

RESOLUTION NO. R-2000- 1575

RESOLUTION APPROVING ZONING PETITION PDD97-078(B)
OFFICIAL ZONING MAP AMENDMENT
TO A PLANNED DEVELOPMENT DISTRICT(PDD)
PETITION OF LEVITT HOMES
BY ROBERT BENTZ, AGENT
(PONTE VECCHIO PUD (AKA CIBA-GEIGY 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 petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20), have been satisfied; and

WHEREAS, Zoning Petition PDD97-078(B) was presented to the Board of County Commissioners at a public hearing conducted on September 28, 2000; and,

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This official zoning map amendment (rezoning) is consistent with the Palm Beach County Comprehensive Plan;
2. This official zoning map amendment (rezoning) is consistent with the requirements of the Palm Beach County Unified Land Development Code;
3. This official zoning map amendment (rezoning) with approved conditions is compatible with surrounding uses and zones, as defined in the Palm Beach County Unified Land Development Code, is generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land;
4. This official zoning map amendment (rezoning) with approved conditions does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
5. This official zoning map amendment (rezoning) with approved conditions will result in a logical and orderly development pattern;
6. This official zoning map amendment (rezoning) complies with Article 11, (Adequate Public Facilities) of the Palm Beach County Unified Land Development Code, Ordinance 92-20; and,
7. This official zoning map amendment (rezoning) with approved conditions is consistent with the requirements of all other applicable local land development regulations.

WHEREAS, Article 5, Section 5.3.D.9 (Action by Board of County Commissioners) of the Palm Beach County Unified Land Development Code 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 Petition PDD97-078(B), the petition of Levitt Homes by Robert Bentz, agent, for an Official Zoning Map Amendment (PDD) from Residential Single Family (RS) and Agricultural Residential (AR) to Planned Unit Development (PUD) on a parcel of land legally described in EXHIBITA, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on September 28, 2000, subject to the conditions of approval described in EXHIBIT C of DOA97-078(B).

Commissioner Newell moved for the approval of the Resolution.

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

Maude Ford Lee, Chair		Aye
Warren Newell, Vice Chair	-	Aye
Karen T. Marcus		Aye
Carol A. Roberts		Aye
Mary McCarty		Absent
Burt Aaronson		Absent
Tony Masilotti		Aye

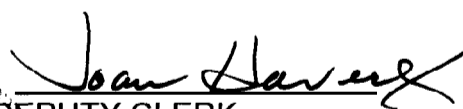
The Chair thereupon declared that the resolution was duly passed and adopted on September 28, 2000.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK

