

RESOLUTION NO. R-2002- 0505

RESOLUTION APPROVING ZONING PETITION PDD1984-159(B)
OFFICIAL ZONING MAP AMENDMENT
TO A PLANNED DEVELOPMENT DISTRICT (PDD)
PETITION OF CHRIS DOYLE
BY CARLTON FIELD ET AL, AGENT
(HATTIES LANDING)

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 PDD1984-159(B) was presented to the Board of County Commissioners at a public hearing conducted on April 4, 2002; 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, contingent upon the approval of Small Scale Development Amendment No. 01-SCA 26 COM 1.
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 PDD1984-159(B), the petition of Chris Doyle by Carlton Field et al, agent, for an Official Zoning Map Amendment from Residential Medium Density to Multiple Use Planned Development 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 4, 2002, subject to the conditions of approval described in DOA1984-159(B).

Commissioner Marcus moved for the approval of the Resolution.

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

Warren H. Newell, Chairman	-	Aye
Carol A. Roberts, Vice Chair	-	Aye
Karen T. Marcus	-	Aye
Mary McCarty	-	Aye
Burt Aaronson	-	Aye
Tony Masilotti	-	Aye
Addie L. Greene	-	Aye

The Chair thereupon declared that this resolution shall not become effective until Small Scale Development Amendment No. 01-SCA 26 COM 1 (PGA/ELLISON WILSON A.K.A. HATTIES LANDING) is effective.

Filed with the Clerk of the Board of County Commissioners on 14 day of May, 2002.

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

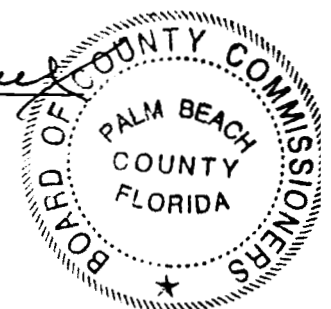


EXHIBIT A

LEGAL DESCRIPTION

TRACT "A"

Parcels 507 and 507.1

A parcel of land in Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows:

The North one-quarter (N-1/4) of the Northeast Quarter (NE-114) of the Southeast Quarter (SE-1/4) East of the Florida inland Navigation District Canal in Section 5, Township 42 South, Range 43 East, less the South 150 feet thereof, said property lying 187.13 feet on Ellison Wilson Road and being more particularly described as that part of the Easterly 192.75 feet of said parcel lying West of Ellison Wilson Road and South of P.G.A. Boulevard, less Road Rights-of-Ways as conveyed to the State of Florida in Official Record Book 1324, page 147 and Official Record Book 2934, Page 1821.

LESS THE FOLLOWING DESCRIBED PROPERTY conveyed to Palm Beach County by deed recorded in Official Record Book 4683, page 1854, Public Records of Palm Beach County, Florida:

A 7 foot wide strip of land extending the right-of-way of Ellison Wilson Road from an existing 33 foot right-of-way to a 40 foot right-of-way lying in Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida; more particularly described as follows:

The West 7 feet of the East 40 feet of the North one-quarter (N-1/4) of the Northeast Quarter (NE-1/4) of the Southeast Quarter (SE-1/4) of Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida; Less the South 150 feet thereof all lying South of the Right-of-way for P.G.A. Boulevard.

TOGETHER WITH:

A 6 foot wide strip of land lying South of the Existing Right-of-way of PGA Boulevard as recorded in Road Plat Book 5, page 19, together with a 6 feet strip of land taken at the Southwest intersection of PGA Boulevard and Ellison Wilson Road for additional safe corner requirements all lying in Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter of said Section 5, Township 42 South, Range 43 East; thence $S 01^{\circ} 22' 26'' E$, along the East line of said Southeast Quarter, a distance of 82.75 feet; thence $S 88^{\circ} 37' 34'' W$, a distance of 33.00 feet to the West Right-of-way of Ellison Wilson Road and the POINT OF BEGINNING; thence $N 41^{\circ} 16' 29'' W$, along the existing right-of-way; a distance of 25.66 feet; thence continue along the existing Southerly Right-of-way of PGA Boulevard, bearing $N 81^{\circ} 10' 32'' W$, a distance of 93.26 feet, to the Point of Curvature of a curve concave South having a radius of 1392.69

