

RESOLUTION NO. R-2013- 0204

RESOLUTION APPROVING ZONING APPLICATION ZV/PDD/DOA-2012-02436
(CONTROL NO. 2004-00369)

PDD-Residential Planned Development District Request
APPLICATION OF GL Homes of Palm Beach Assoc. Ltd.,
Delray Beach Associates I, LLC
BY G.L. Homes, AGENT
(Valencia Assemblage)

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 ZV/PDD/DOA-2012-02436 was presented to the Board of County Commissioners at a public hearing conducted on February 28, 2013; 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 ZV/PDD/DOA-2012-02436, the application of GL Homes of Palm Beach Assoc. Ltd., Delray Beach Associates I, LLC, by G.L. Homes, agent, for PDD-Residential Planned Development District Request to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR 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 February 28, 2013.

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

The Chairperson thereupon declared that the resolution was duly passed and adopted on February 28, 2013.

Filed with the Clerk of the Board of County Commissioners on March 5th, 2013.

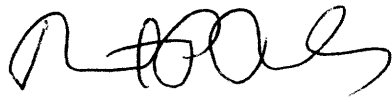
This resolution is effective when filed with the Clerk of the Board of County Commissioners.

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: Talmo Property less ROW

PARCEL A
BEING ALL OF TRACTS 46, 47, 50 AND 51 AND A PORTION OF TRACTS 48 AND 49, AND A PORTION OF ROAD, DYKE AND DITCH RESERVATIONS, ALL WITHIN BLOCK 63, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT 51; THENCE SOUTH 89°36'30" WEST ALONG THE SOUTH LINE OF SAID TRACTS 49 THROUGH 51, A DISTANCE OF 960.03 FEET; THENCE NORTH 00°23'30" WEST ALONG A LINE 55.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE WEST LINE OF SAID BLOCK 63, A DISTANCE OF 1335.00 FEET; THENCE NORTH 89°36'30" EAST ALONG A LINE 15.00 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE NORTH LINE OF SAID TRACTS 46 THROUGH 48, A DISTANCE OF 960.03 FEET; THENCE SOUTH 00°23'30" EAST ALONG THE EAST LINE OF SAID TRACTS 46 AND 51, A DISTANCE OF 1335.00 FEET TO THE POINT OF BEGINNING.

PARCEL B
THE SOUTH 3.60 FEET OF THE NORTH 30.00 FEET OF TRACTS 9 THROUGH 16, INCLUSIVE, BLOCK 63, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LESS AND EXCEPT THAT PORTION THEREOF WHICH LIES WITHIN THE LAND CONVEYED TO BOYNTON BEACH ASSOCIATES XVI, LLLP BY THE QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 18129, PAGE 79, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL C
THE NORTHERLY 35.64 FEET OF TRACT 8, BLOCK 63, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCELS:

- A. THE NORTHERLY 30.36 FEET OF SAID TRACT 8.
- B. THE WESTERLY 15.00 FEET OF SAID TRACT 8 CONVEYED BY THE RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 7542, PAGE 1239 OF SAID PUBLIC RECORDS.
- C. THE LANDS DESCRIBED IN EXHIBIT A-1 OF THE QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 18129, PAGE 79 OF SAID PUBLIC RECORDS.

PARCEL D
THE SOUTH 10.00 FEET OF THE EAST 15.00 FEET OF TRACT 56 AND THE SOUTH 10.00 FEET OF THE WEST 15.00 FEET OF TRACT 57, BLOCK 63, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING A TOTAL OF 29.672 ACRES MORE OR LESS.

DESCRIPTION: VALENCIA ASSEMBLAGE PRESERVE NO.14

THE EAST 9.36 FEET OF TRACT 22 AND ALL OF TRACT 23, OF PALM BEACH FARMS CO. PLAT NO. 1, OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 5.117 ACRES MORE OR LESS.

