

RESOLUTION NO. R-2021- 0733

RESOLUTION DENYING ZONING APPLICATION SW-2020-01270
(CONTROL NO. 2020-00067)
APPLICATION OF East Glade Holdings, Inc.
BY Urban Design Studio, AGENT
(Dixie Landscape)

WHEREAS, the Board of County Commissioners, as the governing body, 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 SW-2020-01270 was presented to the Board of County Commissioners at a public hearing conducted on May 27, 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 a Subdivision Waiver;

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 Dixie Landscape, the Application of East Glade Holdings, Inc., by Urban Design Studio, Agent, for a Subdivision Waiver to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA 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 denied on May 27, 2021, with prejudice.

Commissioner McKinlay moved for approval of the Resolution.

The motion was seconded by Commissioner Bernard 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 the resolution was duly passed and adopted on May 27, 2021.

Filed with the Clerk of the Board of County Commissioners on June 8th, 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

PARCEL 1 - EAST HALF OF TRACT 29

A PARCEL OF LAND IN THE EAST ONE-HALF (E 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 1; THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 1, A DISTANCE OF 1336.03 FEET TO A POINT; THENCE NORTH 00°01'17" EAST, A DISTANCE OF 660.00 FEET TO A POINT; THENCE EAST, A DISTANCE OF 668.14 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE EAST, A DISTANCE OF 668.13 FEET TO A POINT; THENCE NORTH 00°02'39" EAST, A DISTANCE OF 327.00 FEET TO A POINT; THENCE WEST, A DISTANCE OF 668.19 FEET TO A POINT; THENCE SOUTH 00°01'57" WEST, A DISTANCE OF 327.00 FEET TO THE POINT OF BEGINNING. (THIS LAND MORE COMMONLY KNOWN AS THE EAST ONE-HALF (E 1/2) OF TRACT 29). SUBJECT TO AN EASEMENT OVER THE NORTH 30.00 FEET THEREOF FOR ROADWAY PURPOSES. ALSO SUBJECT TO AN EASEMENT OVER THE SOUTHERLY 30.00 FEET AND THE EASTERLY 65.00 FEET FOR CANAL AND DRAINAGE PURPOSES. ALSO SUBJECT TO AN EASEMENT OVER THE WESTERLY 6.00 FEET THEREOF FOR PUBLIC UTILITIES. TOGETHER WITH EASEMENTS FOR INGRESS AND EGRESS OVER AND ACROSS THE PUBLIC ROAD RIGHT-OF-WAY DESCRIBED AS FOLLOWS: A STRIP OF LAND 110 FEET IN WIDTH BEING MEASURED 55 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE. BEGINNING AT THE SOUTHEAST CORNER OF TRACT 1, BLOCK 44, ACCORDING TO THE PLAT OF THE PALM BEACH FARMS COMPANY'S PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, THENCE WESTERLY ALONG THE SOUTH LINE OF TRACTS 1, 2, 3 AND 4, OF SAID BLOCK 44, PALM BEACH FARMS COMPANY'S PLAT NO. 3, AND THE WESTERLY EXTENSION THEREOF TO A POINT IN THE WEST LINE OF THE EAST ONE-HALF (E 1/2) OF THE WEST ONE-HALF (W 1/2) OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA. ALSO THE WEST LINE OF THE EAST ONE-HALF (E 1/2) OF THE WEST ONE-HALF (W 1/2) OF THE NORTH THREE-QUARTERS (N 3/4) OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA. ALSO 110 FEET RIGHT-OF-WAY. THE EAST 55 FEET OF THE WEST ONE-HALF (W 1/2) OF THE SOUTH 957 FEET OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 41 EAST, AND THE WEST 55 FEET OF THE EAST THREE-QUARTERS (E 3/4) OF THE SOUTH 957 FEET OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 41 EAST.

A STRIP OF LAND 60 FEET IN WIDTH, LYING 30 ON EACH SIDE OF THE FOLLOWING DESCRIBED LINE; BEGINNING AT A POINT WHICH IS 1391.03 FEET EAST AND NORTH 0°01'17" EAST, 987 FEET FROM THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE EAST A DISTANCE OF 613.20 FEET TO A POINT; THENCE NORTH 0°01'57" EAST, A DISTANCE OF 981 FEET TO THE END OF SAID DESCRIBED LINE.

AND

PARCEL 2 - WEST ONE-HALF OF TRACT 29

A PARCEL OF LAND IN THE EAST ONE-HALF (E 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 1; THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 1, A DISTANCE OF 1336.03 FEET TO A POINT; THENCE NORTH 00°01'17" EAST, A DISTANCE OF 660.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°01'17" EAST, A DISTANCE OF 327.00 FEET TO A POINT; THENCE EAST, A DISTANCE OF 668.20 FEET TO A POINT; THENCE SOUTH 00°01'57" WEST, A DISTANCE OF 327.00

FEET TO A POINT; THENCE WEST, A DISTANCE OF 668.14 FEET TO THE POINT OF BEGINNING. (THIS LAND MORE COMMONLY KNOWN AS THE WEST ONE-HALF (W 1/2) OF TRACT 29). SUBJECT TO AN EASEMENT OVER THE WESTERLY 55.00 FEET AND THE NORTHERLY 30.00 FEET THEREOF FOR ROADWAY PURPOSES. ALSO SUBJECT TO AN EASEMENT OVER THE SOUTHERLY 30.00 FEET FOR CANAL AND DRAINAGE PURPOSES. ALSO SUBJECT TO AN EASEMENT OVER THE EASTERLY 6.00 FEET THEREOF FOR PUBLIC UTILITIES. TOGETHER WITH EASEMENTS FOR INGRESS AND EGRESS OVER AND ACROSS THE PUBLIC ROAD RIGHT-OF-WAY DESCRIBED AS FOLLOWS: A STRIP OF LAND 110 FEET IN WIDTH BEING MEASURED 55 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE. BEGINNING AT THE SOUTHEAST CORNER OF TRACT 1, BLOCK 44, ACCORDING TO THE PLAT OF THE PALM BEACH FARMS COMPANY'S PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, THENCE WESTERLY ALONG THE SOUTH LINE OF TRACTS 1, 2, 3 AND 4, OF SAID BLOCK 44, PALM BEACH FARMS COMPANY'S PLAT NO. 3, AND THE WESTERLY EXTENSION THEREOF TO A POINT IN THE WEST LINE OF THE EAST ONE-HALF (E 1/2) OF THE WEST ONE-HALF (W 1/2) OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA. ALSO THE WEST LINE OF THE EAST ONE-HALF (E 1/2) OF THE WEST ONE-HALF (W 1/2) OF THE NORTH THREE-QUARTERS (N 3/4) OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA. ALSO 110 FEET RIGHT-OF-WAY. THE EAST 55 FEET OF THE WEST ONE-HALF (W 1/2) OF THE SOUTH 957 FEET OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 41 EAST, AND THE WEST 55 FEET OF THE EAST THREE-QUARTERS (E 3/4) OF THE SOUTH 957 FEET OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 41 EAST. A STRIP OF LAND 60 FEET IN WIDTH, LYING 30 ON EACH SIDE OF THE FOLLOWING DESCRIBED LINE; BEGINNING AT A POINT WHICH IS 1391.03 FEET EAST AND NORTH 0°01'17" EAST, 987 FEET FROM THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE EAST A DISTANCE OF 613.20 FEET TO A POINT; THENCE NORTH 0°01'57" EAST, A DISTANCE OF 981 FEET TO THE END OF SAID DESCRIBED LINE.

CONTAINING 10.03 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

