

RESOLUTION NO. R-2022-0907

RESOLUTION APPROVING ZONING APPLICATION Z-2021-00120
(CONTROL NO. 2005-00323)
an Official Zoning Map Amendment
APPLICATION OF Boynton Beach Associates XXV LLLP
BY G.L. Homes, AGENT
(Swaney 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, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application Z-2021-00120, submitted on behalf of Boynton Beach Associates XXV LLLP, by G.L. Homes, Agent, for an Official Zoning Map Amendment to allow a rezoning from Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to Agricultural Reserve (AGR) Zoning District, was presented to the Board of County Commissioners at a public hearing conducted on August 25, 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 Z-2021-00120, the Application of Boynton Beach Associates XXV LLLP, by G.L. Homes, Agent, for an Official Zoning Map Amendment to allow a rezoning from Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to 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 August 25, 2022, subject to the Condition 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 Bernard 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	- Nay
Commissioner Maria Sachs	- Nay
Commissioner Melissa McKinlay	- Aye
Commissioner Mack Bernard	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on August 25, 2022.

Filed with the Clerk of the Board of County Commissioners on August 25th, 2022.

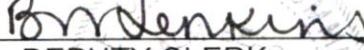
This resolution is effective when filed with the Clerk of the Board of County Commissioners.

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

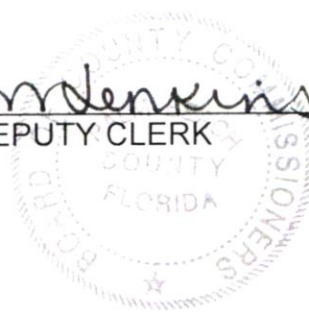


EXHIBIT A
LEGAL DESCRIPTION

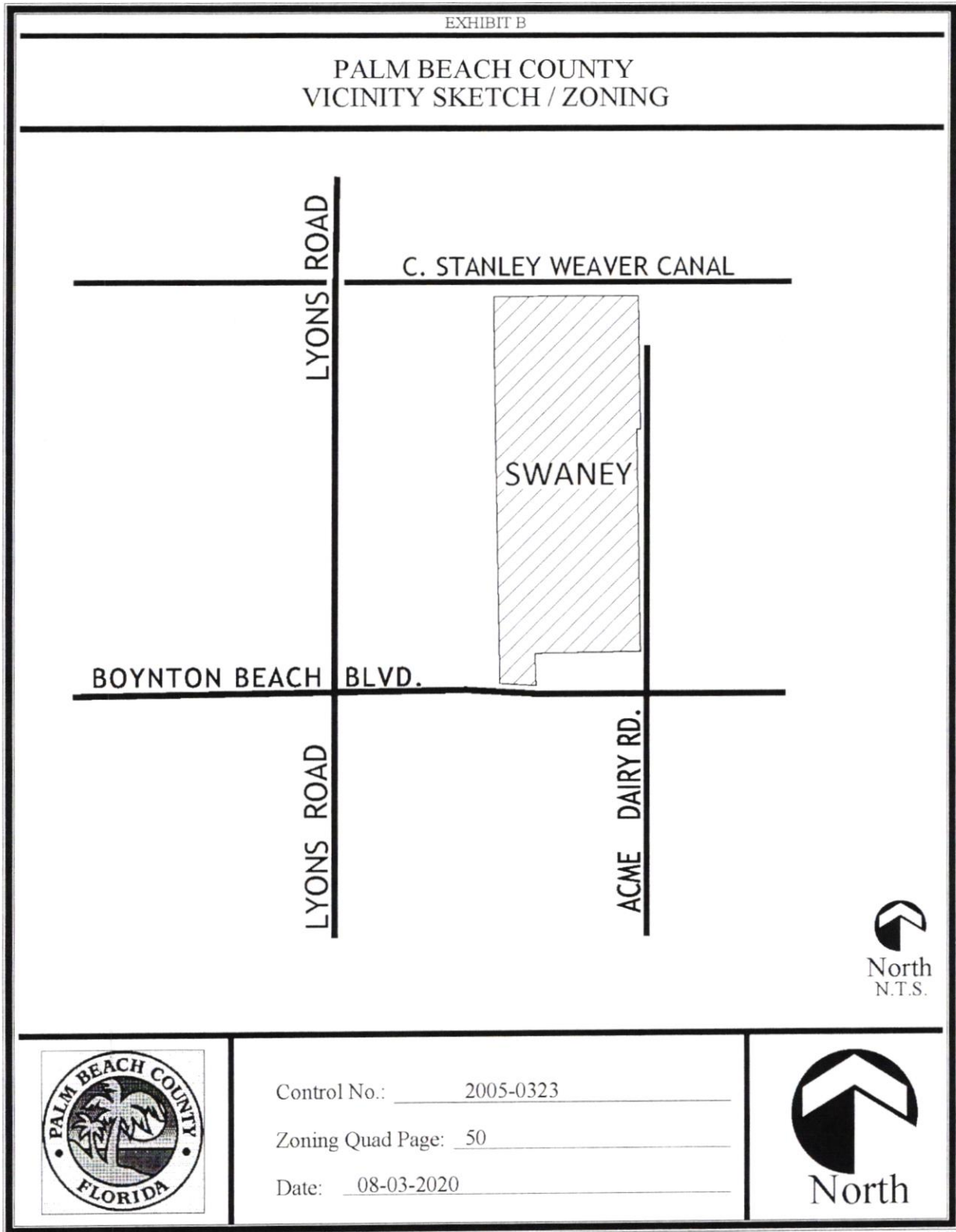
SWANEY REZONING

BEING ALL OF TRACTS 53 THROUGH 55, 74 THROUGH 76, 85 THROUGH 87, 104 THROUGH 106 AND A PORTION OF TRACTS 41, 42, 43, 56, 73, 88, 103 AND 115, TOGETHER WITH PORTIONS OF THE ABUTTING ROAD, DYKE AND DITCH RESERVATIONS, ALL IN BLOCK 50, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID TRACT 103, ALSO BEING THE SOUTHEAST CORNER OF TRACT "C", ST. JOSEPH'S SCHOOL, AS RECORDED IN PLAT BOOK 101, PAGE 89, SAID PUBLIC RECORDS; THENCE SOUTH 89°02'57" WEST, ALONG THE SOUTH LINE OF SAID TRACT 103 AND SAID TRACT "C", A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°02'57" WEST, ALONG THE SOUTH LINE OF SAID TRACT 103, A DISTANCE OF 960.00 FEET; THENCE SOUTH 00°57'03" EAST, ALONG THE EAST LINE OF SAID TRACT 115, A DISTANCE OF 586.74 FEET TO THE POINT OF NON-RADIAL INTERSECTION ON A CURVE, CONCAVE NORTHERLY, HAVING A RADIAL BEARING OF NORTH 03°47'20" EAST, A RADIUS OF 3273.75 FEET AND A CENTRAL ANGLE OF 01°38'11"; THENCE WESTERLY, ALONG THE NORTH RIGHT-OF-WAY LINE OF BOYNTON BEACH BOULEVARD, ALSO BEING THE NORTH LINE OF TRACT "D" ACCORDING TO SAID PLAT OF ST. JOSEPH'S SCHOOL, FOR THE FOLLOWING TWO (2) DESCRIBED COURSES AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 93.49 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 3326.25 FEET AND A CENTRAL ANGLE OF 04°05'39"; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 237.68 FEET TO THE POINT OF INTERSECTION WITH A NON-RADIAL LINE; THENCE NORTH 00°57'03" WEST, ALONG THE WEST LINE OF SAID TRACTS 44, 53, 76, 85, 106 AND 115, A DISTANCE OF 3808.52 FEET; THENCE NORTH 89°03'05" EAST, ALONG THE SOUTH LINE OF THE NORTH 110.00 FEET OF SAID TRACTS 41 THROUGH 44, A DISTANCE OF 1335.00 FEET; THENCE SOUTH 00°57'03" EAST, ALONG THE CENTERLINE OF SAID ROAD, DYKE AND DITCH RESERVATION 30.00 FEET IN WIDTH, LYING EAST OF AND ADJACENT TO SAID TRACT 41, A DISTANCE OF 549.44 FEET; THENCE SOUTH 89°02'57" WEST, ALONG THE EASTERLY PROLONGATION OF THE SOUTH LINE OF SAID TRACT 41, A DISTANCE OF 15.00 FEET; THENCE SOUTH 00°57'03" EAST, ALONG THE EAST LINE OF SAID TRACT 56 AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 689.29 FEET; THENCE SOUTH 89°02'57" WEST, ALONG THE NORTH LINE OF SAID TRACT 73 AND TRACT "E" ACCORDING TO SAID PLAT OF ST. JOSEPH'S SCHOOL, A DISTANCE OF 30.00 FEET; THENCE SOUTH 00°57'03" EAST, ALONG THE WEST LINE OF ACME DAIRY ROAD RIGHT-OF-WAY ALSO BEING THE WEST LINE OF SAID TRACTS "C" AND "E", A DISTANCE OF 2009.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 101.582 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH



\\G:\HOME\NETWORK\DATA\ARCHITECTURE\LANDSCAPE ARCHITECTURE\EVELYN PACHECO\WORKY SKETCHES\VICINITY SKETCH MAPS.DWG Plot Date: 23 7/23/2020 4:29P by EVELYN.PACHECO

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.