DESCRIPTION: VALENCIA ASSEMBLAGE PRESERVE NO. 15

TRACT 3, BLOCK 67, THE PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THE NORTH 30.36 FEET THEREOF FOR LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY ACCORDING TO OFFICIAL RECORDS BOOK 6495, PAGE 761, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 9.951 ACRES MORE OR LESS.

DESCRIPTION: VALENCIA PRESERVE NO. 16

TRACT 106, BLOCK 45, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 5.004 ACRES MORE OR LESS.

DESCRIPTION: PRESERVE NO. 17

BEING THE SOUTH 509.52 FEET OF TRACTS 81 AND 82, BLOCK 45, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGES 45-54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 7.720 ACRES, MORE OR LESS.

DESCRIPTION: VALENCIA PRESERVE NO. 18

THE NORTH 1/2 OF TRACT 42, THE PALM BEACH FARMS CO. PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LYING IN SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST.

CONTAINING 2.570 ACRES MORE OR LESS

DESCRIPTION: PRESERVE NO. 19

TRACTS 57 THROUGH 60, OF THE PALM BEACH FARMS CO. PLAT NO. 1, OF SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPTING THEREFROM THE RIGHT-OF-WAY OF THE FLORIDA STATE TURNPIKE AUTHORITY FOR THE SUNSHINE STATE PARKWAY THROUGH SAID TRACT 60.

FURTHER LESS AND EXCEPTING THEREFROM THE WEST 30.00 FEET OF SAID TRACT 57.

FURTHER LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

BEING A PORTION OF TRACTS 57, 58 AND 59 OF THE PALM BEACH FARMS COMPANY PLAT NO. 1 OF SECTION 17 TOWNSHIP 46 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 2 PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT 57 THENCE NORTH 89°13'01" EAST, ALONG THE NORTH LINE OF SAID TRACT 57, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°13'01" EAST ALONG THE NORTH LINE OF SAID TRACTS 57, 58 AND 59, DISTANCE OF 726.89 FEET; THENCE SOUTH 00°46'59" EAST, A DISTANCE OF 300.00 FEET; THENCE SOUTH 89°13'01" WEST, A DISTANCE OF 725.13 FEET; THENCE NORTH 01°07'06" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF STARKEY ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 4325, PAGE 1673 OF SAID PUBLIC RECORDS, A DISTANCE OF 300.01 FEET TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 14.485 ACRES MORE OR LESS.

DESCRIPTION: VALENCIA ASSEMBLAGE PRESERVE NO. 20

TRACT 103, BLOCK 45, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 5.005 ACRES MORE OR LESS.

DESCRIPTION: VALENCIA ASSEMBLAGE PRESERVE NO. 21

THE SOUTH 1/2 OF TRACT 42, THE PALM BEACH FARMS CO. PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LYING IN SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST.

CONTAINING 2.458 ACRES MORE OR LESS.

