

RESOLUTION NO. R-2021- 0264

RESOLUTION APPROVING ZONING APPLICATION Z-2020-01527
(CONTROL NO. 2007-00242)
an Official Zoning Map Amendment
APPLICATION OF 101 Sansburys Way, LLC
BY Urban Design Studio, AGENT
(Cypress Point MUPD Rezoning)

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 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code (ULDC), Ordinance 2003-067, as amended, have been satisfied;

WHEREAS, Zoning Application Z-2020-01527 was presented to the Board of County Commissioners at a public hearing conducted on February 25, 2021;

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 (Application Processes and 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 Processes) 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.B.6.C (Board Action) 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 Z-2020-01527, the Application of 101 Sansburys Way, LLC, by Urban Design Studio, Agent, for an Official Zoning Map Amendment to allow a rezoning from the Multiple Use Planned Development (MUPD) Zoning District to the Light Industrial (IL) 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 February 25, 2021, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Weinroth moved for the approval of the Resolution.

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

Commissioner Dave Kerner, Mayor	-	Aye
Commissioner Robert S. Weinroth, Vice Mayor	-	Aye
Commissioner Maria G. Marino	-	Aye
Commissioner Gregg K. Weiss	-	Aye
Commissioner Maria Sachs	-	Aye
Commissioner Melissa McKinlay	-	Aye
Commissioner Mack Bernard	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on February 25, 2021.

Filed with the Clerk of the Board of County Commissioners on March 8th, 2021.

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

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK


EXHIBIT A

LEGAL DESCRIPTION

BEING A PORTION OF TRACTS 41 AND 32 AND A PORTION OF THE 30 FOOT WIDE ROADWAY LYING BETWEEN SAID TRACTS, BLOCK 7, PALM BEACH FARMS COMPANY PLAT NO. 3, PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF TRACT 29, BLOCK 7, SAID PALM BEACH FARMS COMPANY PLAT NO. 3 WITH THE WEST RIGHT OF WAY LINE OF SANSBURY'S WAY, SAID WEST RIGHT OF WAY LINE ALSO BEING A LINE 40.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID TRACT 29, RUN THENCE SOUTH 00°56'48" EAST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 1224.81 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°56'58" EAST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 312.27 FEET; THENCE NORTH 88°30'44" WEST (DEPARTING FROM SAID WEST RIGHT OF WAY LINE), A DISTANCE OF 950.54 FEET TO A POINT ON THE WEST LINE OF SAID TRACT 41; THENCE NORTH 00°57'57" WEST ALONG SAID WEST LINE OF TRACT 41 AND THEN THE WEST LINE OF SAID TRACT 32, A DISTANCE OF 267.64 FEET; THENCE NORTH 88°47'49" EAST (DEPARTING FROM SAID WEST LINE OF TRACT 32), A DISTANCE OF 949.77 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTION THEREFROM LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 22839, PAGE 797, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

A PORTION OF TRACTS 32 AND 42, BLOCK 7, PALM BEACH FARMS CO, PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH A PORTION OF THAT CERTAIN 30 FOOT WIDE ROAD RESERVATION LYING BETWEEN SAID TRACTS 32 AND 41, SAID RESERVATION BEING VACATED BY DEED BOOK 1022, PAGE 602 OF SAID PUBLIC RECORDS, LYING IN SECTION 31, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SANSBURY WAY, AS RECORDED IN OFFICIAL RECORD BOOK 1286, PAGE 361 OF SAID PUBLIC RECORDS, AND THE NORTH RIGHT-OF-WAY LINE OF SOUTHER BOULEVARD (STATE ROAD 80), AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 93120-2543, DATED 1-19-01; THENCE NORTH 88°30'33" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 77.78 FEET; THENCE NORTH 45°15'58" EAST, A DISTANCE OF 57.76 FEET; THENCE NORTH 00°57'31" WEST ALONG A LINE 36.00 WEST OF AND PARALLEL WITH THE WEST RIGHT-OF-WAY LINE OF SAID SANSBURY WAY, A DISTANCE OF 270.86 FEET; THENCE NORTH 89°03'50" EAST, A DISTANCE OF 36.00 FEET TO A POINT ON INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF SANSBURY WAY; THENCE SOUTH 00°57'31" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 314.14 FEET TO THE POINT OF BEGINNING