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feet; thence Westerly along said curve through a central angle of 02° 47' 21", and arc distance of 71.85 feet; thence S 83° 59' 58" W, a distance of 30.76 feet to a point 6 feet South of the said Southerly Right-of-way of PGA Boulevard said point lies on a curve concave to the South having a radius of 1386.69 feet; thence Easterly along said curve through a central angle of 04° 11' 59", an arc distance of 101.64 feet to the point of tangency thence S 81° 10' 32" E, a distance of 91.08 feet; thence S 41° 16' 29" E, a distance of 19.74 feet; thence N 80° 38' 28" E, a distance of 7.07 feet to the POINT OF BEGINNING.

Parcels 508 and 509

Begin at the Northeast corner of the Southeast Quarter of Section 5, Township 42 South, Range 43 East, thence South 0° 56' 14" East along the East line of said Section 5, a distance of 187.13 feet, thence North 88° 24' 27" West a distance of 40.04 feet for a POINT OF BEGINNING, thence continue North 88° 24' 27" West, a distance of 220 feet to a point, thence South 0° 56' 14" East, a distance of 85 feet to a point; thence South 88° 24' 27" East a distance of 220 feet to a point, thence North 0° 56' 14" West, a distance of 85 feet to POINT and PLACE OF BEGINNING.

Parcel 1

Beginning at the Northeast corner of the Southeast quarter of Section 5, Township 42 South, Range 43 East; thence South 0° 56' 14" East along the East line of Section 5, a distance of 187.13 feet; thence North 88° 24' 27" West a distance of 40.04 feet to the POINT OF BEGINNING; thence continue North 88° 24' 27" West a distance of 100.00 feet; thence South 0° 56' 14" East a distance of 85.00 feet; thence South 88° 24' 27" East, a distance of 100.00 feet; thence North 0° 56' 14" West a distance of 85.00 feet to the POINT OF BEGINNING.

Parcel 2

Lots 3 and 4 of an unrecorded map, dated March 5, 1955, of the North one hundred (100) feet of the South one hundred fifty (150) feet of the North ¼ of the Northeast ¼ of the Southeast ¼ of Section 5, Township 42 South, Range 43 East, lying between the Easterly right-of-way of Intracoastal Waterway and the East line of said Section 5, (Ellison Wilson Road), Palm Beach County, Florida, more particularly described as follows:

Begin at the Northeast corner of the Southeast ¼ of Section 5, Township 42 South, Range 43 East; thence South 0° 56' 14" East along the East line of said Section 5, a distance of 187.13 feet to a point; thence N. 88° 24' 27" W. a distance of 140.04 feet to a POINT OF BEGINNING; thence continue North 88° 24' 27" West a distance of 120.00 feet to a point; thence South 0° 56' 14" East a distance of 85 feet to a point; thence South 88° 24' 27" East a distance of 120.00 feet to a point; thence North 0° 56' 14" West a distance of 85 feet to a POINT AND PLACE OF BEGINNING.

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TRACT "B"

Parcel 510

Begin at the 1/4 Section corner on the East line of Section 5, Township 42 South, Range 43 East, thence S 0° 56' 14" E, along the East line of Section 5, 187.13 feet, thence N 88° 24' 27" W, a distance of 380.04 feet for a POINT OF BEGINNING, thence continue N 88° 24' 27" W, a distance of 120.25 feet to the East Right-of-way line of the Intracoastal Waterway, thence S 2° 13' 54" E along said Right-of-way line 90.11 feet, thence S 88° 24' 27" E, a distance of 118.21 feet, thence N 0° 56' 14" W, a distance of 90.00 feet to the POINT and PLACE OF BEGINNING.

Parcel 511

The South 50 feet of the South 150 feet of North 1/4 of Northeast 1/4 of Southeast 1/4, lying East of Intracoastal Waterway, in Section 5, Township 42 South, Range 43 East, running from Ellison Wilson Road to the Intracoastal Waterway.