DESCRIPTION: VALENCIA ASSEMBLAGE PRESERVE NO. 22

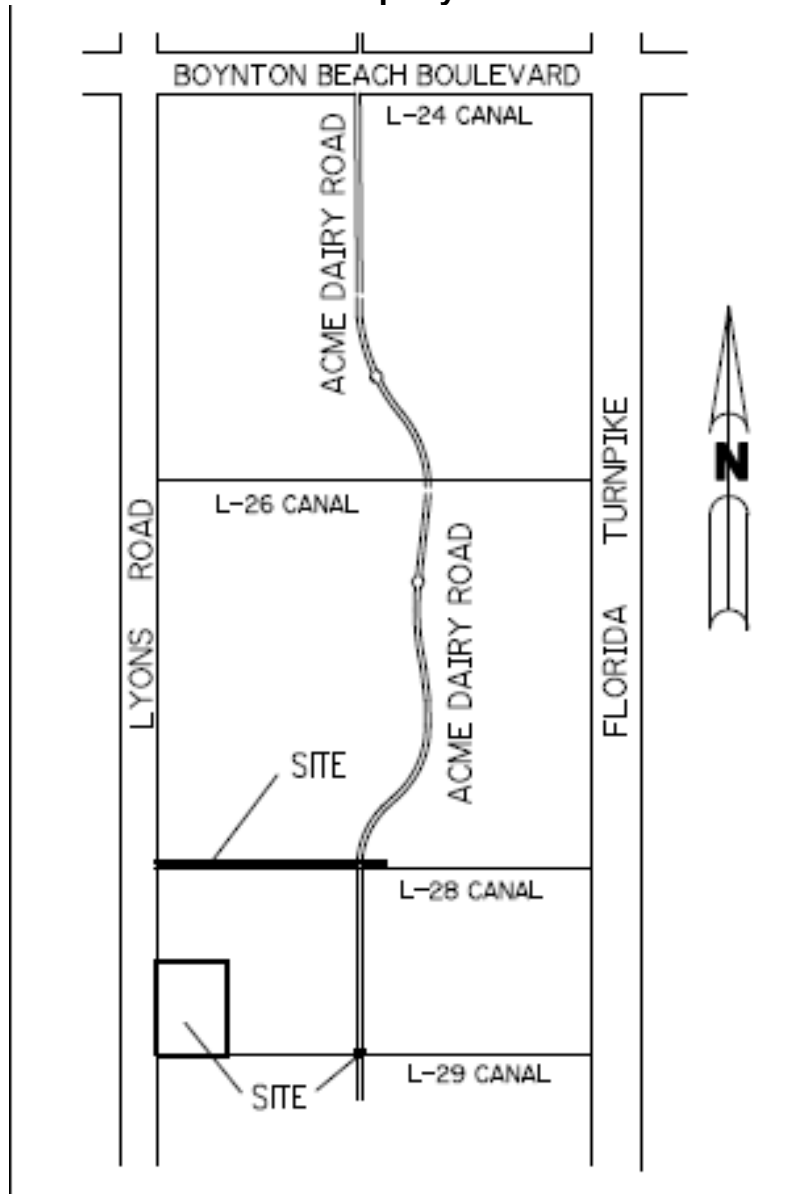
TRACT 46, THE PALM BEACH FARMS CO. PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LYING IN SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST.

CONTAINING 5.022 ACRES MORE OR LESS.

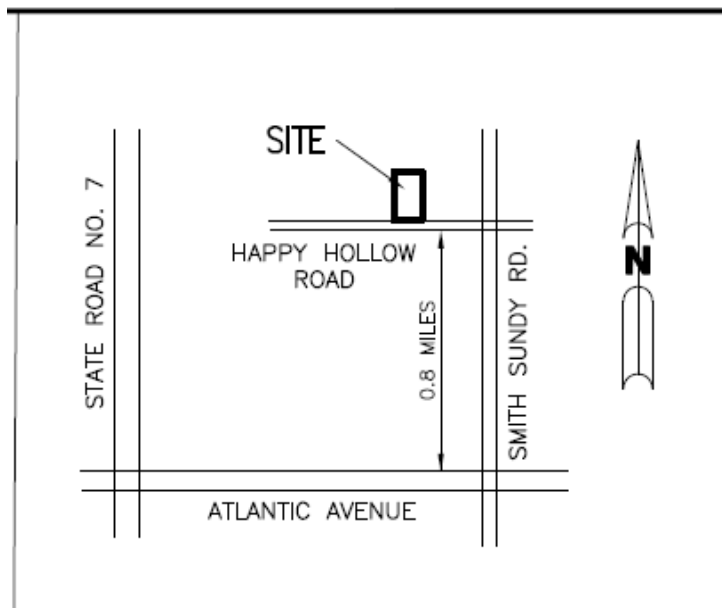
EXHIBIT B

VICINITY SKETCH
N.T.S.

