

RESOLUTION NO. R-2017- 0974

RESOLUTION APPROVING ZONING APPLICATION PDD/DOA/W/CA-2016-02029
(CONTROL NO. 2004-00250)
an Official Zoning Map Amendment
APPLICATION OF Bridges HOA Inc, South Fla Water Mgmt Dist Licensor, Amkbj
Partners Ltd LLLP, South Fla Water Mgmt Dist, Mizner Country Club Master Assn Inc
BY JMorton Planning & Landscape Architecture, AGENT
(Bridges-Mizner 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 applications relating to zoning;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application PDD/DOA/W/CA-2016-02029 was presented to the Board of County Commissioners at a public hearing conducted on July 27, 2017;

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;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Process) for an Official Zoning Map Amendment;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the ULDC 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 PDD/DOA/W/CA-2016-02029, the Application of Bridges HOA Inc, South Fla Water Mgmt Dist Licensor, Amkbj Partners Ltd LLLP, South Fla Water Mgmt Dist, Mizner Country Club Master Assn Inc, by JMorton Planning & Landscape Architecture, Agent, for an Official Zoning Map Amendment to allow a rezoning from Agricultural Reserve (AGR) and Planned Unit Development (PUD) Zoning Districts to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto

and made a part hereof, was approved on July 27, 2017, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Berger moved for the approval of the Resolution.

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

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|---|----------|
| Commissioner Paulette Burdick, Mayor | - Aye |
| Commissioner Melissa McKinlay, Vice Mayor | - Aye |
| Commissioner Hal R. Valeche | - Absent |
| Commissioner Dave Kerner | - Aye |
| Commissioner Steven L. Abrams | - Absent |
| Commissioner Mary Lou Berger | - Aye |
| Commissioner Mack Bernard | - Aye |

The Mayor thereupon declared that the resolution was duly passed and adopted on July 27, 2017.

Filed with the Clerk of the Board of County Commissioners on August 2nd, 2017.

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:
BRIDGES-MIZNER AGR-PUD (REZONING)**

PUD to AGR-PUD - (NORTH PARCEL)

DELRAY TRAINING CENTER - PLAT ONE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 86, PAGES 60 THROUGH 67 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

DELRAY TRAINING CENTER P.U.D. - PARCEL A, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 86, PAGES 130 AND 131 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

DELRAY TRAINING CENTER P.U.D. - PARCEL B, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 86, PAGES 157 AND 158 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

DELRAY TRAINING CENTER P.U.D. - PARCEL C, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 86, PAGES 155 AND 156 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

DELRAY TRAINING CENTER P.U.D. - PARCEL D, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 88, PAGES 174 AND 175 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

DELRAY TRAINING CENTER P.U.D. - PARCEL E, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 89, PAGES 149 THROUGH 151 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

DELRAY TRAINING CENTER P.U.D. - PARCEL G, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 92, PAGES 75 THROUGH 77 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

DELRAY TRAINING CENTER P.U.D. - PARCEL H, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 92, PAGES 78 AND 79 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

DELRAY TRAINING CENTER P.U.D. - PARCEL I, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 90, PAGES 28 AND 29 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

DELRAY TRAINING CENTER P.U.D. - PARCEL J, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 96, PAGES 38 THROUGH 40 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

DELRAY TRAINING CENTER P.U.D. - PARCEL K, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 86, PAGES 151 AND 152 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 359.780 ACRES MORE OR LESS.

PUD to AGR-PUD - PRESERVE #7

BEING ALL OF CONSERVATION TRACT "A" FOR THE DELRAY TRAINING CENTER P.U.D., AS RECORDED IN PLAT BOOK 84, PAGE 94, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 124.769 ACRES, MORE OR LESS.

PUD to AGR-PUD - PRESERVE #8

BEING ALL OF PALM BEACH DOWNS REPLAT ONE, AS RECORDED IN PLAT BOOK 84, PAGE 147, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 410.427 ACRES, MORE OR LESS.

PUD to AGR-PUD - AGR to AGR-PUD - PRESERVE #9

BEING ALL OF TRACTS 78, 79 AND 80, 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; LESS AND EXCEPT THE EAST 911.84 FEET OF SAID TRACTS 78, 79 AND 80; LESS AND EXCEPT THE WEST 45.00 FEET OF SAID TRACT 78.

CONTAINING 0.816 ACRES, MORE OR LESS.

