

Agenda Item # \_\_R - 7\_\_

**Village of Royal Palm Beach  
Village Council  
Agenda Item Summary**

**Agenda Item:**

**ADOPTION OF RESOLUTION NOS. 22-42, 22-43 AND 22-44 AND APPROVAL OF APPLICATION NO. 22-138 (EXT) GRANTING A REQUEST FROM URBAN DESIGN STUDIOS ON BEHALF OF TUTTLE ROYALE SFH, LLC, SOUTHERN BOULEVARD VILLAS LLC AND EDX ROYALE PROPERTY LLC, FOR A 6-MONTH EXTENSION TO THE DEVELOPMENT APPROVALS FOR PODS 3, 4 AND 7 TO MARCH 2, 2023. FOR POD 3, THE EXTENSION REQUEST IS FOR THE SITE PLAN, ARCHITECTURAL & AESTHETIC AND VARIANCE APPROVALS. FOR POD 4, THE EXTENSION REQUEST IS FOR THE SITE PLAN, SPECIAL EXCEPTION, LANDSCAPE WAIVER AND VARIANCE APPROVALS. FOR POD 7, THE EXTENSION REQUEST IS FOR THE SITE PLAN, ARCHITECTURAL & AESTHETIC AND SPECIAL EXCEPTION APPROVALS, FOR PROPERTIES LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD, APPROXIMATELY 0.27 MILES WEST OF STATE ROAD 7 (U.S. 441).**

**Issue:**

The applicant, Urban Design Studios on behalf of Tuttle Royale SFH, LLC, Southern Boulevard Villas LLC and EDX Royale Property LLC, is requesting a 6-month extension to the Development Approvals for PODS 3, 4 and 7 to March 2, 2023. For POD 3, the extension request is for the Site Plan, Architectural & Aesthetic, and Variance approvals. For POD 4, the extension request is for the Site Plan, Special Exception, Landscape Waiver and Variance approvals. For POD 7, the extension request is for the Site Plan, Architectural & Aesthetic, and Special Exception approvals, for properties located on the south side of Southern Boulevard, approximately 0.27 miles west of State Road 7 (U.S. 441).

The applicant provided a request to toll and extend the development orders pursuant to Section 252.363(1)(a)1, Florida Statutes in response to executive orders issues by the Governor in response to declared states of emergency. Under the executive orders, development orders expiring during the pendency of the emergency were tolled for the duration of the emergency plus six (6) months, as allowed by state law.

Initiator:	Village Manager	Agenda Date	Village Council
Director of P&Z	Approval	12-15-2022	Action

POD 3:

On May 16, 2019, the Village Council granted Site Plan and Architectural & Aesthetic approvals through the adoption of Resolution No. 19-16. Additionally, a Parking Variance was granted by Order VC-19-02. All approvals concerned Southern Boulevard Properties (Tuttle Royale) POD 3 consisting of a Multifamily Residential development with 318 units within 13 apartment buildings and approval of the landscape plan, building design, and color and materials. The applicant has indicated that best efforts have been made to commence development as evidenced by the active building permit application in for POD 3, start of construction on the offsite improvements and recently obtained Plat approval for POD 3.

Under the provisions of Sub-Section 26-66(c)(3) of the Zoning Code, Council may grant a maximum of two (2) time extensions for a period not to exceed twelve (12) months for the approvals, provided the applicant requests an extension prior to expiration of the original approvals or otherwise in accordance with the tolling provided by Section 252.363(1)(a)1, Florida Statutes. This is the first time extension requested and the request for extension was received within the prescribed timeframe.

If approved, Variance Order VC-19-02 would also be extended since Resolution No. 19-16 would remain in full force and effect, subject to the extension of time granted for the Site Plan by the Village Council. The Parking Variance approval would also continue with the Site Plan approvals but would lapse whenever the Site Plan approval lapsed.

POD 4:

On July 18, 2019, the Village Council granted Site Plan and Special Exception approvals through the adoption of Resolution No. 19-17. Additionally, a landscape waiver was granted by Order LW-10-02, a lot width variance was granted by Order VC-19-03, a lot size and setback variance was granted by Order VC-19-04, and landscape area variance was granted by Order VC-19-05. All approvals for concerned Southern Boulevard Properties (Tuttle Royale) POD 4 consisting of a 100 unit single-family residential Planned Unit Development with only a single unit type. The applicant has indicated that best efforts have been made to commence development as evidenced by approval of the Preliminary Plat for POD 4 via Resolution No. 20-12, the issuance of the water and sewer permit for POD 4, and the payment of impact fees for water and sewer associated with POD 4.

