

RESOLUTION NO. R-2025- 0242

RESOLUTION APPROVING ZONING APPLICATION Z-2024-01037  
(CONTROL NO. 2024-00099)  
an Official Zoning Map Amendment  
APPLICATION OF Lantana Farm Associates, Inc. - Gary D Smigiel, Lantana Farm Associates,  
Inc. - Thomas Mecca  
BY Schmidt Nichols, AGENT  
(Reserve at Eagles Landing)

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-2024-01037, the Application of Lantana Farm Associates, Inc. and Lantana Farm Associates, Inc. by Schmidt Nichols, Agent, for an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to Single Family Residential (RS) Zoning with a Conditional Overlay Zone, was presented to the Board of County Commissioners at a public hearing conducted on February 27, 2025;

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 and Article 3.B.3 for a Conditional Overlay Zone;

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:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Zoning Application Z-2024-01037, the Application of Lantana Farm Associates, Inc. - Gary D Smigiel, Lantana Farm Associates, Inc. - Thomas Mecca, by Schmidt Nichols, Agent, for an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to Single Family Residential (RS) Zoning with a Conditional Overlay Zone District on 26.24 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 February 27,

2025, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Baxter 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 Maria G. Marino, Mayor	-	Aye
Commissioner Sara Baxter, Vice Mayor	-	Aye
Commissioner Gregg K. Weiss	-	Aye
Commissioner Joel G. Flores	-	Absent
Commissioner Marci Woodward	-	Aye
Commissioner Maria Sachs	-	Aye
Commissioner Bobby Powell, Jr.	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on February 27, 2025.

Filed with the Clerk of the Board of County Commissioners on March 6, 2025.

This resolution shall not become effective unless or until the effective date of the Large Scale Land Use Amendment No. LGA-2024-012.

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 LOTS 2, 3 AND 4, BLOCK 37, LANTANA HIATUS, IN TOWNSHIP 44 ½ SOUTH, RANGE 41E, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE U.S. GOVERNMENT LAND OFFICE MONUMENT MARKING THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 41 E, WHICH MONUMENT IS ALSO THE NORTHEAST CORNER OF SAID BLOCK 37, WHICH LINE IS ALSO THE TOWNSHIP LINE, A DISTANCE OF 1529.00 FEET TO THE NORTHEAST CORNER AND POINT OF BEGINNING OF THE PARCEL; THENCE CONTINUE N88°08'25"W ON SAID TOWNSHIP LINE A DISTANCE OF 3872.67 FEET TO THE NORTHWEST CORNER OF SAID LOT 4, BLOCK 37, THENCE RUN S00°04'08"E ON THE WEST LINE OF SAID LOT 4, A DISTANCE OF 369.30 FEET TO THE SOUTHWEST CORNER THEREOF, THENCE RUN N89°42'20"E ON THE SOUTH LINE OF LOTS 4, 3 AND 2 OF SAID BLOCK 37, A DISTANCE OF 3863.82 FEET; THENCE RUN N01°37'50"E A DISTANCE OF 224.72 FEET TO THE POINT OF BEGINNING.

LESS THAT PORTION DESCRIBED IN RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 6473, PAGE 1608, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AS FOLLOWS:

A PARCEL OF LAND IN LOT 2, BLOCK 37, LANTANA HIATUS, IN TOWNSHIP 44 ½ SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 41 EAST, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID BLOCK 37 OF THE LANTANA HIATUS:

THENCE RUN NORTH 88°08'25" WEST, ALONG THE NORTH LINE OF SAID BLOCK 37, WHICH LINE IS ALSO THE TOWNSHIP LINE, A DISTANCE OF 1529.00 FEET TO THE NORTHEAST CORNER AND THE POINT OF BEGINNING.

