

RESOLUTION NO. R-2005- 1802

RESOLUTION APPROVING ZONING APPLICATION W2005-475  
(CONTROL NO.1974-081)  
WAIVER OF OBJECTIVES AND STANDARDS (PERFORMANCE STANDARDS) (W)  
APPLICATION OF MINTO COMMUNITIES, INC.  
BY MINTO COMMUNITIES INC., AGENT  
(MINTO OKEECHOBEE 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 public hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067), have been satisfied; and

WHEREAS, Zoning Application W2005-475 was presented to the Board of County Commissioners at a public hearing conducted on September 22, 2005 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 has considered the findings in the staff report and the following findings of fact:

1. This proposed development is consistent with the provisions of the Article 3.E.1.C.1; contingent upon the approval of Large Scale Land Use Plan Amendment LGA 2005-00030;
2. This proposed development is consistent with the provisions of the Article 3.E.1.C.2, except the following which the BCC is waiving:
  - a) No more than 25 percent of the local streets in a PDD shall terminate in a cul-de-sac or a dead-end.
3. The waiver will not adversely impact the development of this property and will result in logical, timely and orderly development patterns.

WHEREAS, Article 2.K.3.b (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 Application W2005-475, the application of Minto Communities, Inc., by Minto Communities Inc., agent, for a WAIVER OF OBJECTIVES AND STANDARDS (PERFORMANCE STANDARDS (WAIVER) to allow deviation from cul-de-sac and dead-end restrictions in the Planned Unit Development Zoning District on a parcel of land legally described in EXHIBIT A, 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 22, 2005.

Commissioner Koons moved for the approval of the Resolution.

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

Tony Masilotti, Chairman	¥	Aye
Addie L. Greene, Vice Chairperson	¥	Aye
Karen T. Marcus	¥	Absent
Jeff Koons	¥	Aye
Warren H. Newell	¥	Aye
Mary McCarty	¥	Aye
Burt Aaronson	¥	Aye

The Chairman thereupon declared that this resolution shall not become effective until Comprehensive Plan Amendment LGA 2005-00030 (MINTO/FOX PROPERTY) is effective.

Filed with the Clerk of the Board of County Commissioners on 22nd day of September 2005.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

SHARON BOCK,  
CLERK & COMPTROLLER

BY:



COUNTY ATTORNEY

BY:



DEPUTY CLERK



EXHIBIT A

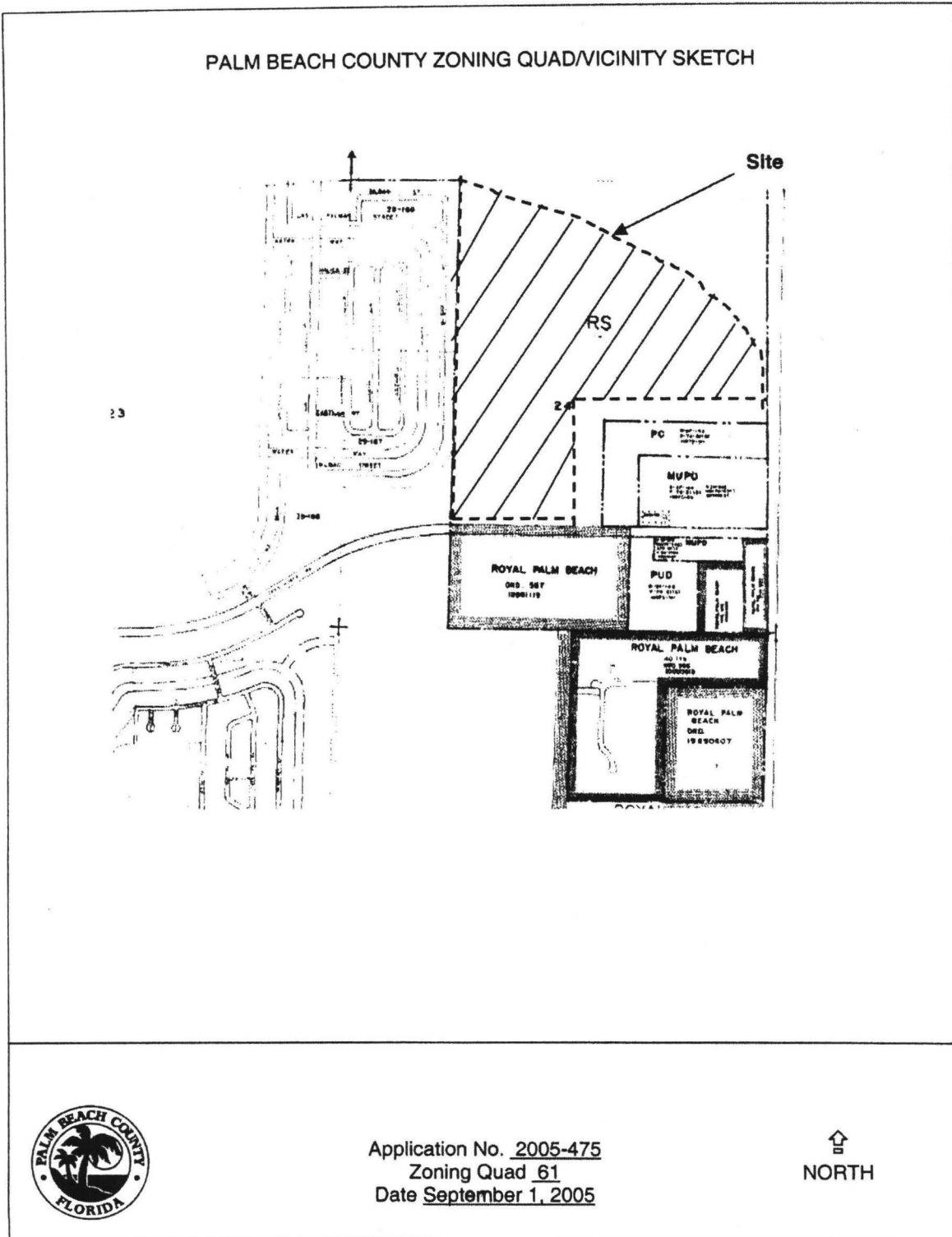
LEGAL DESCRIPTION

A PARCEL OF LAND LYING WITHIN SECTIONS 13 AND 24, TOWNSHIP 43 SOUTH, RANGE 41 EAST, IN PALM BEACH COUNTY, FLORIDA, WHICH LIES WITHIN THE BOUNDARY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 24, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE NORTH 89 DEGREES, 21 MINUTES, 44 SECONDS WEST ALONG THE NORTH LINE OF SAID SECTION 24, A DISTANCE OF 200.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, AS DESCRIBED IN DEED BOOK 992, PAGES 123 THROUGH 126, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 00 DEGREES, 40 MINUTES, 34 SECONDS WEST ALONG SAID WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, A DISTANCE OF 1532.82 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTH 00 DEGREES, 40 MINUTES, 34 SECONDS WEST ALONG SAID WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, A DISTANCE OF 1267.34 FEET; THENCE NORTH 88 DEGREES, 47 MINUTES, 21 SECONDS WEST ALONG THE NORTH LINE OF FOX PROPERTIES PLAT AS RECORDED IN PLAT BOOK 83, PAGES 65 THROUGH 67, INCLUSIVE, OF SAID PUBLIC RECORDS, A DISTANCE OF 1949.50 FEET; THENCE SOUTH 01 DEGREES, 12 MINUTES, 39 SECONDS WEST ALONG THE WEST LINE OF SAID FOX PROPERTIES PLAT, A DISTANCE OF 1300.68 FEET; THENCE NORTH 88 DEGREES, 47 MINUTES, 21 SECONDS WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD AS DESCRIBED IN OFFICIAL RECORDS BOOK 6320, PAGE 1285 OF SAID PUBLIC RECORDS, A DISTANCE OF 1772.18 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH WITH A RADIUS OF 3225.60 FEET; THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01 DEGREE, 02 MINUTES, 27 SECONDS, A DISTANCE OF 58.60 FEET TO A NON-RADIAL INTERSECTION; THENCE NORTH 02 DEGREES, 08 MINUTES, 44 SECONDS EAST ALONG THE WEST LINE OF THE EAST THREE QUARTERS OF SAID SECTION 24 AND THE NORTHERLY EXTENSION THEREOF, SAID WEST LINE OF THE EAST THREE QUARTERS OF SECTION 24 ALSO BEING THE EAST LINE OF LA MANCHA PLAT AS RECORDED IN PLAT BOOK 29, PAGES 165 THROUGH 170, INCLUSIVE, OF SAID PUBLIC RECORDS, A DISTANCE OF 4463.07 FEET; THENCE SOUTH 63 DEGREES, 34 MINUTES, 44 SECONDS EAST ALONG THE PROPOSED SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 7, A DISTANCE OF 3771.65 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 584.00 FEET; THENCE SOUTHEASTERLY ALONG SAID PROPOSED SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 7 AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 40 DEGREES, 25 MINUTES, 36 SECONDS, A DISTANCE OF 412.06 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 250.51 ACRES MORE OR LESS.

EXHIBIT B  
VICINITY SKETCH



Application No. 2005-475  
Zoning Quad 61  
Date September 1, 2005

↑  
NORTH