Parcel 3

Begin at the Northeast corner of the Southeast Quarter of Section 5, Township 42 South, Range 43 East; thence run South 0° 56' 14" East, along the East line of the Southeast Quarter of said Section 5, a distance of 187.13 feet to a point; thence North 88° 24' 27" West a distance of 260.04 feet for a POINT OF BEGINNING; thence continue North 88° 24' 27" West a distance of 60 feet to a point; thence South 0° 56' 14" East, a distance of 90 feet to a point; thence South 88° 24' 27" East, a distance of 60 feet to a point; thence North 0° 56' 14" West, a distance of 90 feet to the POINT AND PLACE OF BEGINNING.

Lying and being in the North 100 feet of the South 150 feet of the North Quarter of the Northeast Quarter of the Southeast Quarter of Section 5, Township 42 South, Range 43 East, East of Intracoastal Waterway, Palm Beach County, Florida.

Parcel 515

Begin at the Northeast corner of the Southeast quarter of Section 5, Township 42 South, Range 43 East, thence run South 0° 56' 14" East, along the East line of the Southeast Quarter of said Section 5, a distance of 187.13 feet to a point; thence North 88° 24' 27" West, a distance of 260.04 feet for a POINT OF BEGINNING; thence continue North 88° 24' 27" West, a distance of 60 feet to a point; thence South 0° 56' 14" East, a distance of 85 feet to a point; thence South 88° 24' 27" East a distance of 60 feet to a point; thence North 0° 56' 14" West, a distance of 85 feet to the POINT and PLACE OF BEGINNING.

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Lying and being in the North 100 feet of the South 150 feet of the North quarter of the Northeast quarter of the Southeast quarter of Section 5, Township 42 South, Range 43 East, East of Intracoastal Waterway, Palm Beach County, Florida.

Parcel 527

The West 80 feet of the East 313 feet of the South 50 feet of the North Quarter of the Northeast Quarter of the Southeast Quarter of Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida.

Parcel 548

The West 100 feet of the East 233 feet of the South 50 feet of the North Quarter of the Northeast Quarter of the Southeast Quarter; and the West 100 feet of the East 233 feet of the North 85 feet of the South half of the North half of the Northeast Quarter of the Southeast Quarter all in Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida.

Together with an easement over the North 20 feet of the South 65 feet of the North Quarter of the Northeast Quarter of the Southeast Quarter of Section 5, Township 42 South, Range 43 East, between the Intracoastal Waterway and Ellison Wilson Road.

Together with:

The West 100 feet of the East 133 feet of the South 50 feet of the North Quarter of the Northeast Quarter of the Southeast Quarter and the West 100 feet of the East 133 feet of the North 85 feet of the South half of the North half of the Northeast Quarter of the Southeast Quarter all in Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida.

Less and excepting the following described parcel:

The West 200 feet of the East 233 feet of the South 65 feet of the North 85 feet of the South 1/2 of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida.

Together with easements for road and public utilities over the following parcels:

The South 15 feet of the East 200 feet of the North 100 feet of the South 1/2 of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 5.

The North 20 feet of the South 65 feet of that part of the North 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 5 lying between the Intracoastal Waterway and Ellison Wilson Road.

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The West 10 feet of the East 143 feet of the South 45 feet of the North 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 5; and

The West 10 feet of the East 143 feet of the North 20 feet of the South 1/2 of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 5.

Subject to restrictions, reservations, limitations, easements of record and taxes for the year 1991 and subsequent years.

Parcel 591

Begin at the Northeast corner of the Southeast quarter of Section 5, Township 42 South, Range 43 East, thence run South 0° 56' 14" East along the East line of the Southeast quarter of said Section 5, a distance of 187.13 feet to a point; thence North 88° 24' 27" West, a distance of 320.04 feet for a POINT OF BEGINNING, thence continue North 88° 24' 27" West, a distance of 60 feet to a point; thence South 0° 56' 14" East, a distance of 90 feet to a point; thence South 88° 24' 27" East, a distance of 60 feet to a point; thence North 0° 56' 14" West, a distance of 90 feet to the POINT and PLACE OF BEGINNING. Lying and being in the North 100 feet of the South 150 feet of the North quarter of the Northeast quarter of the Southeast quarter of Section 5, Township 42 South, Range 43 East, East of Intracoastal Waterway, Palm Beach County, Florida.