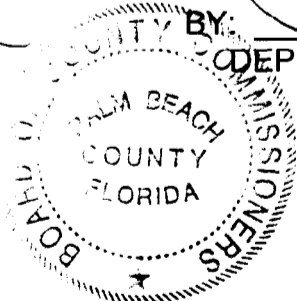


EXHIBIT A

LEGAL DESCRIPTION

PORTIONS OF TRACTS 8 THROUGH 16 AND PORTIONS OF THAT CERTAIN 30 FOOT ROAD RIGHT OF WAY LYING BETWEEN TRACTS 8 AND 9, BLOCK 49, PALM BEACH FARMS CO. PLAT NO. 3, SECTIONS 20 AND 21, TOWNSHIP 45 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 21, SAME BEING THE CENTERLINE OF HAGEN RANCH ROAD AS SHOWN ON ABERDEEN-PLAT NO. 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 55, PAGES 1 I-22, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 2202.00 FEET (A RADIAL LINE TO SAID POINT BEARS NORTH 8959'27" EAST); THENCE SOUTHERLY ALONG SAID CENTERLINE AND SAID ARC THROUGH A CENTRAL ANGLE OF 0204'55", AN ARC DISTANCE OF 80.02 FEET TO A LINE BEING 55.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID BLOCK 49; THENCE SOUTH 8952'23" WEST ALONG SAID PARALLEL LINE, 40.03 FEET TO THE POINT OF BEGINNING, SAME BEING THE WESTERLY RIGHT OF WAY LINE OF HAGEN RANCH ROAD AS RECORDED IN OFFICIAL RECORD BOOK 9904, PAGES 855 THROUGH 857, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA SAME BEING A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 2162.00 FEET (A RADIAL LINE TO SAID POINT BEARS SOUTH 8800'19" EAST); THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND SAID ARC THROUGH A CENTRAL ANGLE OF 0300'40", AN ARC LENGTH OF 113.62 FEET; THENCE THE FOLLOWING SEVEN (7) COURSES CONTINUING ALONG WESTERLY RIGHT OF WAY LINE OF SAID HAGEN RANCH ROAD ACCORDING TO OFFICIAL RECORD BOOK 9904, PAGES 860 THROUGH 862, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; (1) NORTH 8459'39" WEST, 12.00 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 2150.00 FEET, (A RADIAL LINE TO SAID POINT BEARS SOUTH 8459'39" EAST); (2) SOUTHERLY THROUGH A CENTRAL ANGLE OF 0847'39", AN ARC LENGTH OF 330.00 FEET; (3) SOUTH 5948'58" WEST, 50.37 FEET; (4) NORTH 74 10'04" WEST, 37.11 FEET; (5) SOUTH 1549'56" WEST, 80.00 FEET; (6) SOUTH 74 10'04" EAST, 51.68 FEET, (7) SOUTH 3006'32" EAST, 48.68 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 2240.00 FEET (A RADIAL LINE TO SAID POINT BEARS NORTH 7603'26" WEST); THENCE CONTINUING ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID HAGEN RANCH ROAD ACCORDING TO OFFICIAL RECORD BOOK 9904 PAGES 855 THROUGH 857 AND OFFICIAL RECORD BOOK 9904, PAGES 848 THROUGH 850, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SOUTHERLY THROUGH A CENTRAL ANGLE OF 1344'31", AN ARC LENGTH OF 537.24 FEET TO A LINE BEING 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID TRACTS 9 THROUGH 16; THENCE SOUTH 8903'43" WEST ALONG SAID PARALLEL LINE, 2575.44 FEET TO A LINE BEING 55.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID TRACT 16; THENCE NORTH 0056'17" WEST ALONG SAID PARALLEL LINE, 1215.00 FEET A LINE BEING 55.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID BLOCK 49; THENCE NORTH 8903'43" EAST ALONG SAID PARALLEL LINE, 67.53 FEET; THENCE SOUTH 0000'04" EAST ALONG SAID PARALLEL LINE, 61.90 FEET; THENCE NORTH 8952'23." EAST ALONG SAID PARALLEL LINE, 2639.14 FEET TO THE POINT OF BEGINNING.

EXHIBIT A

LEGAL DESCRIPTION

TOGETHER WITH A PARCEL OF LAND LYING IN SECTIONS 15, TOWNSHIP 45 SOUTH, RANGE 42 EAST BEING A PORTION OF PLAT NO. I LE CHALET (P.U.D.) AS RECORDED IN PLAT BOOK 31, PAGES 166 AND 167 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID PLAT NO. I LE CHALET; THENCE NORTH 0020'28" EAST ALONG THE WEST BOUNDARY LINE OF SAID PLAT FOR 571.34 FEET TO THE NORTH BOUNDARY LINE OF SAID PLAT; THENCE NORTH 7909'19" EAST ALONG SAID NORTH BOUNDARY LINE OF SAID PLAT, 1978.50 FEET; THENCE SOUTH 0022'58" EAST FOR 472.44 FEET; THENCE SOUTH 8937'02" WEST FOR 104.50 FEET; THENCE SOUTH 0022'58 EAST FOR 440.24 FEET TO THE SOUTH BOUNDARY OF SAID PLAT; THENCE SOUTH 8903'47" WEST ALONG SAID SOUTH BOUNDARY LINE FOR 1848.41 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A PORTION OF SECTION 16, TOWNSHIP 45 SOUTH, RANGE 42 EAST ALSO KNOWN AS TRACT "V", ABERDEEN-PLAT NO. 24, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 77, PAGES 174-180, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH TUSCANY-PARCEL "D", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 84, PAGES 167-170, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTIONS 15 AND 22, TOWNSHIP 45 SOUTH, RANGE 42 EAST.

TOGETHER WITH TUSCANY-PARCEL "C", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 85, PAGES 79-82, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTIONS 21 AND 22, TOWNSHIP 45 SOUTH, RANGE 42 EAST.

