

RESOLUTION NO. R-2014- 0886

RESOLUTION APPROVING ZONING APPLICATION ZV/PDD/DOA-2014-00092  
(CONTROL NO. 2004-00525)

an Official Zoning Map Amendment to a Planned Development District  
APPLICATION OF Atlantic Commons Associates, LLLP  
BY G.L. Homes, AGENT  
(Atlantic Commons 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 applications relating to zoning;

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;

WHEREAS, Zoning Application ZV/PDD/DOA-2014-00092 was presented to the Board of County Commissioners at a public hearing conducted on June 26, 2014;

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

WHEREAS, the, Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended) is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.1.B; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) 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 ZV/PDD/DOA-2014-00092, the application of Atlantic Commons Associates, LLLP, by G.L. Homes, agent, for an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) 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 in EXHIBIT B, attached hereto and made a part hereof, was approved on June 26, 2014 subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Abrams moved for the approval of the Resolution.

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

Commissioner Priscilla A. Taylor, Mayor	-	Aye
Commissioner Paulette Burdick, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Jess R. Santamaria	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on June 26, 2014.

Filed with the Clerk of the Board of County Commissioners on July 02, 2014.

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  
PALM BEACH COUNTY  
FLORIDA  
BOARD OF COUNTY COMMISSIONERS

EXHIBIT A

LEGAL DESCRIPTION

ATLANTIC COMMONS – LWDD L-32 CANAL  
LEGAL DESCRIPTION:

PARCEL 9 (L-32)

A PORTION OF TRACTS 1,2 AND 3 IN SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, AND TRACTS 126, 127 AND 128 IN SECTION 8, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ALL OF "PALM BEACH FARMS CO. PLAT NO. 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2 AT PAGES 26 THROUGH 28 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 17; THENCE NORTH 00°34'49" EAST, ALONG THE EAST LINE OF SAID SECTION 17, A DISTANCE OF 5467.35 FEET; THENCE SOUTH 89°15'11" WEST, ALONG A LINE 39.65 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 17, A DISTANCE OF 70.02 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°15'11" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 259.69 FEET; THENCE SOUTH 00°58'00" EAST, ALONG THE WEST LINE OF SAID TRACT 1, A DISTANCE OF 1.26 FEET; THENCE SOUTH 89°15'11" WEST, ALONG A LINE 40.92 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 17, A DISTANCE OF 613.24 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, AT WHICH THE RADIUS POINT BEARS SOUTH 87°13'44" EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, ALSO BEING THE EAST RIGHT OF WAY LINE OF FLORIDA'S TURNPIKE, HAVING A RADIUS OF 11309.16 FEET AND A CENTRAL ANGLE OF 00°17'02", A DISTANCE OF 56.03 FEET; THENCE NORTH 89°15'11" EAST, ALONG A NON-RADIAL LINE LYING 15.00 FEET NORTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 17, A DISTANCE OF 870.30 FEET; THENCE SOUTH 00°44'05" EAST, ALONG A LINE 70.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID TRACT 128, A DISTANCE OF 14.19 FEET; THENCE SOUTH 00°34'49" WEST, ALONG A LINE 70.00 FEET WEST OF AND PARALLEL WITH EAST LINE OF SAID SECTION 17, A DISTANCE OF 40.48 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA, AND CONTAIN 48,420 SQUARE FEET, MORE OR LESS.

EXHIBIT B  
VICINITY SKETCH