Under the provisions of Sub-Section 26-66(c)(3) of the Zoning Code, Council may grant a maximum of two (2) time extensions for a period not to exceed twelve (12) months for the approvals, provided the applicant requests an extension prior to expiration of the original approvals or otherwise in accordance with the tolling provided by Section 252.363(1)(a)1, Florida Statutes. This is the

Initiator:	Village Manager	Agenda Date	Village Council
Director of P&Z	Approval	12-15-2022	Action

first time extension requested and the request for extension was received within the prescribed timeframe.

If approved, the Landscape Waiver would also be extended since Resolution No. 19-17 would remain in full force and effect, subject to the extension of time granted for the Site Plan by the Village Council. The Variance approvals would also continue with the Site Plan approvals but would lapse whenever the Site Plan approval lapsed.

**POD 7:**

On December 19, 2019, the Village Council granted Site Plan, Architectural & Aesthetic and Special Exception approvals through the adoption of Resolution No. 19-12. All approvals concerned the Southern Boulevard Properties (Tuttle Royale) POD 7 consisting of 77,674 square feet of school buildings and a 9,574 square-foot gymnasium building, approval to allow a “Public and private academic institution” (charter school) in a General Commercial (CG) Zoning District and approval for the landscape plan, building design, color and materials, and signage.

Under the provisions of Sub-Section 26-66(c)(3) of the Zoning Code, Council may grant a maximum of two (2) time extensions for a period not to exceed twelve (12) months for the approvals, provided the applicant requests an extension prior to expiration of the original approvals or otherwise in accordance with the tolling provided by Section 252.363(1)(a)1, Florida Statutes. This is the first time extension requested and the request for extension was received within the prescribed timeframe.

**Recommended Action:**

Staff is recommending Approval of Application No. 22-138 (EXT) through adoption of Resolution Nos. 22-42, 22-43 and 22-44, as submitted.

Initiator:	Village Manager	Agenda Date	Village Council
Director of P&Z	Approval	12-15-2022	Action

**Exhibit A**  
**Condition of Approval**  
**Tuttle Royale PODS 3, 4 & 7**  
**Application No. 22-138 (EXT)**  
**Resolution Nos. 22-42, 22-43 and 22-44**

1. The extension of approval shall be for a period of six (6) months and shall expire on March 2, 2023.
2. One (1) additional six (6) month extension may be granted should the applicant apply prior to March 2, 2023.
3. All other conditions of approval for Resolution Nos. 19-16, 19-17 and 19-12 shall remain in full force and effect.

Initiator:	Village Manager	Agenda Date	Village Council
Director of P&Z	Approval	12-15-2022	Action

**RESOLUTION NO. 22-44**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 22-138 (EXT) – THE APPLICATION OF URBAN DESIGN KILDAY STUDIOS ON BEHALF OF EDX ROYALE PROPERTY LLC – PERTAINING TO A SIX-MONTH EXTENSION OF THE SITE PLAN, ARCHITECTURAL & AESTHETIC AND SPECIAL EXCEPTION APPROVALS FOR SOUTHERN BOULEVARD PROPERTIES (TUTTLE ROYALE) POD 7 GRANTED BY RESOLUTION NO. 19-12 BY THE VILLAGE COUNCIL ON DECEMBER 19, 2019 FOR A PUBLIC CHARTER SCHOOL ON A 10.174± ACRE PARCEL OF LAND, LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD APPROXIMATELY 0.27 MILES WEST OF STATE ROAD 7, IN THE VILLAGE OF ROYAL PALM BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Village Council of the Village of Royal Palm Beach, Florida (“Village”), as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166 Florida Statutes, is authorized and empowered to consider applications relating to zoning and land development; and

**WHEREAS**, the notice and hearing requirements provided for in the Village Code have been satisfied where applicable; and

**WHEREAS**, Application No. 22-138 (EXT) was presented to the Village Council at its public hearing conducted on December 15, 2022; and

**WHEREAS**, the Village Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various Village review agencies, boards, and commissions, where applicable; and

**WHEREAS**, this approval is subject to all applicable Zoning Code requirements that development commence in a timely manner.

