

RESOLUTION NO. R-2006-0746

RESOLUTION APPROVING ZONING APPLICATION W2005-480
(CONTROL NO.1981-233)
WAIVER OF OBJECTIVES AND STANDARDS (PERFORMANCE STANDARDS) (W)
APPLICATION OF PRIME PROJECTS DEVELOPMENT LLC
BY KILDAY & ASSOCIATES, INC., AGENT
(BALMORAL (LACUNA) COUNTRY CLUB POD H)

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), as amended, have been satisfied; and

WHEREAS, Zoning Application W2005-480 was presented to the Board of County Commissioners at a public hearing conducted on April 27, 2006 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;
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 W2005-480, the application of Prime Projects Development, LLC, by Kilday & Associates, Inc., agent, for a WAIVER OF OBJECTIVES AND STANDARDS (PERFORMANCE STANDARDS (WAIVER) in the Residential Traditional/Special Exception 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 April 27, 2006.

Commissioner Koons moved for the approval of the Resolution.

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

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

The Chairman thereupon declared that the resolution was duly passed and adopted on April 27 2006.

Filed with the Clerk of the Board of County Commissioners on 27th day of April, 2006.

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

SHARON BOCK,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

A parcel of land being a portion of Tract "R" and a portion of the parcel designated "Golf Course", FAIRFIELD'S LACUNA PLAT 4, according to the plat thereof, as recorded in Plat Book 61, Pages 14 and 15 of the Public Records of Palm Beach County, Florida; said parcel being specifically described as follows;

Commencing at the Southwest corner of the parcel designated "Golf Course";
Thence, bear North 89°-25'-00" East, along the South line of said FAIRFIELD'S LACUNA PLAT 4, a distance of 154.46 feet to the POINT OF BEGINNING;

Thence, North 00°-15'-59" West, a distance of 214.00 feet;
Thence, North 83°-44'-18" East, a distance of 32.20 feet;
Thence, North 05°-04'-36" West, a distance of 460.04 feet;
Thence, North 25°-19'-48" West, a distance of 161.47 feet;
Thence, North 15°-53'-49" West, a distance of 168.09 feet;
Thence, North 07°-20'-40" West, a distance of 265.92 feet to a point on the Southerly right of way line of Rolling Hills Boulevard, as shown on the plat of FAIRFIELD'S LACUNA PLAT 2, as recorded in Plat Book 58, Pages 116 through 118 of the Public Records of Palm Beach County, Florida; said point being on a curve concave to the South whose center bears South 13°-50'-53" East;
Thence, Easterly, along said Southerly right of way line and the arc of said curve through a central angle of 9°-04'-35", a distance of 238.91 feet to the end of said curve;
Thence, departing said right of way line, bear South 39°-30'-56" West, a distance of 13.92 feet;
Thence, South 05°-51'-01" West, a distance of 260.90 feet to the point of curvature of a curve to the left; said curve having a radius of 360.00 feet, a central angle of 16°-44'-26" and a chord bearing of South 14°-13'-14" East;
Thence, Southerly, along the arc of said curve, a distance of 105.18 feet to the point of tangency;
Thence, South 22°-35'-27" East, a distance of 56.11 feet to a point on the South line of the aforesaid Tract "R";
Thence, South 89°-58'-08" East, along said South line of Tract "R", a distance of 72.02 feet;
Thence, South 74°-05'-15" East, along said South line of said Tract "R", a distance of 114.68 feet;
Thence, South 05°-17'-13" East, a distance of 58.36 feet;
Thence, South 09°-18'-35" East, a distance of 58.88 feet;
Thence, South 08°-49'-24" East, a distance of 163.00 feet;
Thence, South 05°-53'-55" East, a distance of 127.48 feet;
Thence, South 03°-37'-30" East, a distance of 423.17 feet to a point on the South line of said FAIRFIELD'S LACUNA PLAT 4;
Thence, South 89°-25'-00" West, along said South line of FAIRFIELD'S LACUNA PLAT 4, a distance of 403.83 feet to the POINT OF BEGINNING.

SUBJECT TO easements, reservations restrictions and rights of way of record.

Containing: 413,253 square feet, more or less (9.487 Acres, more or less)

EXHIBIT B
VICINITY SKETCH

