

RESOLUTION NO. R-2011-0964

RESOLUTION APPROVING ZONING APPLICATION W/DOA-2011-00150
(Control No.2004-00250)
WAIVER OF OBJECTIVES AND STANDARDS (PERFORMANCE STANDARDS) (W)
APPLICATION OF Boca Raton Assocs VI LLLP
BY G.L. Homes, AGENT
(Dubois AGR-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, as amended), have been satisfied; and

WHEREAS, Zoning Application W/DOA-2011-00150 was presented to the Board of County Commissioners at a public hearing conducted on June 27, 2011 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 hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 3.E.1.C.1 and 3.E.1.C.2.

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 W/DOA-2011-00150, the application of Boca Raton Assocs VI LLLP, by G.L. Homes, agent, for a Waiver to allow 58% of streets to terminate in a cul-de-sac 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 June 27, 2011.

Commissioner Aaronson moved for the approval of the Resolution.

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

Commissioner Karen T. Marcus, Chair	-	Aye
Commissioner Shelley Vana, Vice Chair	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Steven L. Abrams	-	Absent
Commissioner Burt Aaronson	-	Aye
Commissioner Jess R. Santamaria	-	Aye
Commissioner Priscilla A. Taylor	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on June 27, 2011.

Filed with the Clerk of the Board of County Commissioners on June 29th, 2011.

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**

LAND DESCRIPTION: (DUBOIS TOTAL DEVELOPMENT PARCEL)

ALL OF TRACTS 65 TO 128, INCLUSIVE, SECTION 29, TOWNSHIP 46 SOUTH, RANGE 42 EAST, (LESS 30.59 ACRES SOLD TO FLORIDA STATE TURNPIKE AUTHORITY AND MORE PARTICULARLY DESCRIBED IN DEED BOOK 1104, PAGE 577), THE PALM BEACH FARMS CO. PLAT NO. 1, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2. PAGES 26 TO 28.

LESS: (PARCEL 108 OF THE LYONS ROAD TAKING)

THE EAST 40 FEET OF THE WEST 55 FEET OF TRACTS 80.81, 112 AND 113, BLOCK 29 OF SECTION 29, TOWNSHIP 46 SOUTH, RANGE 42 EAST OF PALM BEACH FARMS PLAT NO. 1 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 PAGES 26 - 28 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 2.45 ACRES.

LESS: (PARCEL 108A OF THE LYONS ROAD TAKING)

THAT PART OF TRACT 113, BLOCK 29, OF PALM BEACH FARMS COMPANY PLAT NO.1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE S.E. CORNER OF SECTION 30, TOWNSHIP 46 SOUTH, RANGE 42 EAST; THENCE NORTH 00°52'26" WEST, ALONG THE EAST LINE OF SAID SECTION 30 A DISTANCE OF 85.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF LAKE WORTH DRAINAGE DISTRICT (L.W.D.D.) L-38 CANAL; THENCE NORTH 89°24'14" EAST, ALONG SAID CANAL FOR A DISTANCE OF 55.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°24'14" EAST, FOR A DISTANCE OF 30.00 FEET; THENCE NORTH 00°52'26" WEST, ALONG A LINE PARALLEL WITH AND 85.00 FEET EAST OF THE EAST LINE OF SAID SECTION 30 FOR A DISTANCE OF 312.70 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 30.00 FEET; THENCE NORTHWEST ALONG THE ARC OF SAID CURVE. THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 47.12 FEET TO A POINT 55.00 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 30; THENCE SOUTH 00°52'26" EAST, ALONG A LINE PARALLEL WITH AND 55.00 FEET EAST OF THE EAST LINE OF SAID SECTION 30 FOR A DISTANCE OF 342.56 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.23 ACRES, MORE OR LESS

AND LESS: (PARCEL 108B OF THE LYONS ROAD TAKING)

THAT PART OF TRACT 113, BLOCK 29, OF PALM BEACH FARMS COMPANY PLAT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE S.E. CORNER OF SECTION 30, TOWNSHIP 46 SOUTH, RANGE 42 EAST; THENCE NORTH 00°52'26" WEST, ALONG THE EAST LINE OF SAID SECTION 30 A DISTANCE OF 85.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF LAKE WORTH DRAINAGE DISTRICT (L.W.D.D.) L-38 CANAL; THENCE NORTH 89°24'14" EAST, ALONG SAID CANAL FOR A DISTANCE OF 85.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°24'14" EAST, FOR A DISTANCE OF 25.00 FEET; THENCE NORTH 00°52'26" WEST, ALONG A LINE PARALLEL WITH AND 110.00 FEET EAST OF THE EAST LINE OF SAID SECTION 30 FOR A DISTANCE OF 312.82 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 55.00 FEET; THENCE NORTHWEST ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 86.39 FEET TO A POINT 55.00 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 30; THENCE SOUTH 00°52'26" EAST, ALONG A LINE PARALLEL WITH AND 55.00 FEET EAST OF THE EAST LINE OF SAID SECTION 30 FOR A DISTANCE OF 25.00 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE TO THE SOUTHWESTERLY HAVING A RADIUS OF 30.00 FEET TO WHICH A RADIAL LINE BEARS SOUTH 00°52'26" EAST; THENCE SOUTHEASTERLY 47.12 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00' 00" TO A POINT OF TANGENCY; THENCE SOUTH 00°52'26" EAST ALONG A LINE PARALLEL WITH AND 85.00 FEET EAST OF THE EAST LINE OF SECTION 30 FOR A DISTANCE OF 312.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.22 ACRES, MORE OR LESS.

CONTAINING A TOTAL OF 299.074 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

