

RESOLUTION NO. ZR-2021-013

RESOLUTION APPROVING ZONING APPLICATION ZV-2020-02072  
CONTROL NO. 1981-00019  
TYPE 2 VARIANCE (STAND ALONE)  
APPLICATION OF City Of Boca Raton, G. L. Acquisitions Corporation  
BY G.L. Homes, AGENT  
(BOCA RATON GOLF COURSE PUD - UNIT TYPE VARIANCE)

WHEREAS, the Zoning Commission, pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code (ULDC), Ordinance 2003-067 as amended, 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-2020-02072 was presented to the Zoning Commission at a public hearing conducted on April 1, 2021;

WHEREAS, the Zoning Commission considered the evidence and testimony presented by the Applicant and other interested parties, and the recommendations of the various County Review Agencies;

WHEREAS, the Zoning Commission hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Type 2 Variance;

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 action of the Zoning Commission be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING COMMISSION OF PALM BEACH COUNTY, FLORIDA, that Zoning Application ZV-2020-02072, the Application of City Of Boca Raton, G. L. Acquisitions Corporation, by G.L. Homes, Agent, for a Type 2 Variance to allow the elimination of one residential use type where two are required, 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 April 1, 2021, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof and Variance request as described in EXHIBIT D, attached hereto and made a part hereof.

Commissioner Caliendo moved for the approval of the Resolution.

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

John Kern, Chair	- YES
Marcelle Griffith Burke, Vice Chair	- YES
Cheri Pavlik	- YES
Sam Caliendo	- YES
Michael Kelley	- YES
Sheri Scarborough	- YES
Alex Brumfield III	- YES
Mark Beatty	- YES
Jess Sowards	- YES


The Chair thereupon declared the resolution was duly passed and adopted on April 1, 2021.

This resolution is effective when filed with the Palm Beach County Zoning Division on April 1, 2021.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS ZONING COMMISSIONERS