THENCE CONTINUE NORTH 88°08'25" WEST ALONG SAID TOWNSHIP LINE A DISTANCE OF 267.96 FEET; THENCE SOUTH 83°13'05" EAST A DISTANCE OF 208.63 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1925.00 FEET, A CENTRAL ANGLE OF 01°47'46" AND A CHORD BEARING OF SOUTH 84°06'58" EAST; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE A DISTANCE OF 60.34 FEET TO THE END OF SAID CURVE; THENCE NORTH 01°37'50" EAST A DISTANCE OF 22.14 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS:

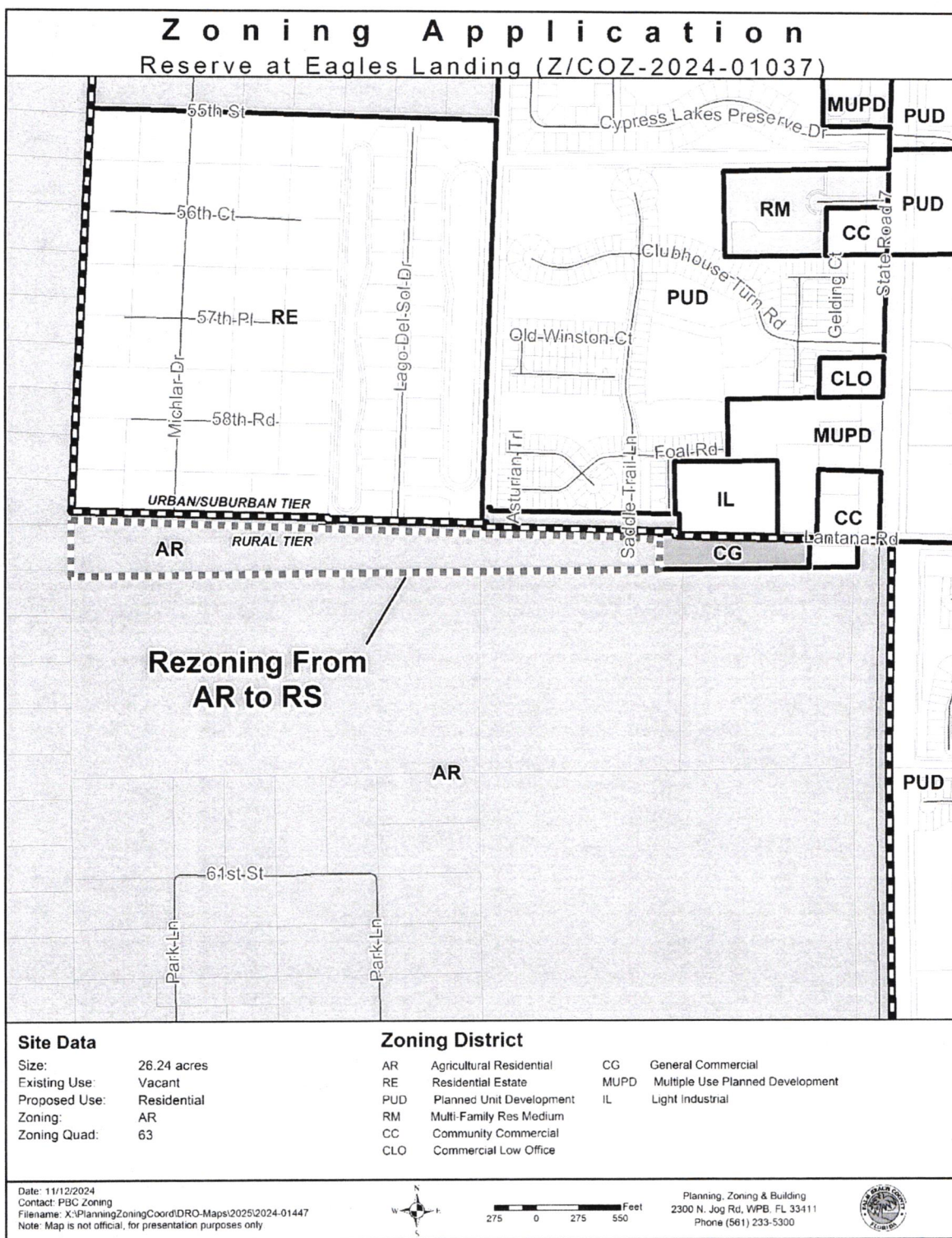
A PARCEL OF LAND BEING A PORTION OF LOTS 2, 3 AND 4, BLOCK 37, LANTANA HIATUS, IN TOWNSHIP 44 ½ SOUTH RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PRACTICALLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 36. TOWNSHIP 44 SOUTH, RANGE 41 EAST, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID BLOCK 37; THENCE ALONG THE SOUTHERLY LINE OF SAID SECTION N88°32'55"W A DISTANCE OF 1529.00 FEET; THENCE LEAVING SAID SOUTH LINE, S01°13'40"W A DISTANCE 22.10 FEET; TO THE POINT OF BEGINNING.

