

RESOLUTION NO. R-2022- 0627

RESOLUTION APPROVING ZONING APPLICATION PDD/DOA/CA-2021-01612
(CONTROL NO. 1984-00159)
an Official Zoning Map Amendment
APPLICATION OF PGA Partners 100 LLC, PGA Waterway Condos LLC - Dan
Catalfumo
BY Gentile Glas Holloway O'Mahoney & Associates Inc., AGENT
(PGA Waterfront Residential 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/CA-2021-01612 was presented to the Board of County Commissioners at a public hearing conducted on June 23, 2022;

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/CA-2021-01612, the Application of PGA Partners 100 LLC, PGA Waterway Condos LLC - Dan Catalfumo, by Gentile Glas Holloway O'Mahoney & Associates Inc., Agent, for an Official Zoning Map Amendment to allow a rezoning from a Multifamily Residential (RM) Zoning District to the Planned Unit Development (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 June 23, 2022, subject to the Conditions of Approval described in EXHIBIT C, attached

hereto and made a part hereof.

Commissioner Marino moved for the approval of the Resolution.

The motion was seconded by Commissioner Sachs 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	- Absent
Commissioner Mack Bernard	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on June 23, 2022.

Filed with the Clerk of the Board of County Commissioners on June 23rd, 2022.

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

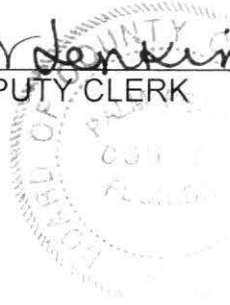


EXHIBIT A

LEGAL DESCRIPTION

PARCEL B

THE WEST 180 FEET MEASURED ALONG THE NORTH AND SOUTH LINES OF THE NORTH 100 FEET OF THE SOUTH 300 FEET OF NORTH HALF OF THE SOUTH HALF OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 42 SOUTH, RANGE 43 EAST, LYING EAST OF THE EAST LINE OF THE RIGHT OF WAY OF THE INTRACOASTAL WATERWAY.

CONTAINING 18,000 SQUARE FEET OR 0.41 ACRES, MORE OR LESS.

PARCEL C

THE EASTERLY 137 FEET OF THE WESTERLY 317 FEET OF THE NORTH 100 FEET OF THE SOUTH 300 FEET OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THAT PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, LYING EAST OF THE RIGHT OF WAY OF THE INTRACOASTAL WATERWAY.

CONTAINING 13,778 SQUARE FEET OR 0.32 ACRES, MORE OR LESS.

PARCEL D

THAT PART OF THE NORTH 100 FEET OF THE SOUTH 300 FEET OF THE NORTH HALF (N 1/2) OF THE SOUTH HALF (S 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 5, TOWNSHIP 42 SOUTH, RANGE 43 EAST, LYING EAST OF THE EAST LINE OF THE RIGHT OF WAY OF THE INTRACOASTAL WATERWAY, PALM BEACH COUNTY, FLORIDA, LESS HOWEVER, THE WEST 317 FEET THEREOF.

CONTAINING 13,656 SQUARE FEET OR 0.31 ACRES, MORE OR LESS.

PARCEL E

THAT PORTION OF THE NORTH 100 FEET OF THE SOUTH 200 FEET OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 42 SOUTH, RANGE 43 EAST LYING EAST OF THE EAST RIGHT OF WAY LINE OF THE INTRACOASTAL WATERWAY AND LESS THE RIGHT OF WAY OF ELLISON WILSON ROAD; SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

CONTAINING 45,208 SQUARE FEET OR 1.04 ACRES, MORE OR LESS.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, THENCE SOUTH 01° 22' 27" EAST, ALONG THE EAST LINE OF SAID SECTION 5, (THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5 BEARS SOUTH 01°22'27" EAST AND ALL OTHER BEARINGS RECITED HEREON ARE RELATIVE THERETO), A DISTANCE OF 711.16 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 300 FEET OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE NORTH 88° 44' 55" WEST, ALONG SAID NORTH LINE, 33.03 FEET TO THE WEST RIGHT OF WAY LINE OF ELLISON WILSON ROAD (A 66 FOOT WIDE PUBLIC

RIGHT-OF-WAY), AND THE POINT OF BEGINNING; THENCE SOUTH 1°22'27" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF ELLISON WILSON ROAD, A DISTANCE OF 200.21 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 100 FEET OF THE SOUTH 200 FEET OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE NORTH 88°44'55" WEST, ALONG SAID SOUTH LINE OF THE NORTH 100 FEET OF THE SOUTH 200 FEET OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 450.88 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THE INTRACOASTAL WATERWAY AS RECORDED IN PLAT BOOK 17, AT PAGE 29 OF THE OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 2°40'19" WEST, ALONG THE EAST RIGHT-OF-WAY LINE OF THE INTRACOASTAL WATERWAY, A DISTANCE OF 200.47 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 300 FEET OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE SOUTH 88°44'55" EAST, ALONG SAID NORTH LINE OF THE SOUTH 300 FEET OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 455.42 FEET TO THE POINT OF BEGINNING.