AGR to AGR-PUD - PRESERVE #10

BEING A PORTION OF TRACTS 108 AND 109, 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 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID TRACT 109; THENCE NORTH 89°01'04" EAST ALONG THE SOUTH LINE OF SAID TRACT 109, A DISTANCE OF 45.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°57'10" WEST ALONG A LINE 45.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE WEST LINE OF SAID TRACT 109, A DISTANCE OF 660.47 FEET; THENCE NORTH 89°00'49" EAST ALONG THE NORTH LINE OF SAID TRACTS 108 AND 109, A DISTANCE OF 359.19 FEET; THENCE

SOUTH 00°57'10" EAST, A DISTANCE OF 360.02 FEET; THENCE SOUTH 89°02'50" WEST, A DISTANCE OF 259.19 FEET; THENCE SOUTH 00°57'10" EAST, A DISTANCE OF 300.61 FEET; THENCE SOUTH 89°01'04" WEST ALONG THE SOUTH LINE OF SAID TRACT 109, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

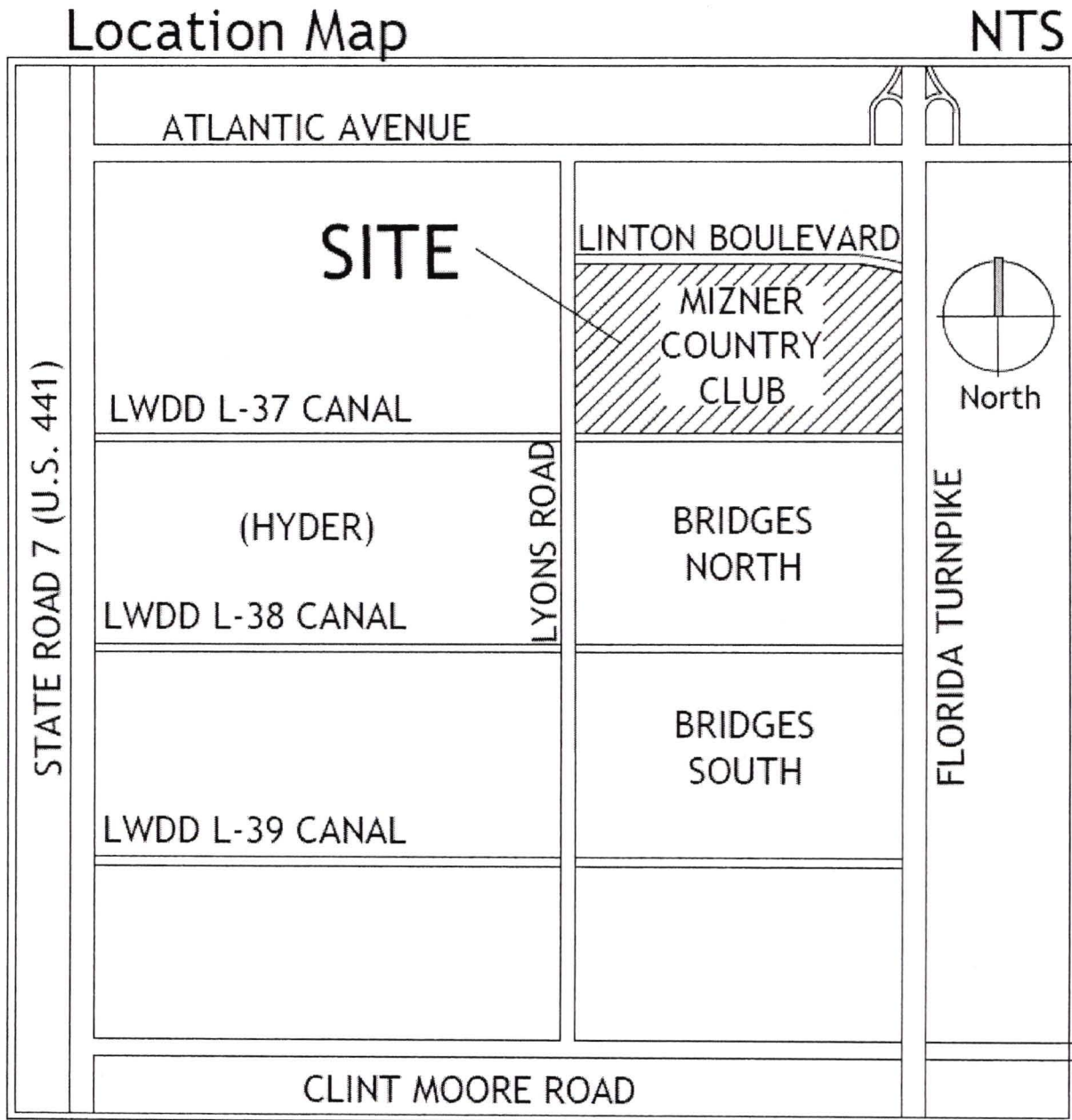
CONTAINING 3.658 ACRES, MORE OR LESS.