THENCE CONTINUE S01°13'40"W A DISTANCE OF 202.26 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 2; THENCE ALONG THE SOUTHERLY LINE OF SAID LOTS 2, 3 AND 4, S89°17'21"E A DISTANCE OF 3854.71 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 4; THENCE LEAVING SAID SOUTHERLY LINE AND ALONG SAID WESTERLY LINE, N00°07'07"W A DISTANCE OF 369.65 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SECTION 36, THENCE LEAVING SAID WESTERLY AND ALONG SAID SOUTHERLY LINE OF SECTION 36, S88°32'55"E A DISTANCE OF 3593.27 FEET; THENCE LEAVING SAID SOUTHERLY LINE OF SECTION 36, S83°38'03"E A DISTANCE OF 208.63 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 1925.00 FEET AND A CENTRAL ANGLE OF 01°47'46"; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 60.34 FEET TO THE POINT OF BEGINNING.

CONTAINING 26.241 ACRES (1,143,071 SQUARE FEET), MORE OR LESS.

**EXHIBIT B**  
**VICINITY SKETCH**



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### Official Zoning Map Amendment with a Conditional Overlay Zone

##### ALL PETITIONS

1. The approved Preliminary Subdivision Plan is dated December 19, 2024. 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. (ONGOING: ZONING - Zoning)

##### ENGINEERING

1. No Building Permits for the site may be issued after December 31, 2028, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request or by using provisions available in the Florida Governor issued Emergency Declarations in effect at the time the time extension is requested. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code or applicable Florida Governor's Executive Orders. (DATE: MONITORING - Engineering)

2. Prior to issuance of the first building permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code, or as otherwise approved by the County Engineer. (BLDGPMT: MONITORING - Engineering)

3. The Property Owner shall construct Lantana Road from the western terminus of the property to Lago Del Sol Drive to be consistent with Palm Beach County standards for a local residential street. Construction shall include a permanent turnaround at the western terminus plus roadway features that allow a safe turnaround no more than 1320 feet west of Lago Del Sol Drive. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required for Improvements identified above shall be obtained from Palm Beach County prior to the issuance of the first Building Permit. (BLDGPMT: MONITORING - Engineering)

b. Construction of the permanent and midblock turnarounds up to the first lift of asphalt shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering)

c. Construction shall be completed prior to the issuance of the 20th certificate of occupancy. (BLDGPMT/CO: MONITORING - Engineering)

4. Property Owner shall construct a minimum 5-foot-wide concrete sidewalk along the south side of Lantana Road from the western terminus of the site to the existing sidewalk at Saddle Trail Lane. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. The sidewalk shall be constructed prior to the issuance of the CO in which the sidewalk is adjacent to. (BLDGPMT/CO: MONITORING - Engineering)

5. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)

b. Any required drainage easements shall be dedicated in conjunction with recordation of the plat or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPMT/PLAT: MONITORING - Engineering)