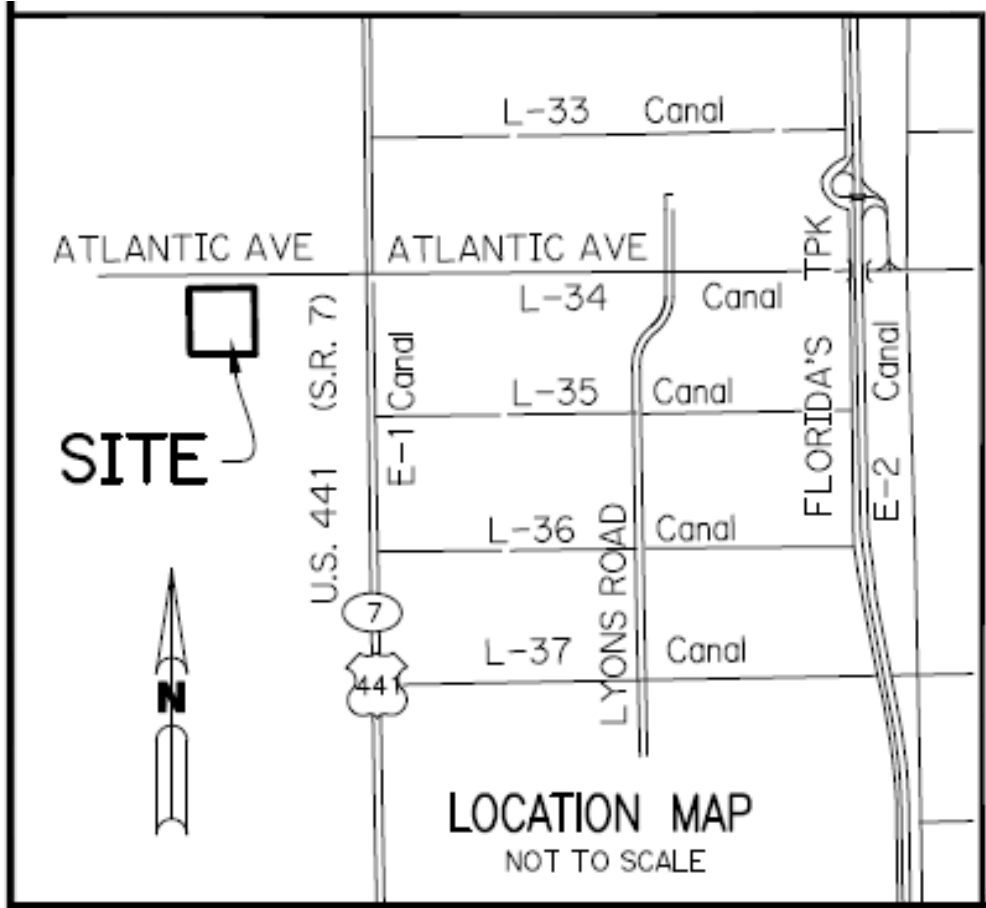
Talmo Property less ROW



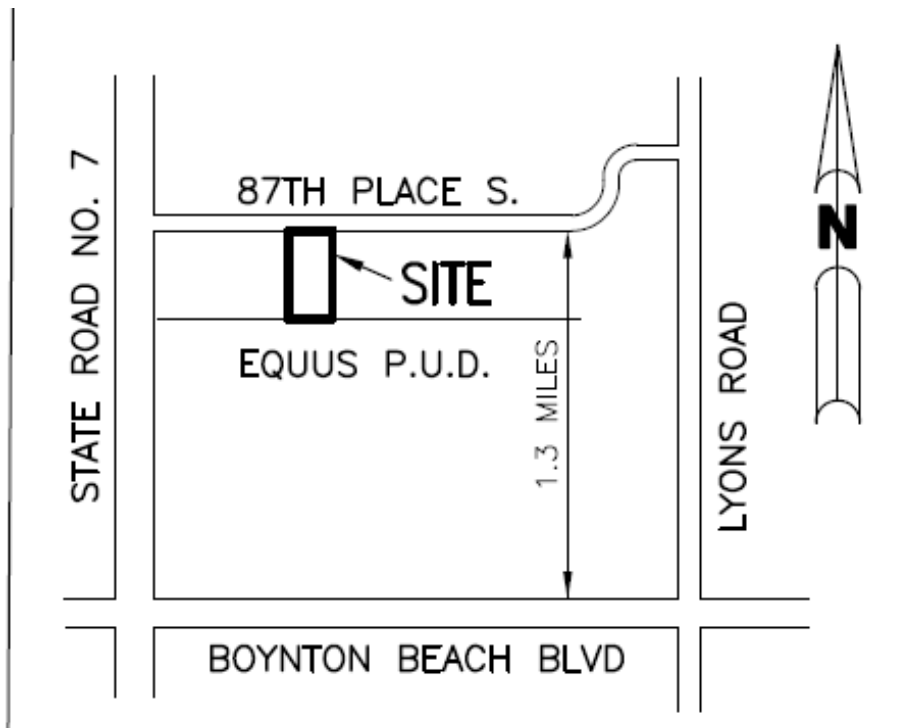
Preserve 14 (Atchison)



