEL BOUNDARY, A DISTANCE OF 159.99 FEET; THENCE, S88°55'41"W, CONTINUING ALONG SAID LAKE PARCEL BOUNDARY, A DISTANCE OF 360.00 FEET; THENCE, N66°02'56"W, CONTINUING ALONG SAID LAKE PARCEL BOUNDARY, A DISTANCE OF 202.77 FEET; THENCE S44°58'12"W, CONTINUING ALONG SAID LAKE PARCEL BOUNDARY, A DISTANCE OF 251.74 FEET; THENCE, S00°59'07"E, CONTINUING ALONG SAID LAKE PARCEL BOUNDARY, A DISTANCE OF 220.98 FEET; THENCE S39°00'06"W, CONTINUING ALONG SAID LAKE PARCEL BOUNDARY, A DISTANCE OF 202.30 FEET; THENCE, S00°59'07"E, CONTINUING ALONG SAID LAKE PARCEL BOUNDARY, A DISTANCE OF 210.00 FEET; THENCE, S28°54'09"E, CONTINUING ALONG SAID LAKE PARCEL BOUNDARY, A DISTANCE OF 135.41 FEET TO THE INTERSECTION THEREOF WITH A LINE PARALLEL WITH AND 45.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID TRACT 39; THENCE, S89°00'48"W, DEPARTING SAID LAKE PARCEL BOUNDARY AND ALONG SAID PARALLEL LINE, A DISTANCE OF 565.13 FEET TO THE INTERSECTION THEREOF WITH THE SOUTHERLY PROLONGATION OF THE WEST LINE OF SAID TRACT 26; THENCE, N00°59'07"W, ALONG THE WEST LINE OF SAID TRACTS 23, 26 AND THE SOUTHERLY PROLONGATION OF THE WEST LINE OF SAID TRACT 26, A DISTANCE OF 1396.72 FEET TO THE NORTHWEST CORNER OF SAID TRACT 23 AND THE POINT OF BEGINNING.

AND

MISSION LAKE PARCEL 1-B

A PARCEL OF LAND LYING IN TRACTS 37, 38, AND 44, BLOCK 34, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT 38; THENCE, N00°59'07"W, ALONG THE WEST LINE OF SAID TRACT 38, A DISTANCE OF 499.69 FEET TO THE INTERSECTION THEREOF WITH THE

SOUTHERLY BOUNDARY LINE OF THE LAKE PARCEL, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 5888, PAGE 745, SAID PUBLIC RECORDS; THENCE, N88°55'41"E, ALONG SAID LAKE PARCEL BOUNDARY, A DISTANCE OF 176.28 FEET; THENCE, N63°48'48"E, CONTINUING ALONG SAID LAKE PARCEL BOUNDARY, A DISTANCE OF 176.71 FEET; THENCE, N88°55'41"E, CONTINUING ALONG SAID LAKE PARCEL BOUNDARY, A DISTANCE OF 215.00 FEET; THENCE, S77°42'42"E, CONTINUING ALONG SAID LAKE PARCEL BOUNDARY, A DISTANCE OF 164.45 FEET; THENCE, S45°01'48"E, CONTINUING ALONG SAID LAKE PARCEL BOUNDARY, A DISTANCE OF 143.65 FEET; THENCE, S00°59'07"E, CONTINUING ALONG SAID LAKE PARCEL BOUNDARY, A DISTANCE OF 511.08 FEET; THENCE, S88°23'30"E, CONTINUING ALONG SAID LAKE PARCEL BOUNDARY, AND ALONG A LINE 540.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO, THE CENTERLINE OF LANTANA ROAD, A DISTANCE OF 511.25 FEET TO THE INTERSECTION THEREOF WITH THE EAST LINE OF SAID TRACT 44, THENCE, S00°59'07"E, ALONG SAID EAST LINE, A DISTANCE OF 99.87 FEET; THENCE, N88°23'30"W, DEPARTING SAID EAST LINE, A DISTANCE OF 662.04 FEET TO THE INTERSECTION THEREOF WITH THE WEST LINE OF SAID TRACT 44; THENCE, N00°59'07"W, ALONG THE WEST LINE OF SAID TRACT 44, A DISTANCE OF 169.70 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 38; THENCE, S89°00'48"W, ALONG THE SOUTH LINE OF SAID TRACT 38, A DISTANCE OF 660.46 FEET TO THE POINT OF BEGINNING.