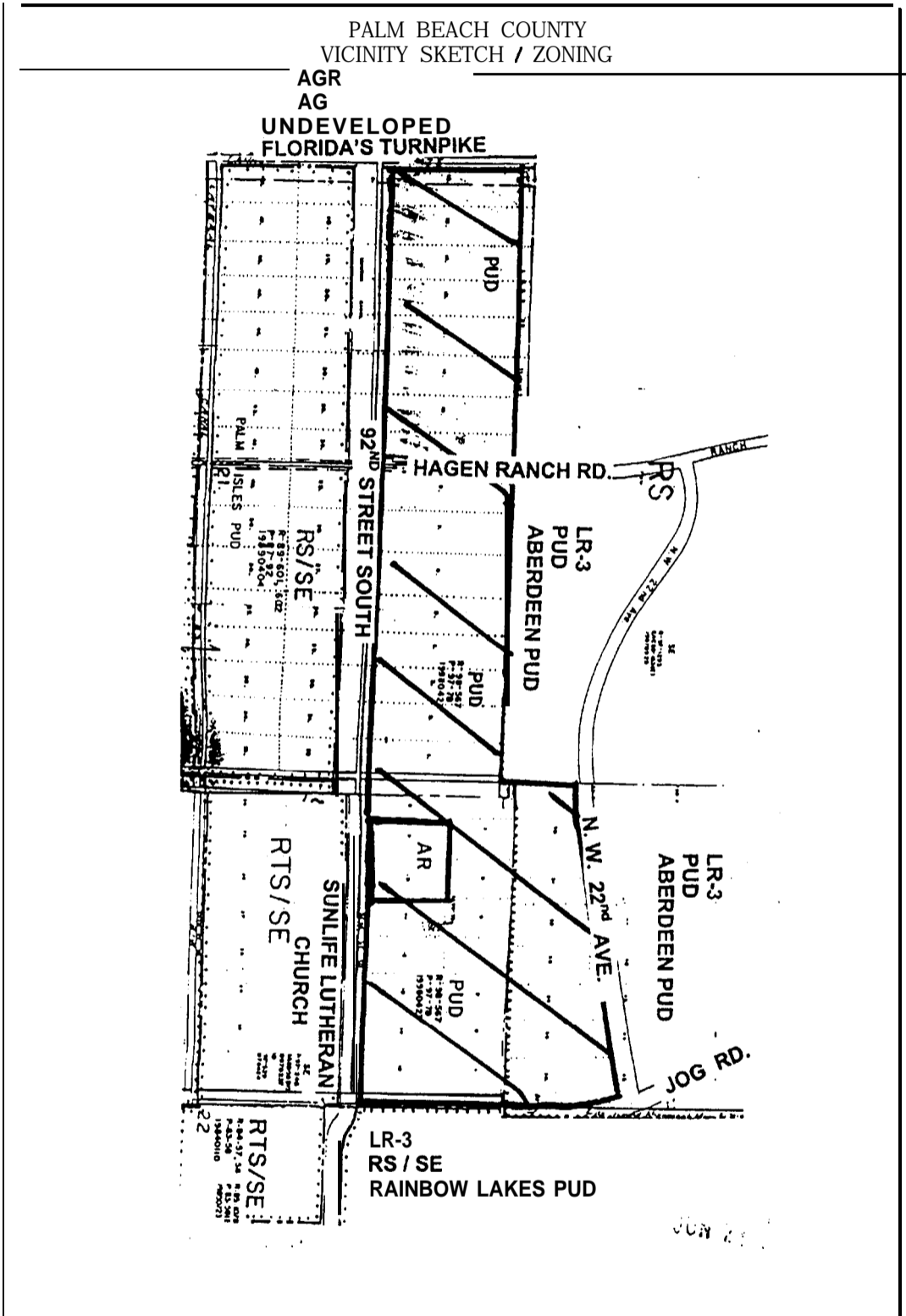
TOGETHER WITH TRACTS SAND IO, BLOCK 48, PALM BEACH FARMS CO. PLAT NO. 3, SECTION 22, TOWNSHIP 45 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45-54 OF THE PUBLIC OF PALM BEACH COUNTY, FLORIDA. SAID LANDS LYING IN PALM BEACH COUNTY, FLORIDA, CONTAINING A NET AREA OF 247.340 ACRES (10,774,141 SQUARE FEET) MORE OR LESS. EXHIBIT A

LEGAL DESCRIPTION

EXHIBIT B

VICINITY SKETCH

EXHIBIT B



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