

RESOLUTION NO. R-2011- 1842

RESOLUTION APPROVING ZONING APPLICATION Z-2011-01736  
(CONTROL NO. 2011-00332)  
an Official Zoning Map Amendment  
APPLICATION OF Lake Worth Drainage Dist - Nicole Smith  
BY Lake Worth Drainage District, AGENT  
(Lake Worth Drainage District Canal E-3)

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; 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 Z-2011-01736 was presented to the Board of County Commissioners at a public hearing conducted on December 1, 2011; and

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; and

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; and

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; 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 2.B.1.B.

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 Z-2011-01736, the application of Lake Worth Drainage Dist - Nicole Smith, by Lake Worth Drainage District, agent, for an Official Zoning Map Amendment to allow a rezoning from the Residential Planned Unit Development (PUD) Zoning District to the Public Ownership (PO) Zoning District with a Conditional Overlay Zone (COZ) 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 December 1, 2011 subject to the conditions described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Marcus moved for the approval of the Resolution.

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

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

The Chairperson thereupon declared that the resolution was duly passed and adopted on December 1, 2011.

Filed with the Clerk of the Board of County Commissioners on December 14th, 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 R. BOCK,  
CLERK & COMPTROLLER

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST, BEING ALL OF CAMERON PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 81, PAGES 114 THROUGH 116 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH A PORTION OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, TOGETHER WITH A PORTION OF THE EAST 62.70 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14;

THENCE NORTH 89°12'59" EAST, ALONG THE SOUTH LINE OF SAID SECTION 14, A DISTANCE OF 1339.04 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 14;

THENCE NORTH 00°41'05" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 14, A DISTANCE OF 20.00 FEET TO THE SOUTHWEST CORNER OF SAID CAMERON PARK AND THE POINT OF BEGINNING;

THENCE CONTINUE NORTH 00°41'05" WEST, ALONG SAID WEST LINE OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 14, SAME BEING THE WEST LINE OF SAID CAMERON PARK, 1163.83 FEET TO THE INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF ATLANTIC AVENUE (STATE ROAD 806) AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 93550-2601 AS RECORDED IN ROAD PLAT BOOK 3, PAGES 24-30, PALM BEACH COUNTY RECORDS, SAME BEING THE NORTH LINE OF SAID CAMERON PARK, SAID POINT BEING LOCATED ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST (SAID POINT BEARS NORTH 26°34'46" WEST FROM THE RADIUS POINT OF THE NEXT DESCRIBED CURVE);

THENCE NORTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, THE NORTH LINE OF SAID CAMERON PARK AND ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1751.73 FEET, A CENTRAL ANGLE OF 25°30'14", AN ARC DISTANCE OF 779.75 FEET TO A POINT OF TANGENCY;

THENCE NORTH 88°55'28" EAST, CONTINUING ON SAID SOUTHERLY RIGHT-OF-WAY LINE AND SAID NORTH LINE OF CAMERON PARK, 465.70 FEET;

THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, SOUTH 01°04'32" EAST, 2.75 FEET;

THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, NORTH 88°55'28" EAST, 59.60 FEET;

THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, NORTH 00°17'25" WEST, 8.78 FEET;

THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, NORTH 88°07'52" EAST, 26.01 FEET TO A LINE 44.01 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 14;

THENCE SOUTH 00°17'25" EAST ALONG SAID PARALLEL LINE, 109.23 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE WEST;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 5040.00 FEET, A CENTRAL ANGLE OF 04°35'01", AN ARC DISTANCE OF 403.20 FEET TO THE POINT OF TANGENCY;

THENCE SOUTH 04°17'36" WEST, 32.27 FEET;

THENCE SOUTH 00°17'25" EAST, 823.60 FEET TO THE SOUTH LINE OF SAID SECTION 14;

THENCE SOUTH 89°12'59" WEST ALONG THE SOUTH LINE OF THE SOUTHWEST ¼ OF SAID SECTION 14, A DISTANCE OF 439.44 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY PROJECTION OF THE EAST LINE OF SAID TRACT "A";

THENCE NORTH 00°26'14" WEST, ALONG SAID SOUTHERLY PROJECTION, 20.00 FEET TO THE SOUTHEAST CORNER OF SAID CAMERON PARK;

THENCE SOUTH 89°12'59" WEST, ALONG THE SOUTH LINE OF SAID CAMERON PARK, 836.99 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN PALM BEACH COUNTY, FLORIDA, CONTAINING 38.749 ACRES, MORE OR LESS.

LAND DESCRIPTION PREPARED BY:

**SHAH, DROTOS & ASSOCIATES**

3410 N. ANDREWS AVENUE EXTENSION  
POMPANO BEACH, FLORIDA 33064

PREPARED BY: MDR

CHECKED BY: MDR

PROJECT NO.: 06-0813

FILE NAME: X:\CAD\SURVEY\0813 CAMERON DELRAY\DESCRIPTIONS\REMAINING  
CAMERON PARK PUD

August 23, 2011



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### ENGINEERING

1. The property owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for a 40 foot corner clip at the southeast corner of the intersection of Atlantic Avenue and Sims Road.

All right of way deed(s) and associated documents shall be provided and approved within one hundred eighty (180) days of a request by the County Engineer. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Grantor must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Grantor, the Grantor agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the property owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (ONGOING: MONITORING-Eng)

#### COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the property owner/applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the conditions of approval for the subject property at any time may result in:

- a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy (CO); the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
- b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code (ULDC) at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
- d. Referral to code enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval. (ONGOING: MONITORING - Zoning)