BY:   
COUNTY ATTORNEY

BY:   
CHAIR



## EXHIBIT A

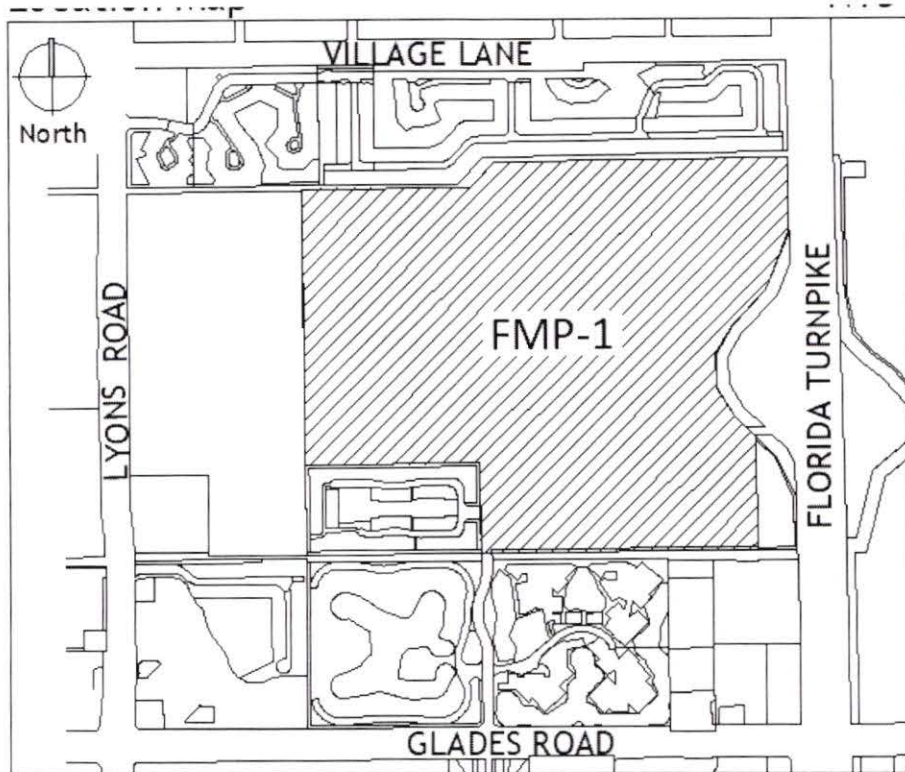
### LEGAL DESCRIPTION

ALL OF TRACTS 1 THROUGH 3, INCLUSIVE, TRACTS 12 THROUGH 17, INCLUSIVE, TRACTS 30 THROUGH 34, INCLUSIVE, A PORTION OF TRACTS 29 AND 35, AND A PORTION OF ROAD, DYKE AND DITCH RESERVATIONS, ALL IN BLOCK 76, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 17, TOWNSHIP 47 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID TRACT 17, ALSO BEING THE NORTHWEST CORNER OF WEDGEWOOD ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 55, PAGE 115, SAID PUBLIC RECORDS, THENCE NORTH 00°21'35" WEST, ALONG THE WEST LINE OF SAID TRACTS 3, 12 AND 17 AND THEIR NORTHERLY EXTENSION, A DISTANCE OF 2,031.63 FEET; THENCE NORTH 89°37'44" EAST, ALONG THE NORTH LINE OF A SAID BLOCK 76, A DISTANCE OF 1,239.74 FEET; THENCE NORTH 00°54'13" WEST, ALONG THE EAST LINE OF BLOCK 75, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, SAID PUBLIC RECORDS, A DISTANCE OF 179.93 FEET TO NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 17; THENCE NORTH 89°08'08" EAST, ALONG THE NORTH LINE OF SAID NORTHEAST ONE-QUARTER OF SECTION 17, A DISTANCE OF 2,347.82 FEET; THENCE SOUTH 01°04'52" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT E-2W CANAL AS DESCRIBED IN OFFICIAL RECORDS BOOK 319, PAGE 275, SAID PUBLIC RECORDS, A DISTANCE OF 545.91 FEET; THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT E-2W CANAL AS DESCRIBED IN OFFICIAL RECORDS BOOK 25558, PAGE 1167, SAID PUBLIC RECORDS, FOR THE FOLLOWING SIX (6) DESCRIBED COURSES, SOUTH 21°25'08" WEST, A DISTANCE OF 463.58 FEET; THENCE SOUTH 43°55'08" WEST, A DISTANCE OF 367.79 FEET; THENCE SOUTH 29°53'08" WEST, A DISTANCE OF 239.99 FEET; THENCE SOUTH 01°04'52" EAST, A DISTANCE OF 255.40 FEET; THENCE SOUTH 32°02'52" EAST, A DISTANCE OF 243.71 FEET; THENCE SOUTH 46°04'52" EAST, A DISTANCE OF 218.14 FEET; THENCE ALONG THE EAST LINE OF SAID TRACT 35, BLOCK 76, ALSO BEING THE WEST LINE AND THE NORTHERLY EXTENSION THEREOF, OF GLADES ROAD SELF STORAGE, MUPD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 122, PAGES 114 THROUGH 115, SAID PUBLIC RECORDS, SOUTH 00°24'15" EAST, A DISTANCE OF 674.97 FEET; THENCE SOUTH 89°36'40" WEST, 35.00 FEET; THENCE SOUTH 00°24'15" EAST ALONG A LINE 35.00 FEET WEST OF AND PARALLEL WITH SAID EAST LINE OF TRACT 35, A DISTANCE OF 100.50 FEET; THENCE SOUTH 89°36'40" WEST, ALONG A LINE 55.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF TRACTS 30 THROUGH 35, INCLUSIVE, SAID BLOCK 76, A DISTANCE OF 1920.40 FEET; THENCE SOUTH 00°21'11" EAST, ALONG A LINE 85.65 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF SAID WEDGEWOOD ESTATES, A DISTANCE OF 55.00 FEET; THENCE SOUTH 89°36'40" WEST, ALONG THE SOUTH LINE OF SAID TRACTS 29 AND 30, A DISTANCE OF 85.65 FEET; THENCE NORTH 00°21'11" WEST, ALONG THE EAST LINE OF SAID WEDGEWOOD ESTATES, A DISTANCE OF 660.00 FEET; THENCE SOUTH 89°41'19" WEST, ALONG THE NORTH LINE OF SAID WEDGEWOOD ESTATES, A DISTANCE OF 1,290.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 193.510 ACRES, MORE OR LESS.

EXHIBIT B  
VICINITY SKETCH





## EXHIBIT C

### CONDITIONS OF APPROVAL

#### **Type 2 Variance - Standalone**

##### **ALL PETITIONS**

1. The approved Final Master Plan is dated February 8, 2021. 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 or the Zoning Commission. (ONGOING: ZONING - Zoning)

##### **USE LIMITATIONS**

1. The overall residential development shall be required to provide the following:
- A minimum of twenty-five percent (25%) of all residential lots shall be a minimum of sixty-two (62) feet in width.
  - A maximum of seventy-five percent (75%) of all residential lots shall be fifty (50) feet in width. (BLDGPM/ONGOING: BUILDING DIVISION - Building Division)

##### **COMPLIANCE**

1. In Granting this Approval, the Zoning Commission 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 Zoning Commission for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- 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
- The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- 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
- Referral to Code Enforcement; and/or
- 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)

##### **DISCLOSURE**

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

EXHIBIT D  
REQUEST

#	ULDC Article	REQUIRED	PROPOSED	VARIANCE
V.1	Table 3.E.2.E.1.a, Range of Housing (Planned Unit Development Standards)	2 residential use types	1 residential use type (ZLL Homes)	1 residential use type