

RESOLUTION NO. R-2021- 1757

RESOLUTION APPROVING ZONING APPLICATION Z-2021-00630
(CONTROL NO. 1973-00079)
an Official Zoning Map Amendment
APPLICATION OF Bruce C. Armstrong LivingTrust
BY H & L Planning & Development, AGENT
(Armstrong Property 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-2021-00630 was presented to the Board of County Commissioners at a public hearing conducted on November 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-2021-00630, the Application of Bruce C. Armstrong LivingTrust, by H & L Planning & Development, Agent, for an Official Zoning Map Amendment to allow a rezoning from the Residential Estate (RE) Zoning District to Residential Transitional (RT) 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 November 22, 2021, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Weiss moved for the approval of the Resolution.

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

Commissioner Robert S. Weinroth, Mayor	- Aye
Commissioner Gregg K. Weiss, Vice Mayor	- Aye
Commissioner Maria G. Marino	- Aye
Commissioner Dave Kerner	- 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 November 22, 2021.

Filed with the Clerk of the Board of County Commissioners on November 22nd, 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

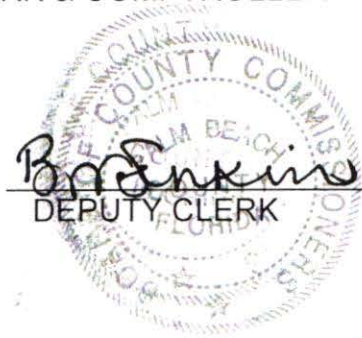


EXHIBIT A

LEGAL DESCRIPTION

PARCEL ONE

ALL THAT PART OF LOT 53, SQUARE LAKE SUBDIVISION OF THE WEST 1/2 OF SECTION 24, TOWNSHIP 42 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 23, PAGE 141, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 53; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 53, A DISTANCE OF 249.17 FEET (THE WEST LINE OF SAID LOT 53 IS ASSUMED TO BEAR NORTH-SOUTH AND ALL OTHER BEARING ARE RELATED THERETO) TO THE POINT OF BEGINNING; THENCE S 89°58'30", A DISTANCE 130.04 FEET TO A 'POINT' THENCE NORTH, A DISTANCE OF 222.93 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 53, SAID POINT BEING A POINT ON THE ARC OF A CURVE CONCAVE TO THE NORTH, HAVING A PARTIAL CENTRAL ANGLE OF 8°52'51" AND A RADIUS OF 880.83 FEET;

THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 136.52 FEET TO THE NORTHWEST CORNER OF SAID LOT 53; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 53, A DISTANCE OF 264.05 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPTING THEREFROM THE WEST 30 FEET OF SAID LOT 53 FOR PUBLIC ROAD RIGHT OF WAY PURPOSES, AS RECORDED IN OFFICIAL RECORD BOOK 6704, PAGE 99 AND IN OFFICIAL RECORD BOOK 6703, PAGE 1494, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL TWO:

ALL THAT PART OF LOT 53, SQUARE LAKE SUBDIVISION OF THE WEST 1/2 OF SECTION 24, TOWNSHIP 42 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 23, PAGE 141, IN AND FOR PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 53; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 53, A DISTANCE OF 249.17 FEET (THE WEST LINE OF SAID LOT 53 IS ASSUMED TO BEAR NORTH-SOUTH AND ALL OTHER BEARINGS ARE RELATED THERETO) TO A POINT; THENCE S89°58'30" E., A DISTANCE OF 130.04 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 89°58'30" E., A DISTANCE OF 100.03 FEET TO A POINT; THENCE NORTH, A DISTANCE OF 205.66 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 53, SAID POINT BEING A POINT ON THE ARC OF A CURVE CONCAVE TO THE NORTH, HAVING A PARTIAL CENTRAL ANGLE OF 6°36'26" AND A RADIUS OF 880.83 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 101.58 FEET; THENCE SOUTH, A DISTANCE OF 222.93 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 45,035 SQUARE FEET OR 1.034 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

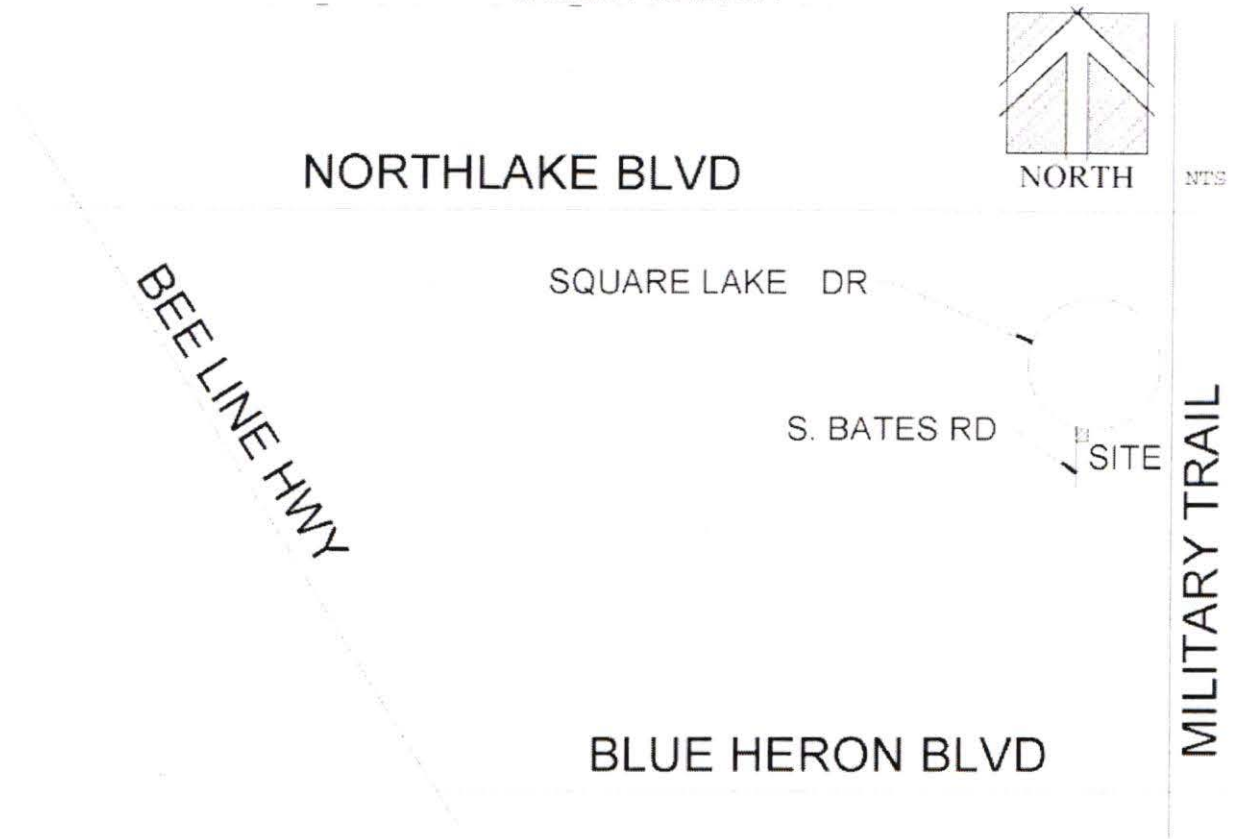


EXHIBIT C
CONDITIONS OF APPROVAL

DISCLOSURE

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