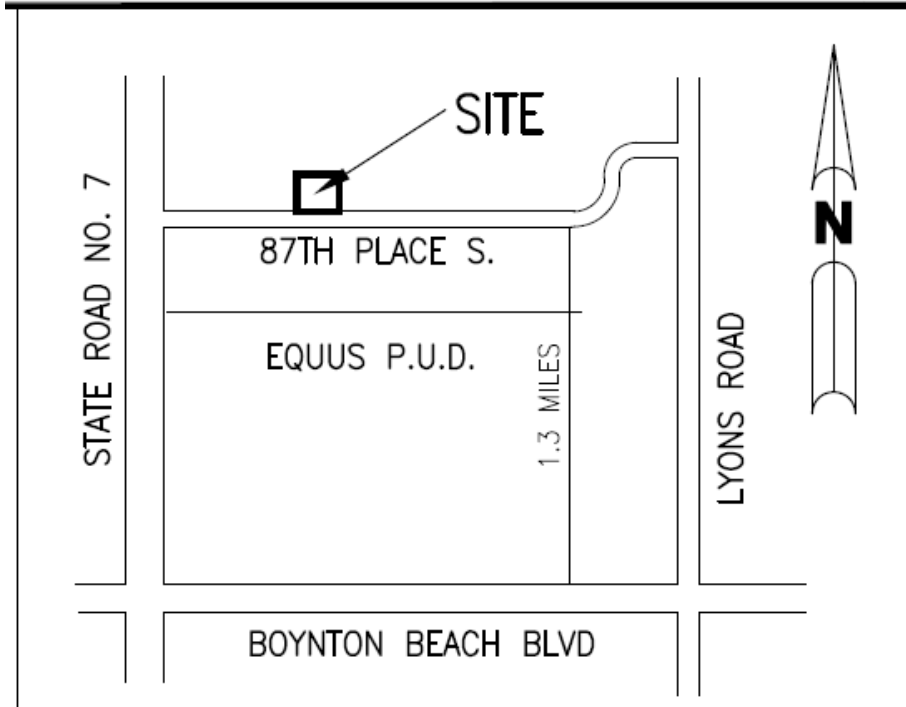
Preserve 15 (Schry)