**NOW THEREFORE**, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT APPLICATION NO. 22-138 (EXT), THE APPLICATION OF URBAN DESIGN KILDAY STUDIOS, ON A PARCEL OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PLEASE SEE EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Was approved, subject to the following conditions:

PLEASE SEE EXHIBIT “B” ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 15th day of December, 2022.

VILLAGE OF ROYAL PALM BEACH

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MAYOR FRED PINTO

ATTEST:

(SEAL)

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DIANE DISANTO, VILLAGE CLERK

**Exhibit A**  
**Legal Description**  
**Southern Boulevard Properties (Tuttle Royale) POD 7**  
**Application No. 22-138 (EXT)**  
**Res. No. 22-44**

LEGAL DESCRIPTION:

PARCEL A

A PARCEL OF LAND BEING A PORTION OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 1, NORTH 88 DEGREES 59'05" WEST A DISTANCE OF 701.92 FEET; THENCE LEAVING SAID NORTHERLY LINE NORTH 01 DEGREES 50'01" WEST A DISTANCE OF 1.38 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 01 DEGREES 50'01" WEST A DISTANCE OF 748.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 170.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 25 DEGREES 01'36" A DISTANCE OF 74.26 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 26 DEGREES 51'37" WEST A DISTANCE OF 82.97 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 230.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE TO 02 DEGREES 02'18" A DISTANCE OF 8.18 FEET TO THE POINT OF NON-TANGENCY AND A POINT ON THE NORTHERLY LINE OF A 160 FOOT WIDE FLORIDA POWER & LIGHT COMPANY EASEMENT AS RECORDED IN O.R. BOOK 699, PAGE 534, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID NORTHERLY LINE, NORTH 88 DEGREES 57'45" WEST A DISTANCE OF 470.53 FEET; THENCE LEAVING SAID NORTHERLY EASEMENT LINE, NORTH 01 DEGREES 49'41" EAST A DISTANCE OF 728.95 FEET; THENCE NORTH 36 DEGREES 03'30" A DISTANCE OF 83.87 FEET; THENCE NORTH 01 DEGREES 52'12" EAST A DISTANCE OF 35.00 FEET; THENCE SOUTH 88 DEGREES 59'05" EAST A DISTANCE OF 289.21 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 240.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23 DEGREES 33'39" A DISTANCE OF 98.69 FEET TO THE POINT OF TANGENCY; THENCE NORTH 67 DEGREES 27'15" EAST A DISTANCE OF 148.65 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 160.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15 DEGREES 14'27" A DISTANCE OF 42.56 FEET TO THE POINT OF NON-TANGENCY; THENCE SOUTH 43 DEGREES 09'59" EAST A DISTANCE OF 30.82 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.174 ACRES MORE OR LESS.

CONSISTING OF PORTIONS OF PARCELS 1, 2, 3 AND 4, DESCRIBED BELOW:

PARCEL 1

THE SOUTH ONE HALF OF THE NORTH ONE HALF OF THE FOLLOWING DESCRIBED PROPERTY: A TRACT OF LAND IN SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, RUN EASTERLY ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1765.21 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREINAFTER DESCRIBED; THENCE CONTINUE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 270 FEET; THENCE SOUTHERLY, PARALLEL TO THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 1616.07 FEET, MORE OR LESS, TO A POINT IN THE NORTH LINE OF THE TRACT OF LAND DESCRIBED IN THAT CERTAIN DEED RECORDED IN O.R. BOOK 169, PAGE 29, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WESTERLY ALONG SAID NORTH LINE, A DISTANCE OF 270 FEET, MORE OR LESS, TO A POINT IN A LINE RUNNING SOUTHERLY FROM THE POINT OF BEGINNING, PARALLEL TO THE WEST LINE OF SAID SECTION 1; THENCE NORTHERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 1610.12 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT OVER THE EAST 18 FEET OF THE N 1/2 OF THE FOLLOWING DESCRIBED PROPERTY AS DESCRIBED IN EASEMENT AGREEMENT RECORDED IN O.R. BOOK 2270, PAGE 74:

A TRACT OF LAND IN SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, RUN EASTERLY ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1765.21 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREINAFTER DESCRIBED; THENCE CONTINUE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 270 FEET; THENCE SOUTHERLY PARALLEL TO THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 1616.07 FEET, MORE OR LESS, TO A POINT IN THE NORTH LINE OF THE TRACT OF LAND DESCRIBED IN DEED RECORDED IN O.R. BOOK 169, PAGE 29, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WESTERLY ALONG SAID NORTH LINE, A DISTANCE OF 270 FEET, MORE OR LESS, TO A POINT IN A LINE RUNNING SOUTHERLY FROM THE POINT OF BEGINNING PARALLEL TO THE WEST LINE OF SAID SECTION 1; THENCE NORTHERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 1610.12 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS AND ROAD PURPOSES OVER THE FOLLOWING DESCRIBED LAND DESCRIBED IN QUIT CLAIM DEED RECORDED IN O.R. BOOK 980, PAGE 255:

A TRACT OF LAND IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, RUN EASTERLY ALONG THE SOUTH LINE OF SAID SECTION 36, A DISTANCE OF 2035.21 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREINAFTER DESCRIBED; THENCE CONTINUE EASTERLY ALONG THE SOUTH LINE OF SAID SECTION 36 A DISTANCE OF 20 FEET; THENCE NORTHERLY PARALLEL TO THE WEST LINE OF SAID SECTION 36, TO A POINT IN THE SOUTH LINE OF THE ACME DRAINAGE DISTRICT RIGHT OF WAY AS RECORDED IN O.R. BOOK 790, PAGE 706; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID ACME DRAINAGE DISTRICT RIGHT OF WAY, TO A POINT IN A LINE RUNNING NORTHERLY FROM THE POINT OF BEGINNING PARALLEL TO THE WEST LINE OF SAID SECTION 36; THENCE SOUTHERLY ALONG SAID PARALLEL LINE TO THE POINT OF BEGINNING.

#### PARCEL 2

THE NORTH ONE QUARTER (1/4) OF THE FOLLOWING DESCRIBED PROPERTY: A TRACT OF LAND IN SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, RUN EASTERLY ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1765.21 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREINAFTER DESCRIBED; THENCE CONTINUE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 270 FEET; THENCE SOUTHERLY PARALLEL TO THE WEST LINE OF SECTION 1, A DISTANCE OF 1616.07 FEET, MORE OR LESS, TO A POINT IN THE NORTH LINE OF THE TRACT OF LAND DESCRIBED IN DEED RECORDED IN O.R. BOOK 169, PAGE 29, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WESTERLY ALONG SAID NORTH LINE, A DISTANCE OF 270 FEET, MORE OR LESS, TO A POINT IN A LINE RUNNING SOUTHERLY FROM THE POINT OF BEGINNING PARALLEL TO THE WEST LINE OF SAID SECTION 1; THENCE NORTHERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 1610.12 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

#### PARCEL 3

A TRACT OF LAND IN SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, RUN EASTERLY ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1495.21 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREINAFTER DESCRIBED; THENCE CONTINUE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 1, A



DISTANCE OF 270 FEET; THENCE SOUTHERLY PARALLEL TO THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 1616.07 FEET, MORE OR LESS, TO A POINT IN THE NORTH LINE OF THE TRACT OF LAND DESCRIBED IN DEED RECORDED IN O.R. BOOK 169, PAGE 29, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WESTERLY ALONG SAID NORTH LINE, A DISTANCE OF 270 FEET, MORE OR LESS, TO A POINT IN A LINE RUNNING SOUTHERLY FROM THE POINT OF BEGINNING PARALLEL TO THE WEST LINE OF SAID SECTION 1; THENCE NORTHERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 1610.12 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL 4

THE SOUTH 1/2 OF THE FOLLOWING DESCRIBED PROPERTY:

A TRACT OF LAND IN SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, RUN EASTERLY ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1765.21 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREINAFTER DESCRIBED; THENCE CONTINUE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 270 FEET; THENCE SOUTHERLY PARALLEL TO THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 1616.07 FEET MORE OR LESS TO A POINT IN THE NORTH LINE OF THE TRACT OF LAND DESCRIBED IN DEED RECORDED IN O.R. BOOK 169, PAGE 29, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WESTERLY ALONG SAID NORTH LINE, A DISTANCE OF 270 FEET, MORE OR LESS, TO A POINT IN A LINE RUNNING SOUTHERLY FROM THE POINT OF BEGINNING PARALLEL TO THE WEST LINE OF SAID SECTION 1; THENCE NORTHERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 1610.12 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND DESCRIBED IN EASEMENT AGREEMENT RECORDED IN O.R. BOOK 2270, PAGE 74, AND IN QUIT CLAIM DEED RECORDED IN O.R. BOOK 980, PAGE 255, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**Exhibit B**  
**Conditions of Approval**  
**Southern Boulevard Properties (Tuttle Royale) POD 7**  
**Application No. 22-138 (EXT)**  
**Res. No. 22-44**

1. The extension of approval shall be for a period of six (6) months and shall expire on March 2, 2023.
2. One (1) additional six (6) month extension may be granted should the applicant apply prior to March 2, 2023.
3. All other conditions of approval for Resolution No. 19-12 shall remain in full force and effect.

**RESOLUTION NO. 22-43**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 22-138 (EXT) – THE APPLICATION OF URBAN DESIGN KILDAY STUDIOS ON BEHALF OF TUTTLE ROYALE SFH, LLC – PERTAINING TO A SIX-MONTH EXTENSION OF THE SITE PLAN, SPECIAL EXCEPTION, LANDSCAPE WAIVER AND VARIANCE APPROVALS FOR SOUTHERN BOULEVARD PROPERTIES (TUTTLE ROYALE) POD 4 GRANTED BY RESOLUTION NO. 19-17 BY THE VILLAGE COUNCIL ON JULY 18, 2019 FOR 100 PATIO HOME (ZERO LOT LINE) SINGLE-FAMILY STYLE UNITS ON A 33.75± ACRE PARCEL OF LAND, LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD APPROXIMATELY 0.27 MILES WEST OF STATE ROAD 7, IN THE VILLAGE OF ROYAL PALM BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Village Council of the Village of Royal Palm Beach, Florida (“Village”), as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166 Florida Statutes, is authorized and empowered to consider applications relating to zoning and land development; and

**WHEREAS**, the notice and hearing requirements provided for in the Village Code have been satisfied where applicable; and

**WHEREAS**, Application No. 22-138 (EXT) was presented to the Village Council at its public hearing conducted on December 15, 2022; and

**WHEREAS**, the Village Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various Village review agencies, boards, and commissions, where applicable; and

**WHEREAS**, this approval is subject to all applicable Zoning Code requirements that development commence in a timely manner.

**NOW THEREFORE**, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT APPLICATION NO. 22-138 (EXT), THE APPLICATION OF URBAN DESIGN KILDAY STUDIOS, ON A PARCEL OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PLEASE SEE EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Was approved, subject to the following conditions:

PLEASE SEE EXHIBIT “B” ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 15th day of December, 2022.

VILLAGE OF ROYAL PALM BEACH

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MAYOR FRED PINTO

ATTEST:

(SEAL)

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DIANE DISANTO, VILLAGE CLERK

**Exhibit A**  
**Legal Description**  
**Southern Boulevard Properties (Tuttle Royale) POD 4**  
**Application No. 22-138 (EXT)**  
**Res. No. 22-43**

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF SAID SECTION 1, S01°50'01"W A DISTANCE OF 459.60 FEET TO THE POINT OF BEGINNING;

THENCE LEAVING SAID WESTERLY SECTION LINE, S59°20'02"E A DISTANCE OF 890.38 FEET TO THE NORTH LINE OF A 160 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 699, PAGE 534, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID SAID NORTH LINE S88°57'45"E A DISTANCE OF 1115.60 FEET TO A POINT ON A CURVE CONCAVE TO THE EAST AND HAVING A RADIAL BEARING OF S65°15'00"E; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°43'07" A DISTANCE OF 95.21 FEET TO THE POINT OF TANGENCY; THENCE S01°01'47"W A DISTANCE OF 67.48 FEET TO THE SOUTH LINE OF SAID 160 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT; THENCE ALONG SAID SOUTH LINE N88°57'45"W A DISTANCE OF 69.24 FEET; THENCE LEAVING SAID SOUTH LINE, S01°50'01"W A DISTANCE OF 60.22 FEET; THENCE N88°57'45"W A DISTANCE OF 47.20 FEET; THENCE S01°50'01"W A DISTANCE OF 503.92 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT S-4W CANAL (60 FOOT WIDE RIGHT OF WAY) AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGE 374, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N88°59'05"W A DISTANCE OF 1809.27 FEET TO A POINT ON SAID WESTERLY SECTION LINE; THENCE ALONG SAID WESTERLY SECTION LINE, N01°50'01"E A DISTANCE OF 1165.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 33.749 ACRES MORE OR LESS.

