

RESOLUTION NO. R-2006- 0921

RESOLUTION APPROVING ZONING APPLICATION Z2005-1720  
(CONTROL NO. 2005-535)  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
APPLICATION OF K HOVNANIAN T&C HOMES AT FLORIDA LLC  
BY KILDAY & ASSOCIATES, INC., AGENT  
(SABAL GROVE)

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 Z2005-1720 was presented to the Board of County Commissioners at a public hearing conducted on May 25, 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 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) 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) 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) will result in a logical and orderly development pattern;
6. This official zoning map amendment (rezoning) complies with Article 2.F (CONCURRENCY - Adequate Public Facilities Standards) of the Palm Beach County Unified Land Development Code; and,
7. This official zoning map amendment (rezoning) is consistent with the requirements of all other applicable local land development regulations.

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 Z2005-1720, the application of K Hovnanian T&C Homes at Florida LLC, by Kilday & Associates, Inc., agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential Zoning District to the Single Family Residential 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 May 25, 2006.

Commissioner Marcus moved for the approval of the Resolution.

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

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

The Chairman thereupon declared that the resolution was duly passed and adopted on May 25, 2006.

Filed with the Clerk of the Board of County Commissioners on 25th day of May, 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 R. BOCK,  
CLERK & COMPTROLLER