Together with a right-of-way and easement for ingress and egress the South 10 feet of the North 100 feet of the South 150 feet of the North Quarter of the Northeast Quarter of the Southeast Quarter lying East of the Intracoastal Waterway in Section 5, Township 42 South, Range 43 East.

Parcel 4

The West 100 feet of the East 233 feet of the South 50 feet of the North Quarter of the Northeast Quarter of the Southeast Quarter; and the West 100 feet of the East 233 feet of the North 85 feet of the South half of the North half of the Northeast Quarter of the Southeast Quarter all in Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida.

Together with an easement over the North 20 feet of the South 65 feet of the North Quarter of the Northeast Quarter of the Southeast Quarter of Section 5, Township 42 South, Range 43 East, between the Intracoastal Waterway and Ellison Wilson Road.

Together with:

The West 100 feet of the East 133 feet of the South 50 feet of the North Quarter of the Northeast Quarter of the Southeast Quarter and the West 100 feet of the East 133 feet of the North 85 feet of the South half of the North half of the Northeast

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Quarter of the Southeast Quarter all in Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida.

Less and excepting the following described parcel:

The West 200 feet of the East 233 feet of the South 65 feet of the North 85 feet of the South $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida.

Together with easements for road and public utilities over the following parcels:

The South 15 feet of the East 200 feet of the North 100 feet of the South $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 5.

The North 20 feet of the South 65 feet of that part of the North $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 5, lying between the Intracoastal Waterway and Ellison Wilson Road.

The West 10 feet of the East 143 feet of the South 45 feet of the North $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 5; and

The West 10 feet of the East 143 feet of the North 20 feet of the South $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 5.

Parcel 5

The West 80 feet of the East 313 feet of the South 50 feet of the North Quarter of the Northeast Quarter of the Southeast Quarter of Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida.

TOGETHER WITH an easement over the South 15 feet of the North 292.13 feet of the North $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 5, Township 42 South, Range 43 East, East of the right of way of the Intracoastal Waterway, for ingress, egress and public utilities.

Parcel 6

The North 10 feet of the South 60 feet of the South 150 feet of the East 260 feet of the North one-quarter of the Northeast one-quarter of the Southeast one-quarter of Section 5, Township 42 South, Range 43 East, lying between the East Right-of-way line of the Intracoastal Waterway and the West Right-of-way line of Ellison Wilson Road, Palm Beach County, Florida.

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Parcel 7

The North 5 feet of the South 65 feet of the South 150 feet of the East 260 feet of the North one-quarter of the Northeast one-quarter of the Southeast one-quarter of Section 5, Township 42 South, Range 43 East, lying between the East Right-of-way line of the Intracoastal Waterway and the West Right-of-way line of Ellison Wilson Road, Palm Beach County, Florida.

Parcel 8 (O.R.B. 5261, PG 952)

The West 200 feet of the East 233 feet of the South 65 feet of the North 85 feet of the South half of the North half of the Northeast Quarter of the Southeast Quarter of Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida.

TOGETHER WITH an easement for road and public utilities over the following:

The South 15 feet of the East 200 feet of the North 100 feet of the South half of the North half of the Northeast Quarter of the Southeast Quarter of Section 5.

Parcel 9 (O.R.B. 3536, PG 1633)

The North 100 feet of the South half of the North Half of the Northeast Quarter of the Southeast Quarter, lying East of the Intracoastal Waterway, in Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida, LESS the East 200 feet thereof, TOGETHER with an easement for road purposes over the South 15 feet of the said East 200 feet.

Parcel 10

The South 15 feet of the East 200 feet of the North 100 feet of the South half of the North half of the Northeast Quarter of the Southeast Quarter of Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida.

EXHIBIT B
VICINITY SKETCH