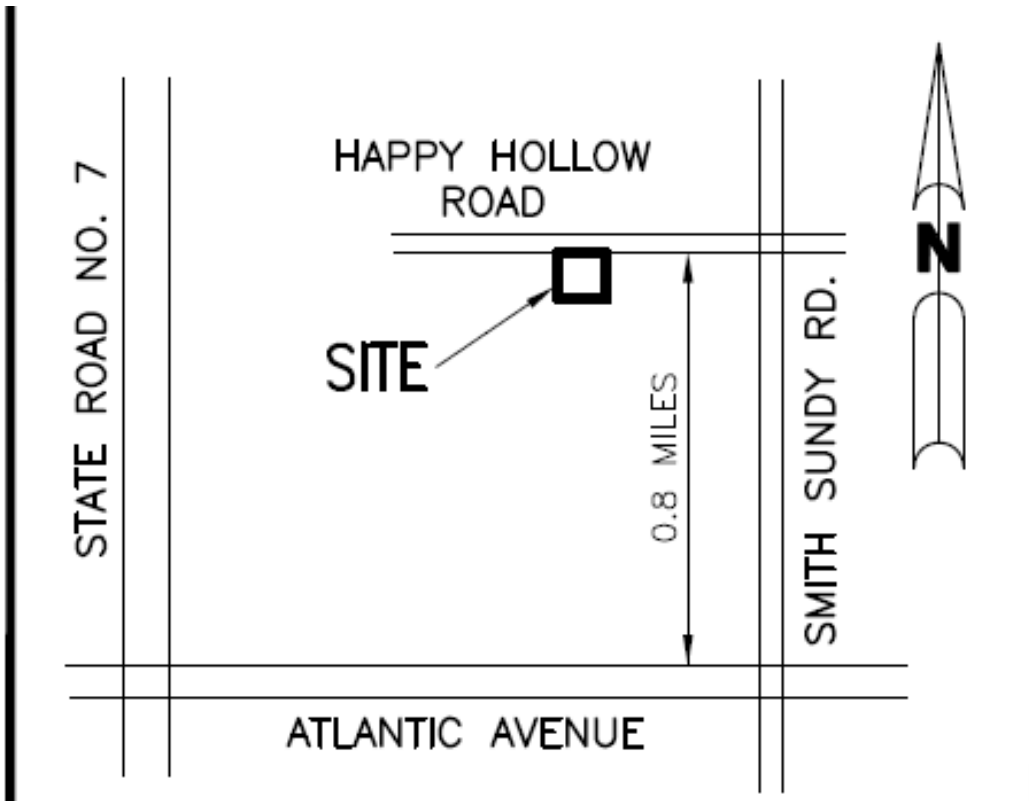
Preserve 16 (Plaisted)



Preserve 17 (Old Agros)



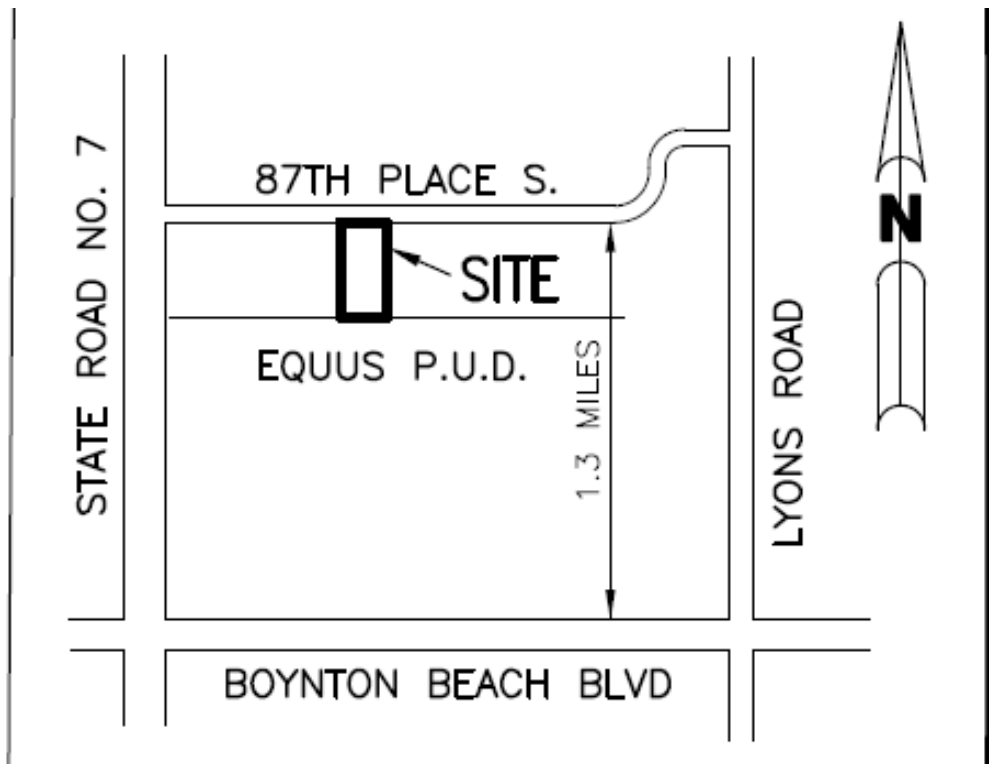
Preserve 18 (Annis)