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK



EXHIBIT A

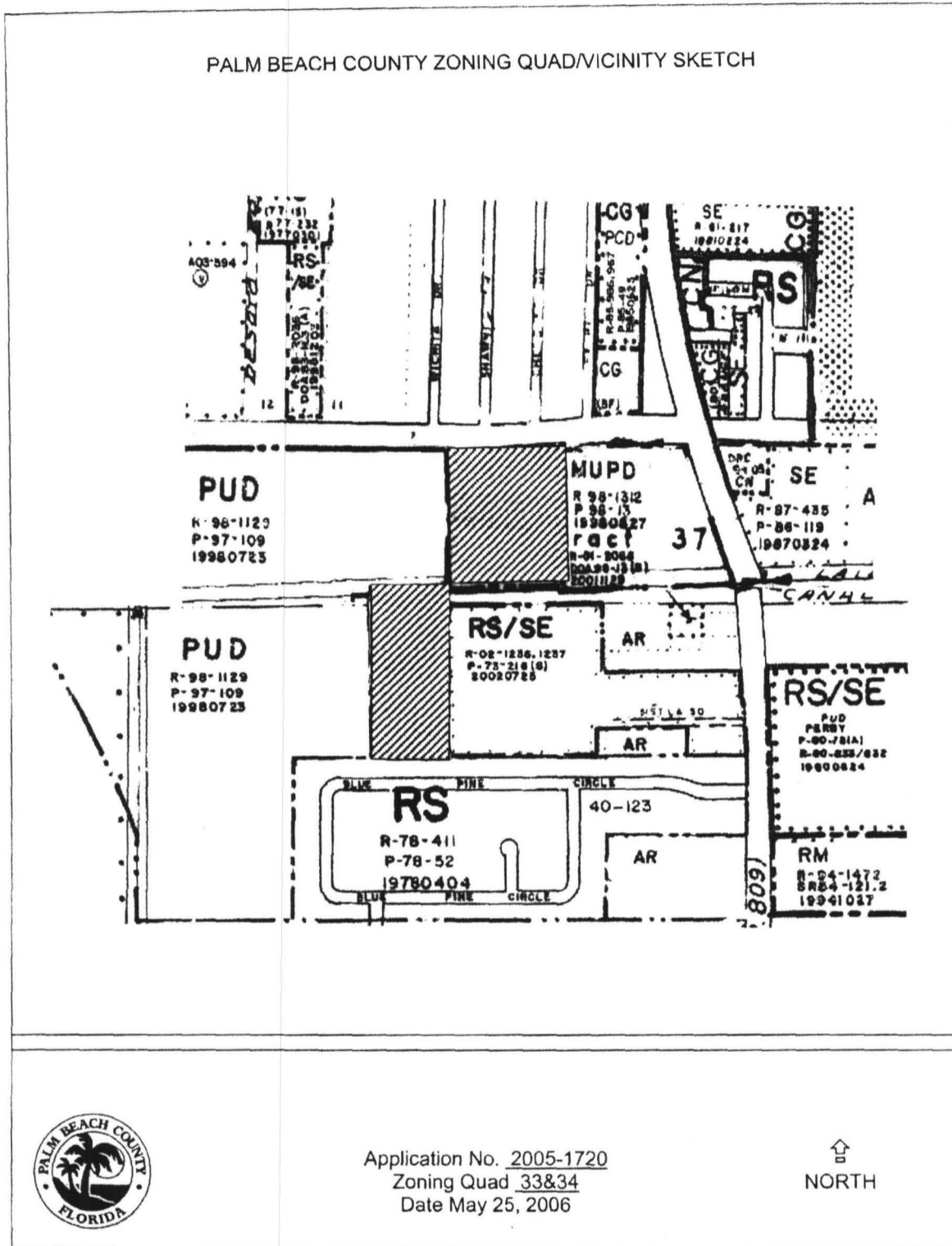
LEGAL DESCRIPTION

A PORTION OF LOT 2, TRACT 37, AS SHOWN ON THE GOVERNMENT PLAT OF THE HIATUS BETWEEN TOWNSHIPS 44 AND 45 SOUTH, RANGE 42 EAST, TOGETHER WITH A PORTION OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST; THENCE S.88°30'01"E. ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, A DISTANCE OF 1817.31 FEET; THENCE S.01°29'59"W., A DISTANCE OF 54.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF LANTANA ROAD (STATE ROAD 812), AS RECORDED IN OFFICIAL RECORD BOOK 5781, PAGE 1178 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S.88°30'01"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 178.32 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 2,907.79 FEET AND A CENTRAL ANGLE OF 04°11'42"; THENCE EASTERLY ALONG THE ARC OF SAID RIGHT-OF-WAY LINE, A DISTANCE OF 212.90 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 2,821.79 FEET AND A CENTRAL ANGLE OF 00°25'14"; THENCE EASTERLY ALONG THE ARC OF SAID RIGHT-OF-WAY LINE, A DISTANCE OF 20.72 FEET; THENCE S.01°29'59"W. ALONG THE WEST LINE OF MILITARY AND LANTANA M.U.P.D.-PLAT NO. 1, AS RECORDED IN PLAT BOOK 85, PAGES 3 AND 4 OF SAID PUBLIC RECORDS, AND THE SOUTHERLY PROJECTION THEREOF, A DISTANCE OF 513.97 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST; THENCE S.89°26'48"W. ALONG SAID NORTH LINE, A DISTANCE OF 347.60 FEET; THENCE S.00°33'12"E., A DISTANCE OF 52.14 FEET; THENCE S.89°26'48"W., A DISTANCE OF 29.85 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THE EAST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST; THENCE S.00°15'58"E. ALONG SAID EAST LINE, A DISTANCE OF 679.21 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF CONCEPT HOMES, AS RECORDED IN PLAT BOOK 45, PAGES 158 AND 159 OF SAID PUBLIC RECORDS; THENCE S.89°36'03"W. ALONG SAID NORTH LINE, A DISTANCE OF 332.70 FEET; THENCE N.00°18'00"W. ALONG THE EAST LINE OF BRYNTESON NURSERY, P.U.D. WILLOUGHBY FARMS, AS RECORDED IN PLAT BOOK 86, PAGES 198 THROUGH 204 OF SAID PUBLIC RECORDS, A DISTANCE OF 730.45 FEET; THENCE N.89°26'48"E. ALONG SAID EAST LINE, A DISTANCE OF 298.36 FEET; THENCE N.01°29'59"E. ALONG SAID EAST LINE, A DISTANCE OF 519.50 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.  
CONTAINING 456,443 SQUARE FEET OR 10.479 ACRES, MORE OR LESS.  
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

EXHIBIT B  
VICINITY SKETCH



Application No. 2005-1720  
Zoning Quad 33&34  
Date May 25, 2006

