

RESOLUTION NO. R-2011- 1849

RESOLUTION APPROVING ZONING APPLICATION Z-2011-01738
(CONTROL NO. 2011-00340)
an Official Zoning Map Amendment
APPLICATION OF Boynton Beach Associates XXIV, LLLP; -
by Boynton Beach XXIV Corp General Partner
BY G.L. Homes, AGENT
(Hyder Preserve)

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 Z-2011-01738 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 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 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-2011-01738, the application of Boynton Beach Associates XXIV, LLLP; - by Boynton Beach XXIV Corp General Partner, by G.L. Homes, agent, for an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) 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 December 1, 2011.

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

DESCRIPTION: HYDER RE-ZONING

BEING A PORTION OF TRACTS 4 THROUGH 8, BLOCK 69, ACCORDING TO THE PLAT OF PALM BEACH FARMS CO. PLAT NO. 3 AS RECORDED IN PLAT 2, PAGES 45 THROUGH 54, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, AND A PORTION OF THAT ROAD, DYKE AND DITCH RESERVATION, 30.00 FEET IN WIDTH, LYING BETWEEN SAID TRACT 8 AND TRACT 9, ALL LYING WITHIN BLOCK 69, ACCORDING TO SAID PLAT OF PALM BEACH FARMS CO. PLAT NO. 3, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 46 SOUTH, RANGE 41 EAST; THENCE NORTH 89°25'29" EAST, ALONG THE SOUTH LINE OF SAID SECTION 25 ESTABLISHED BY PALM BEACH COUNTY PRIOR TO 1994, A DISTANCE OF 2586.08 FEET; THENCE SOUTH 00°22'32" EAST ALONG THE EASTERLY LINE OF TRACT 9 OF SAID BLOCK 69 AND IT'S NORTHERLY EXTENSION, A DISTANCE OF 59.32 FEET TO THE POINT OF BEGINNING OF HEREIN DESCRIBED PARCEL; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-38 CANAL FOR THE FOLLOWING NINE (9) DESCRIBED COURSES, NORTH 89°25'29" EAST, A DISTANCE OF 15.00 FEET; THENCE SOUTH 00°22'32" EAST, A DISTANCE OF 5.28 FEET; NORTH 89°25'29" EAST, A DISTANCE OF 345.11 FEET; THENCE SOUTH 00°22'27" EAST ALONG THE EAST LINE OF SAID TRACT 8, A DISTANCE OF 0.40 FEET; THENCE NORTH 89°25'29" EAST, A DISTANCE OF 330.11 FEET; THENCE NORTH 00°22'22" WEST ALONG THE EAST LINE OF SAID TRACT 7, A DISTANCE OF 0.40 FEET; NORTH 89°25'29" EAST, A DISTANCE OF 660.22 FEET; THENCE SOUTH 00°22'12" EAST ALONG THE EAST LINE OF SAID TRACT 5, A DISTANCE OF 0.40 FEET; THENCE NORTH 89°25'29" EAST, A DISTANCE OF 330.11 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE, SOUTH 00°22'07" EAST ALONG THE EAST LINE OF SAID TRACT 4, A DISTANCE OF 142.00 FEET; SOUTH 89°25'29" WEST, A DISTANCE OF 1680.53 FEET; THENCE NORTH 00°22'32" WEST ALONG SAID EAST LINE OF TRACT 9, A DISTANCE OF 147.68 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

