

RESOLUTION NO. R-2023-0110

RESOLUTION APPROVING ZONING APPLICATION Z/CA-2022-00488
(CONTROL NO. 1978-00129)
an Official Zoning Map Amendment
APPLICATION OF Willis Family Trust, The Colony Estates at Boynton LLC
BY WGINC, AGENT
(Colony Estates at Boynton)

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, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application Z/CA-2022-00488, submitted on behalf of Willis Family Trust, and The Colony Estates at Boynton LLC, by WGINC, Agent for approving an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Single Family (RS) Zoning District, a Class A Conditional Use to allow Zero Lot Line (ZLL) dwelling units and; a Class A Conditional Use a to allow a combined density increase of Workforce Housing Program and Transfer of Development Rights in excess of two units per acre was presented to the Board of County Commissioners at a public hearing conducted on January 26, 2023;

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/CA-2022-00488, the Application of Willis Family Trust and The Colony Estates at Boynton, LLC, by WGINC, Agent, for an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Single Family (RS) Zoning District on 9.78 acres, 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 January 26, 2023, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Woodward moved for the approval of the Resolution.

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

Commissioner Gregg K. Weiss, Mayor	- Aye
Commissioner Maria Sachs, Vice Mayor	- Aye
Commissioner Maria G. Marino	- Aye
Commissioner Michael A. Barnett	- Aye
Commissioner Marci Woodward	- Aye
Commissioner Sara Baxter	- Aye
Commissioner Mack Bernard	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on January 26, 2023.

Filed with the Clerk of the Board of County Commissioners on February 1, 2023.

The Chair thereupon declared that this resolution shall not become effective the Small Scale Land Use Amendment No. SCA-2022-00022 is effective.

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

PARCEL A

THE WEST HALF (W 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4), SECTION 1, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS THAT PORTION CONVEYED TO THE COUNTY OF PALM BEACH BY THE RIGHT OF WAY DEED RECORDED IN DEED BOOK 1048, PAGE 222 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL B

THE FOLLOWING DESCRIBED PARCEL OF LAND, SITUATE, LYING AND BEING IN THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION; THENCE RUN SOUTH 2° 05' 56" EAST, A DISTANCE OF 65 FEET TO THE SOUTH LINE OF LAKE WORTH DRAINAGE DISTRICT RIGHT OF WAY; THENCE RUN SOUTH 89° 43' 14" WEST, A DISTANCE OF 334.24 FEET TO A POINT; THENCE RUN SOUTH 2° 08' 51" WEST, A DISTANCE OF 612.04 FEET TO A POINT; THENCE RUN SOUTH 89° 49' 34" WEST, A DISTANCE OF 333.52 FEET TO THE POINT OF BEGINNING OF THE LAND SOUGHT TO BE DESCRIBED HEREIN;

THENCE RUN SOUTH 2° 15' 30" EAST, A DISTANCE OF 625.70 FEET TO THE NORTH BOUNDARY OF COCONUT LANE; THENCE RUN ALONG SAID BOUNDARY NORTH 89° 59' 44" WEST, A DISTANCE OF 348.09 FEET TO A POINT; THENCE RUN NORTH 2° 15' 30" WEST, A DISTANCE OF 625.70 FEET TO A POINT; THENCE RUN SOUTH 89° 59' 44" EAST, A DISTANCE OF 348.09 FEET TO THE POINT OF BEGINNING OF THE PARCEL SOUGHT TO BE DESCRIBED HEREIN.

CONTAINING: 9.779 ACRES MORE OR LESS

EXHIBIT B
VICINITY SKETCH

LOCATION MAP

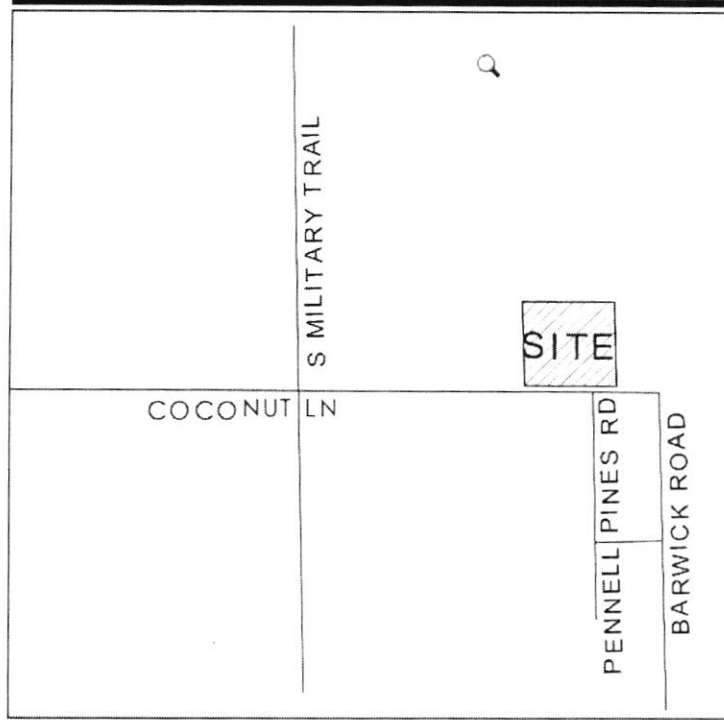


EXHIBIT C
CONDITIONS OF APPROVAL

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.