TOGRTHER WITH

A PARCEL OF LAND LYING IN BLOCK 34, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:BEGINNING AT THE NORTHEAST CORNER OF TRACT 21, BLOCK 34, OF SAID PLAT OF PALM BEACH FARMS COMPANY PLAT NO. 3;

1. THENCE, SOUTH 88°57'29" WEST, ALONG THE NORTH LINE OF SAID TRACT 21,

A DISTANCE OF 509.82 FEET;

2. THENCE, SOUTH 00°57'19" EAST, A DISTANCE OF 489.81 FEET;

3. THENCE, SOUTH 45°00'00" WEST, A DISTANCE OF 159.99 FEET;

4. THENCE, SOUTH 88°57'29" WEST, A DISTANCE OF 360.00 FEET;

5. THENCE, NORTH 66°01'08" WEST, A DISTANCE OF 202.77 FEET;

6. THENCE, SOUTH 45°00'00" WEST, A DISTANCE OF 251.74 FEET;

7. THENCE, SOUTH 00°57'19" EAST, A DISTANCE OF 220.98 FEET;

8. THENCE, SOUTH 39°01'54" WEST, A DISTANCE OF 202.30 FEET;

9. THENCE, SOUTH 00°57'19" EAST, A DISTANCE OF 210.00 FEET;

10. THENCE, SOUTH 28°52'21" EAST, A DISTANCE OF 266.98 FEET;

11. THENCE, NORTH 88°57'29" EAST, A DISTANCE OF 210.00 FEET;

12. THENCE, NORTH 63°50'36" EAST, A DISTANCE OF 176.71 FEET;

13. THENCE, NORTH 88°57'29" EAST, A DISTANCE OF 215.00 FEET;

14. THENCE, SOUTH 77°40'54" EAST, A DISTANCE OF 164.45 FEET;

15. THENCE, SOUTH 45°00'00" EAST, A DISTANCE OF 143.65 FEET;

16. THENCE, SOUTH 00°57'19" EAST, A DISTANCE OF 510.97 FEET;

17. THENCE, SOUTH 88°23'25" EAST, ALONG A LINE 540 FEET NORTHERLY OF, AS MEASURED AT

RIGHT ANGLES TO, THE CENTERLINE OF LANTANA ROAD, A DISTANCE OF 510.33 FEET TO

THE INTERSECTION THEREOF WITH THE EAST LINE OF TRACT 44 OF SAID BLOCK 34;

SAID CENTERLINE OF LANTANA ROAD BEING THE SOUTH LINE OF SECTION 31,

TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA;

18. THENCE, NORTH 00°57'19" WEST, ALONG THE EAST LINES OF TRACTS 44, 37, 28 AND 21 OF

SAID BLOCK 34, A DISTANCE OF 2112.71 FEET TO THE POINT OF BEGINNING.

CONTAINING: 92.818 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

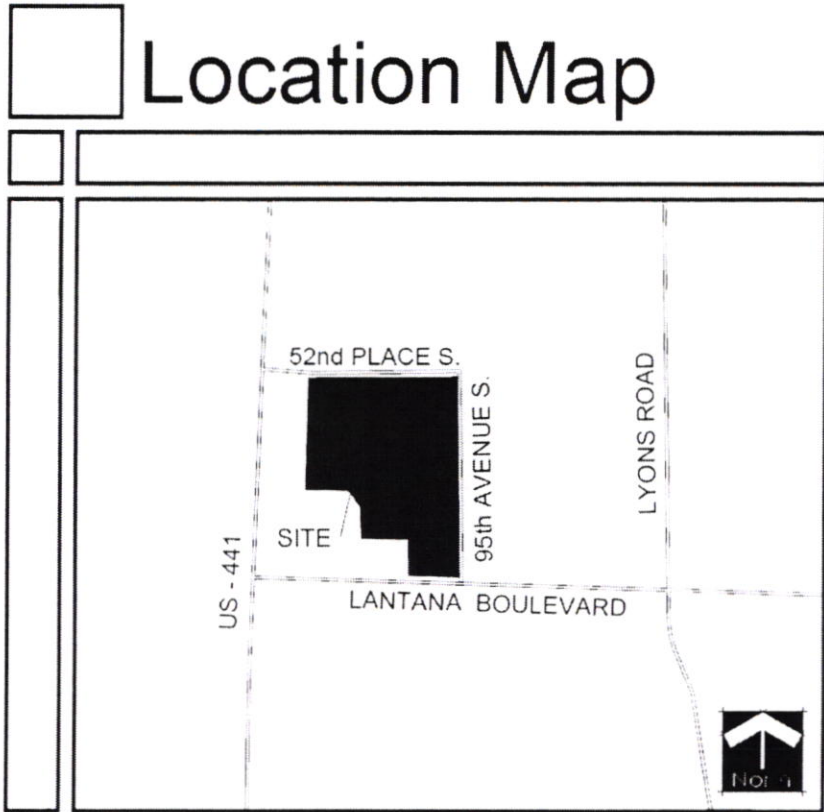


EXHIBIT C
CONDITIONS OF APPROVAL

Official Zoning Map Amendment

DISCLOSURE

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