

RESOLUTION NO. R-2021- 0734

RESOLUTION DENYING ZONING APPLICATION SW-2020-01659
(CONTROL NO. 2020-00074)
APPLICATION OF H Farms, LLC
BY Urban Design Studio, AGENT
(Bermuda Landscape and Design)

WHEREAS, the Board of County Commissioners, as the governing body, 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, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application SW-2020-01659 was presented to the Board of County Commissioners at a public hearing conducted on May 27, 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 a Subdivision Waiver;

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 Bermuda Landscape and Design, the Application of H Farms, LLC, by Urban Design Studio, Agent, for a Subdivision Waiver to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA 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 denied on May 27, 2021, with prejudice.

Commissioner McKinlay moved for approval of the Resolution.

The motion was seconded by Commissioner Bernard 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 the resolution was duly passed and adopted on May 27, 2021.

Filed with the Clerk of the Board of County Commissioners on June 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

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 45 S, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING THE SOUTH ONE-HALF (S.1/2) OF TRACTS 27 AND 28, OF THE UNRECORDED PLAT OF HERITAGE FARMS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER CORNER OF SAID SECTION 12, BEING A PALM BEACH COUNTY BRASS DISK IN CONCRETE;

THENCE S46°13'28"W FOR 906.46 FEET TO A 5/8" IRON ROD IN THE CENTERLINE OF HERITAGE FARMS ROAD AT THE SOUTHEAST CORNER OF SAID TRACT 27, AND THE POINT OF BEGINNING;

THENCE ALONG SAID CENTERLINE, S88°20'22"W FOR 667.07 FEET TO THE CENTERLINE OF PARK LANE ROAD, AS SHOWN ON SAID UNRECORDED PLAT;

THENCE ALONG SAID CENTERLINE, N01°10'24"W FOR 627.25 FEET TO THE NORTH LINE OF THE SAID SOUTH ONE-HALF (S.1/2) OF TRACTS 27 AND 28;

THENCE ALONG SAID NORTH LINE, N89°15'28"E FOR 668.00 FEET TO THE EAST LINE OF SAID TRACT 27;

THENCE ALONG SAID EAST LINE, S01°05'12"E FOR 616.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.53 ACRES MORE OR LESS

EXHIBIT B
VICINITY SKETCH