CONTAINING 90,642 SQUARE FEET OR 2.08 ACRES OF LAND, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

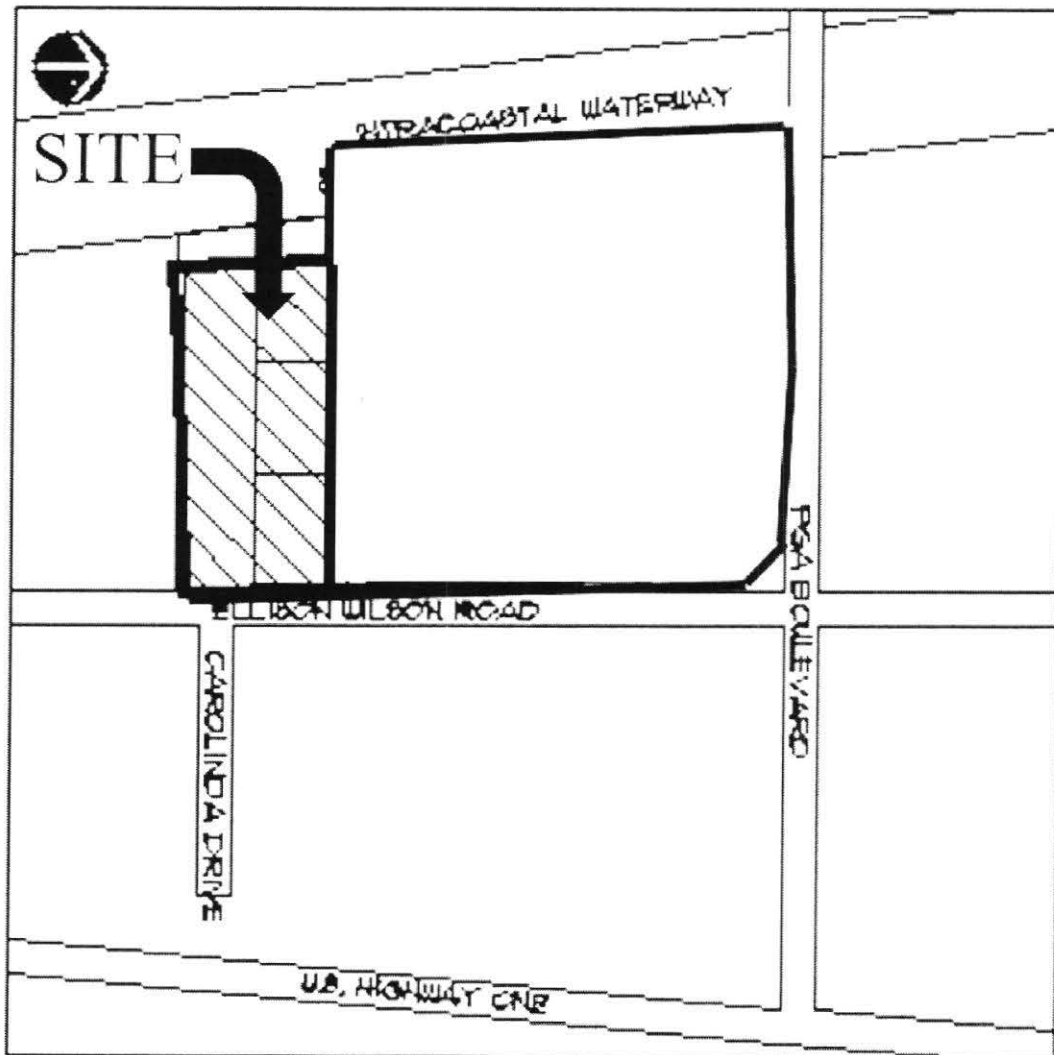


EXHIBIT C

CONDITIONS OF APPROVAL

DISCLOSURE

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