

RESOLUTION NO. ZR-2020- 039

RESOLUTION REVOKING RESOLUTION ZR-2018-0030  
(CONTROL NUMBER 2005-00394)  
AFFIRMING THE LEGISLATIVE ABANDONMENT  
OF ZONING APPLICATION 2005-00394

WHEREAS, the Zoning Commission, pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 Supplement 27, is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the ULDC have been satisfied;

WHEREAS, Zoning Application ZV-2018-01180 was presented to the Zoning Commission at a public hearing on November 1, 2018;

WHEREAS, Resolution ZR-2018-0030 approving this Application was adopted by the Zoning Commission on November 1, 2018;

WHEREAS, the Zoning Director has determined the request to legislatively abandon the Development Order, as provided in Article 2 (Application Processes and Procedures) of the ULDC, meets the requirements contained therein;

WHEREAS, the Zoning Director presented the abandonment of the Development Order to the Zoning Commission for ratification on October 1, 2020; and

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC requires that action of the Zoning Commission be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING COMMISSION OF PALM BEACH COUNTY, FLORIDA, that Resolution ZR-2018-0030 approving Zoning Application ZV-2018-01180, the application of Highland Dunes Associates Property, LLC, by Urban Design Kilday Studios, Agent, for a Type II Variance to allow transfer of density in excess of 30 percent, is hereby revoked.

Commissioner Beatty moved for the approval of the Resolution.

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

Sheri Scarborough, Chair	- Yes
Sam Caliendo, Vice Chair	- Absent
Amir Kanel	- Yes
John Kern	- Absent
Michael Kelley	- Yes
Marcelle Griffith Burke	- Yes
Alex Brumfield III	- Yes
Mark Beatty	- Yes
Jess Sowards	- Yes

The Chair thereupon declared that the resolution was duly passed and adopted on October 1, 2020.

This resolution is effective when filed with the Palm Beach County Zoning Division on October 22, 2020.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS ZONING COMMISSIONERS

BY:   
COUNTY ATTORNEY

BY:   
CHAIR

EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION (OVERALL P.U.D.)

PARCEL 2:

THE SOUTH 360 FEET OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA; LESS THE NORTH 240 FEET OF THE SOUTH 360 FEET OF SAID SECTION 21; ALSO THE NORTH 50 FEET OF THE SOUTH 120 FEET OF THE EAST 220 FEET OF SAID SECTION 21.

PARCEL 3:

THE SOUTH 360 FEET OF THE WEST 780 FEET OF SECTION 22, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA; LESS THE NORTH 290 FEET OF THE SOUTH 360 FEET OF THE WEST 780 FEET OF SAID SECTION 22.

PARCEL 4:

THE WEST 780 FEET OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA.

PARCEL 5:

ALL OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA.

PARCEL 8:

ALL OF SECTION 33, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, LYING NORTH OF STATE ROAD 80 RIGHT-OF-WAY.

PARCEL 9:

THAT PART OF THE WEST 780 FEET OF SECTION 34, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, LYING NORTH OF STATE ROAD 80 RIGHT-OF-WAY.

LESS AND EXCEPTING FROM PARCELS 2, 5 AND 8, THAT PORTION WHICH LIES WITHIN THAT STRIP OF LAND WHICH LIES 46.00 FEET EAST OF, AS MEASURED AT RIGHT ANGLES TO, THE EASTERLY RIGHT OF WAY LINE OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT L-8 CANAL AS PER THE RIGHT OF WAY MAP FOR SAID L-8 CANAL, DWG "L-8-1", AND DATED MAY 8, 1950 AND PROVIDED TO THIS OFFICE BY THE SOUTH FLORIDA WATER MANAGEMENT DEPARTMENT OF SURVEY.

THE ABOVE DESCRIBED PARCELS OF LAND NOW KNOWN AS:

ARDEN P.U.D. PLAT I, AS RECORDED IN PLAT BOOK 122, PAGES 32 THROUGH 51, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 1209.978 ACRES, MORE OR LESS.