SAID LANDS LYING IN SECTION 31, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA AND CONTAINING 6.044 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

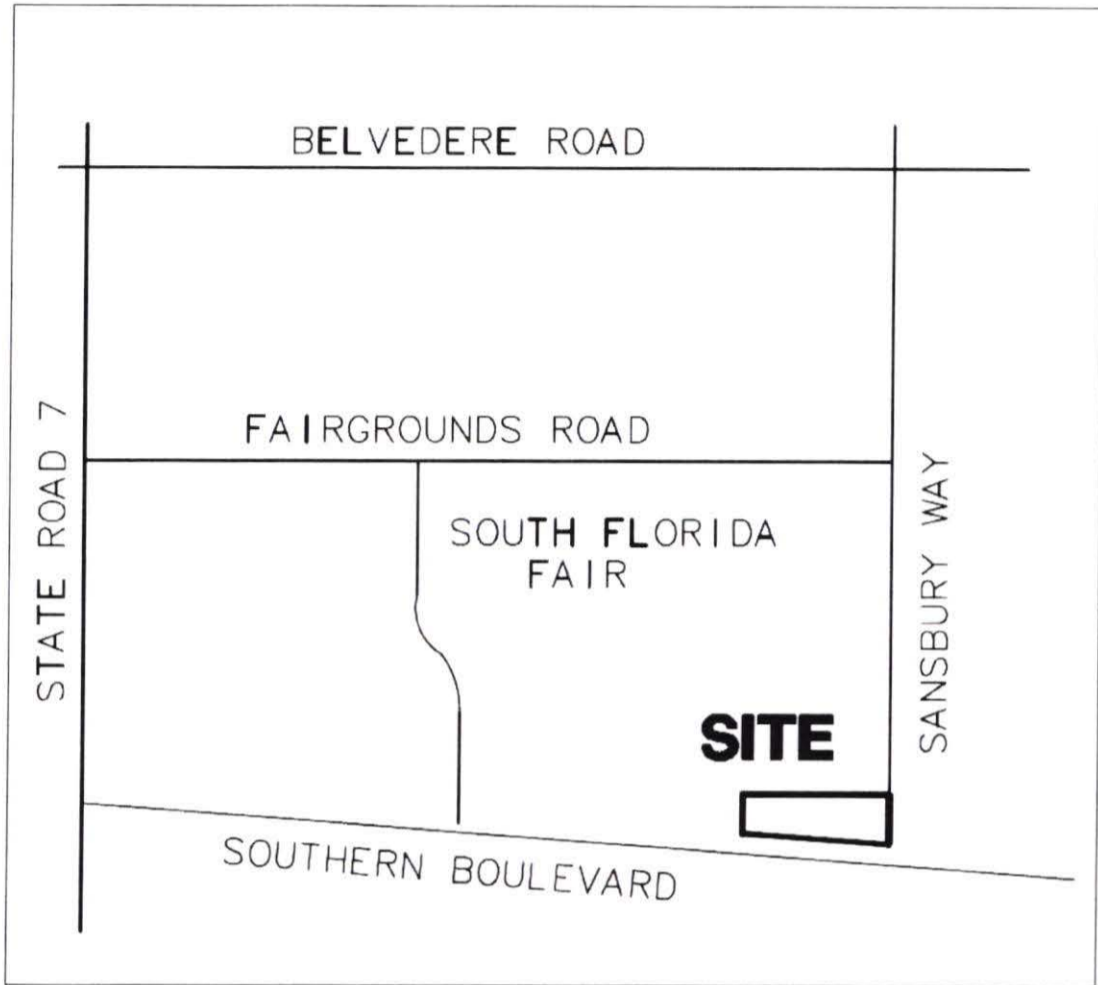


EXHIBIT C

CONDITIONS OF APPROVAL

Official Zoning Map Amendment

DISCLOSURE

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