6. The residential driveways shall be designed and constructed to allow vehicles to enter and exit the driveways in a forward motion. (ONGOING: ENGINEERING - Engineering)

##### PLANNING

1. Per LGA 2024-012, Condition 1: Residential dwelling units shall be limited to a maximum of 26 units with no further density increases permitted through density bonus programs. (ONGOING: PLANNING - Planning)

2. Per LGA 2024-012, Condition 2: The zoning development order shall require a minimum of 10% of the total dwelling units to be provided as offsite workforce housing units, through the Off-site Construction/Same Developer option or the Off-site Construction/Exchange Builder Option #1 of the Workforce Housing Program (WHP). The workforce housing units are subject to the applicable requirements of the WHP in Article 5.G.1 of the ULDC. (ONGOING: PLANNING - Planning)

3. The subject Development Order for the 26 for sale units with a 3-unit Workforce Housing Program (WHP) obligation is subject to the conditions within LGA 2024-012. The WHP units will be delivered off-site through the Off-Site Construction/Same Developer as allowed by Condition 2 of LGA 2024-012. Should a reduction in overall units occur, the WHP obligation may be reduced subject to a new analysis, and the timing mechanisms adjusted administratively as needed. (ONGOING: PLANNING - Planning)

4. Should any required WHP units be provided off-site as rentals, the WHP obligation shall be 1.5 times the obligation per ULDC Article 5.G.1.C.4.b. (ONGOING: PLANNING - Planning)

5. Prior to the issuance of the first residential Building Permit, the Property Owner shall submit all contracts or related agreements for any off-site option evidencing site control and necessary approvals, and these shall be approved by the County Administrator, or designee. (BLDGPM: MONITORING - Planning)

6. Prior to the issuance of the first residential Building Permit, the Property Owner shall record in the public records of Palm Beach County Declarations of Restrictive Covenants for both the subject development and the receiving site of the workforce housing obligation, in a form acceptable to and approved by the Palm Beach County Attorney. (BLDGPM: MONITORING - Planning)

7. Prior to issuance of the first Certificate of Occupancy (CO), the site plan and other appropriate documents shall be modified to include the OR Book and Page of the recorded Declaration of Restrictive Covenants, the name of the Off-Site Project(s), and the total number of WHP units and the number in each applicable WHP income category. (CO: MONITORING - Planning)

8. Prior to the release of fifty percent of the residential Building Permits (13 du) at Reserve at Eagles Landing (Control No. 1977-00024), a minimum of fifty percent (1 du) of the required WHP units to be constructed off-site shall receive Certificate of Occupancy (CO). (BLDGPM: MONITORING - Planning)

9. Prior to the release of eighty five percent of the residential Building Permits (22 du) at Reserve at Eagles Landing (Control No. 1977-00024), all 3 of the required WHP units to be constructed off-site must receive Certificates of Occupancy (CO). (BLDGPM: MONITORING - Planning)

10. Prior to Final Approval by the Development Review Officer (DRO), the site plan and applicable documents shall be revised to be consistent with what the BCC adopted, and to indicate selection of the Offsite Construction/Same Developer disposition method of the Workforce Housing Program (WHP). (DRO: PLANNING - Planning)

#### **SCHOOL BOARD**

1. The property owner shall post a notice of annual boundary school assignments for students from this development. A sign 11" X 17" shall be posted in a clear and visible location in all sales offices and models with the following:

"NOTICE TO PARENTS OF SCHOOL AGE CHILDREN"

School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and, by direction of the Superintendent, public school attendance zones are subject to change. Please contact the Palm Beach County School District Boundary Office at

(561) 434-8100 for the most current school assignment(s). (ONGOING: SCHOOL BOARD - School Board)

### **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: ZONING - 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) (ONGOING: ZONING - Zoning)

### **DISCLOSURE**

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