CONTAINING A TOTAL OF 899.450 ACRES, MORE OR LESS.

EXHIBIT B

VICINITY SKETCH

PUD to AGR-PUD – Development Area



AGR to AGR-PUD - PRESERVE # 9 and 10

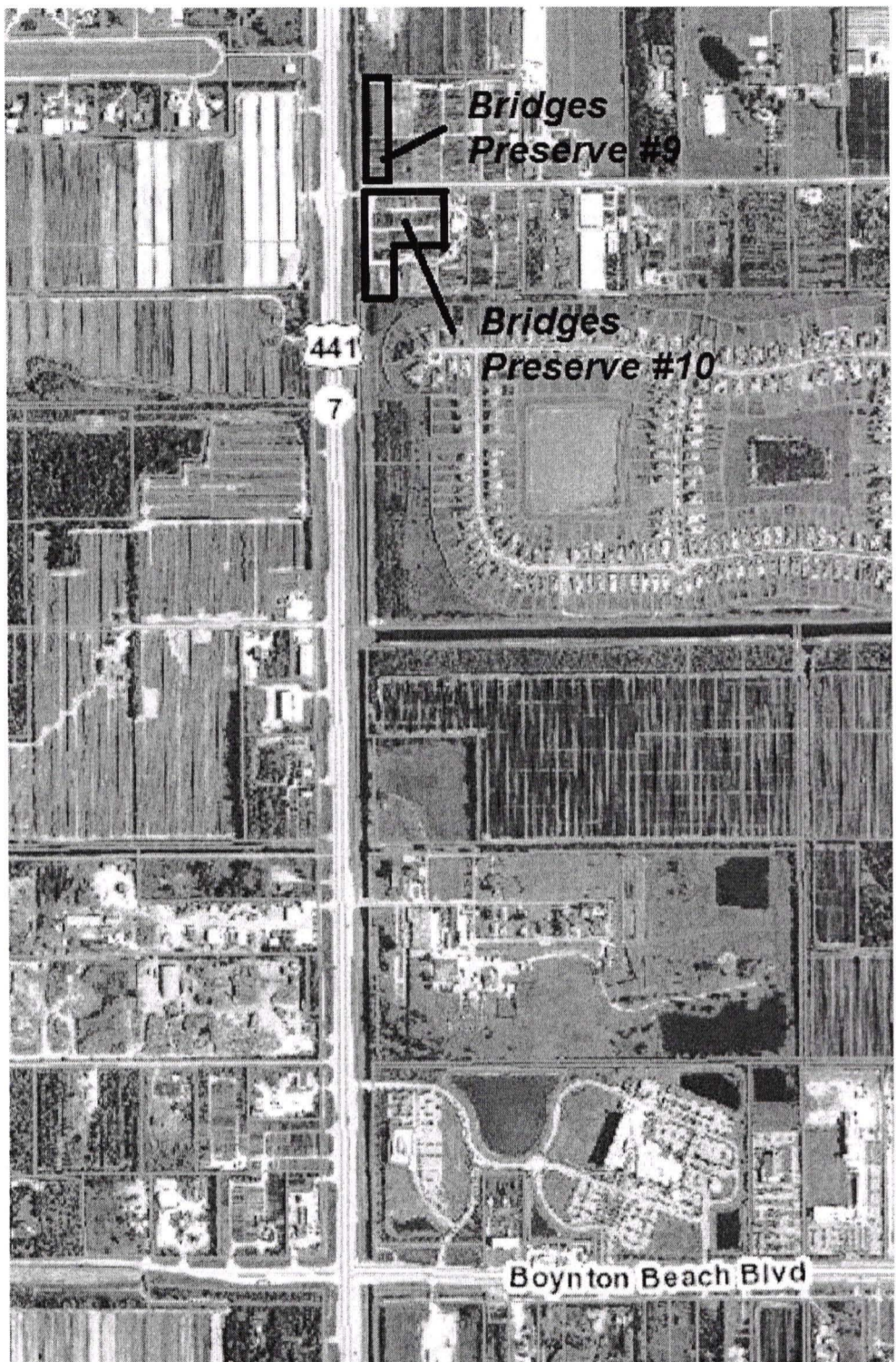


EXHIBIT C

CONDITIONS OF APPROVAL

PDD- Residential Planned Development District

ALL PETITIONS

1. The approved Preliminary Master and Regulating Plans are dated April 13, 2017. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

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; 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; the 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 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 of Approval; 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)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.