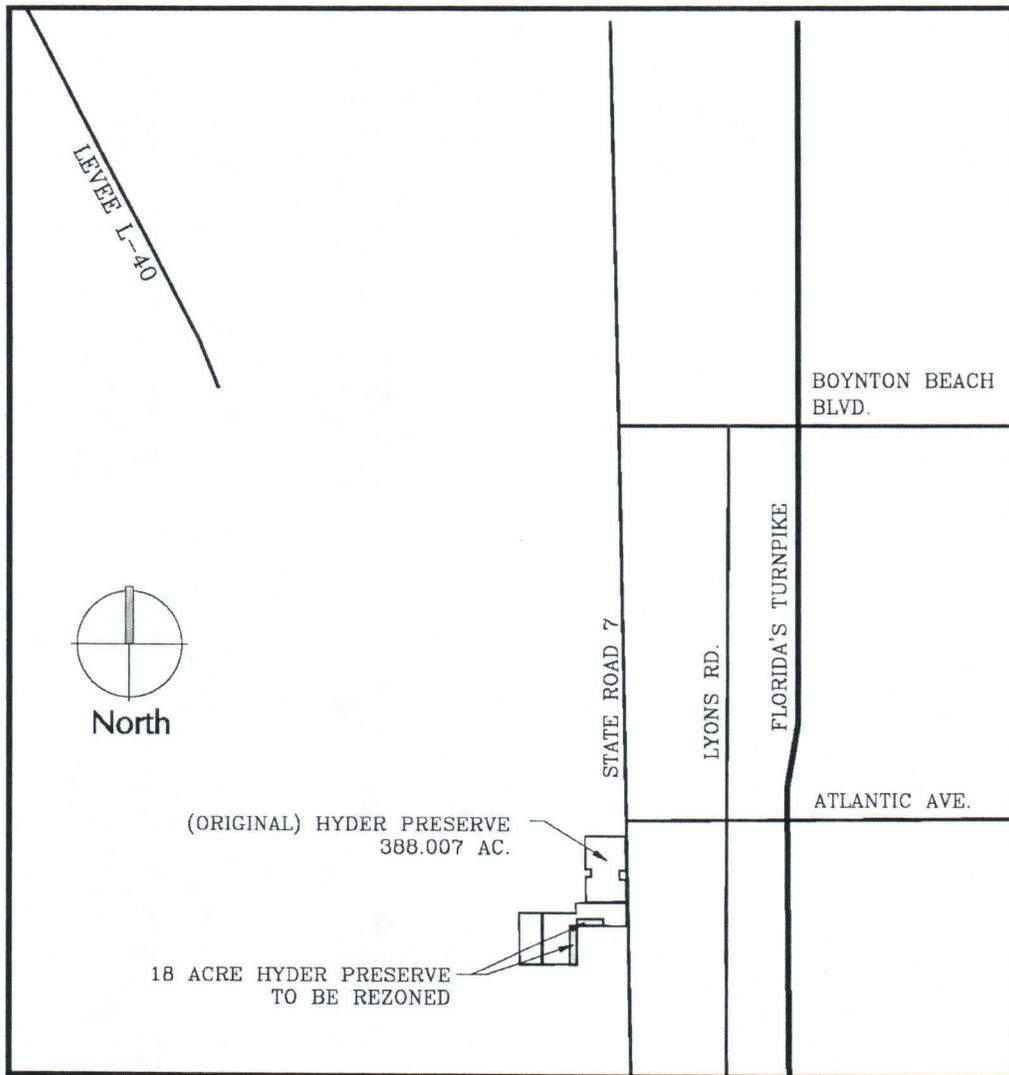
BEING A PORTION OF TRACTS 16, 33 AND 40, BLOCK 69, ACCORDING TO THE PLAT OF PALM BEACH FARMS CO. PLAT NO. 3 AS RECORDED IN PLAT 2, PAGES 45 THROUGH 54, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, AND A PORTION OF THAT ROAD, DYKE AND DITCH RESERVATION, 30.00 FEET IN WIDTH, LYING BETWEEN SAID TRACTS 16 AND 33, ALL LYING WITHIN BLOCK 69, ACCORDING TO SAID PLAT OF PALM BEACH FARMS CO. PLAT NO. 3, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 46 SOUTH, RANGE 41 EAST; THENCE NORTH 89°25'29" EAST, ALONG THE SOUTH LINE OF SAID SECTION 25 ESTABLISHED BY PALM BEACH COUNTY PRIOR TO 1994, A DISTANCE OF 2586.08 FEET; THENCE SOUTH 00°22'32" EAST ALONG THE EASTERLY LINE OF TRACT 9 OF SAID BLOCK 69 AND IT'S NORTHERLY EXTENSION, A DISTANCE OF 694.36 FEET; THENCE SOUTH 89°36'38" WEST ALONG THE SOUTH LINE OF SAID TRACT 9, A DISTANCE OF 339.07 FEET; THENCE SOUTH 00°22'42" EAST, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING OF HEREIN DESCRIBED PARCEL; THENCE CONTINUE SOUTH 00°22'42" EAST, A DISTANCE OF 1,911.82 FEET; THENCE SOUTH 89°34'36" WEST, ALONG THE SOUTH LINE OF SAID TRACT 40, A DISTANCE OF 285.03 FEET; THENCE NORTH 00°22'42" WEST, A DISTANCE OF 1911.99 FEET; THENCE NORTH 89°36'38" EAST, A DISTANCE OF 285.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 18.00 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON STATE PLANE GRID, FLORIDA EAST ZONE, NAD 83/90, THE SOUTH LINE OF SECTION 25, TOWNSHIP 46 SOUTH, RANGE 41 EAST HAVING A BEARING OF NORTH 89°25'29" EAST.

EXHIBIT B
VICINITY SKETCH



VICINITY SKETCH

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