

RESOLUTION NO. R-2024- 0862

RESOLUTION REVOKING RESOLUTION R-1977-592
(CONTROL NUMBER 1977-00052)
AFFIRMING THE ABANDONMENT
OF ZONING APPLICATION ABN/PDD/CA-2023-00996

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapters 125 and 163, Florida Statutes, is authorized and empowered to consider applications related 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, Petition No. 1977-0052, the application of Weaver Development Corporation by Melvin E. Weaver, President, Agent, for a Special Exception to allow a Golf Course, Clubhouse and Accessory facilities was presented to the Board of County Commissioners and approved at a public hearing on May 26, 1977; and adopted on June 14, 1977 by Resolution R-1977-592;

WHEREAS, Zoning Application ABN/PDD/CA-2023-00996, the Application of Toll Brothers, Inc., and True Shot LLC - William Marcacci, by WGINC, Agent, for a Development Order Abandonment to Abandon a Special Exception to allow a Golf Course, Clubhouse and Accessory facilities on 130.30 acres; an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District in part on 121.09 acres and the Single Family Residential (RS) Zoning District in part on 1.47 acres to the Planned Unit Development (PUD) Zoning District on 122.56 acres; and for a Class A Conditional Use to allow Type 2 Excavation with removal of more than ten percent of the extracted material from the site on 122.56 acres, was presented to the Board of County Commissioners at a public hearing conducted on July 17, 2024;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, and the recommendations of the various County Review Agencies;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.8 (Public Hearing Processes) for a Development Order Abandonment;

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 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 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:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Resolution R-1977-592, approving a Special Exception to allow a Golf Course, Clubhouse and Accessory facilities on a parcel of land generally described as shown on the legal description in Exhibit A, attached hereto and made apart hereof, is hereby revoked.

Commissioner Weiss moved for the approval of the Resolution.

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

Commissioner Maria Sachs, Mayor	- Aye
Commissioner Maria G. Marino, Vice Mayor	- Aye
Commissioner Gregg K. Weiss	- Aye
Commissioner Michael A. Barnett	- Absent
Commissioner Marci Woodward	- Aye
Commissioner Sara Baxter	- Aye
Commissioner Mack Bernard	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on July 17, 2024.

Filed with the Clerk of the Board of County Commissioners on July 24, 2024.

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

BY: 
COUNTY ATTORNEY

JOSEPH ABRUZZO,
CLERK & COMPTROLLER
BY: 
DEPUTY CLERK


EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

ALL OF THE PLAT OF CYPRESS CREEK GOLF COURSE, AS RECORDED IN PLAT BOOK 35, PAGE 106, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING IN ALL 130.30 ACRES, MORE OR LESS.