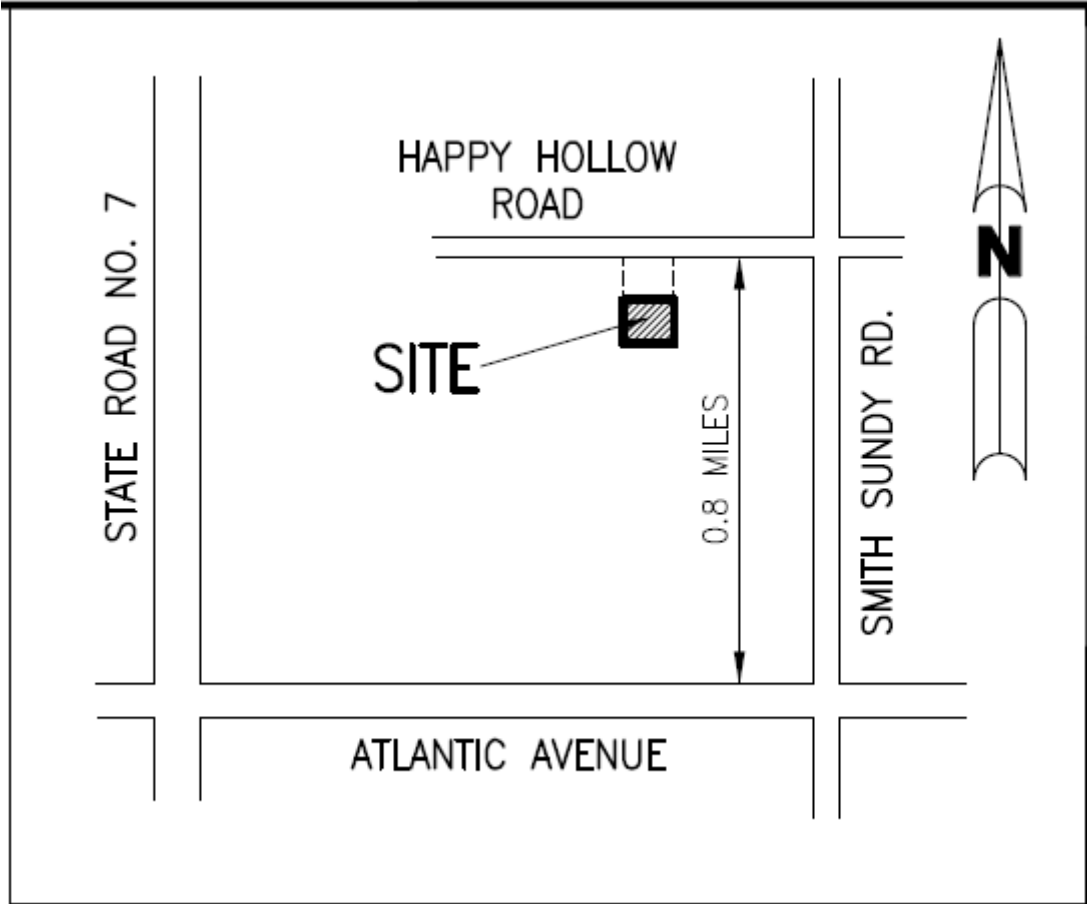
Preserve 19 (Redwing)



Preserve 20 (In Harmony)



Preserve 21 (Bowman)



Preserve 22 (Sands)