**Exhibit B**  
**Conditions of Approval**  
**Southern Boulevard Properties (Tuttle Royale) POD 4**  
**Application No. 22-138 (EXT)**  
**Res. No. 22-43**

1. The extension of approval shall be for a period of six (6) months and shall expire on March 2, 2023.
2. One (1) additional six (6) month extension may be granted should the applicant apply prior to March 2, 2023.
3. All other conditions of approval for Resolution No. 19-17 shall remain in full force and effect.

**RESOLUTION NO. 22-42**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 22-138 (EXT) – THE APPLICATION OF URBAN DESIGN KILDAY STUDIOS ON BEHALF OF SOUTHERN BOULEVARD VILLAS LLC – PERTAINING TO A SIX-MONTH EXTENSION OF THE SITE PLAN, ARCHITECTURAL & AESTHETIC AND SPECIAL EXCEPTION APPROVALS FOR SOUTHERN BOULEVARD PROPERTIES (TUTTLE ROYALE) POD 3 GRANTED BY RESOLUTION NO. 19-16 BY THE VILLAGE COUNCIL ON MAY 16, 2019 FOR THE 318 UNIT MULTIFAMILY RESIDENTIAL DEVELOPMENT ON A 23.952 ACRE SITE, LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD APPROXIMATELY 0.27 MILES WEST OF STATE ROAD 7, IN THE VILLAGE OF ROYAL PALM BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Village Council of the Village of Royal Palm Beach, Florida (“Village”), as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166 Florida Statutes, is authorized and empowered to consider applications relating to zoning and land development; and

**WHEREAS**, the notice and hearing requirements provided for in the Village Code have been satisfied where applicable; and

**WHEREAS**, Application No. 22-138 (EXT) was presented to the Village Council at its public hearing conducted on December 15, 2022; and

**WHEREAS**, the Village Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various Village review agencies, boards, and commissions, where applicable; and

**WHEREAS**, this approval is subject to all applicable Zoning Code requirements that development commence in a timely manner.

**NOW THEREFORE**, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT APPLICATION NO. 22-138 (EXT), THE APPLICATION OF URBAN DESIGN KILDAY STUDIOS, ON A PARCEL OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PLEASE SEE EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Was approved, subject to the following conditions:

PLEASE SEE EXHIBIT “B” ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 15th day of December, 2022.

VILLAGE OF ROYAL PALM BEACH

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MAYOR FRED PINTO

ATTEST:

(SEAL)

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DIANE DISANTO, VILLAGE CLERK



**Exhibit A**  
**Legal Description**  
**Southern Boulevard Properties (Tuttle Royale) POD 3**  
**Application No. 22-138 (EXT)**  
**Res. No. 22-42**

LEGAL DESCRIPTION:

PARCEL 1:

A PARCEL OF LAND BEING A PORTION OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; RUN THENCE ALONG THE WEST LINE OF SAID SECTION 36, N01°30'19"E A DISTANCE OF 142.27 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND.

RUN THENCE N01°30'19"E, A DISTANCE OF 1177.35 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51) SAID LINE BASED ON A LETTER FROM BLAIR LITTLEJOHN (COUNSEL TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT), TO JERALD CANTON ESQ. DATED NOVEMBER 29, 2000 (VERIFIED BY MEETING WITH SFWMD MARCH 2007); THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE, S83°44'24"E A DISTANCE OF 627.16 FEET; THENCE, CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, S01°30'19"W A DISTANCE OF 10.19 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51), SAID LINE AS SHOWN ON THE C-51 CANAL RIGHT-OF-WAY MAP CONTRACT NO. CN044901-2003; THENCE S88°52'41"E A DISTANCE OF 110.68 FEET TO A FOUND RIGHT-OF-WAY MONUMENT; THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY LINE S87°52'10"E A DISTANCE OF 199.33 FEET TO A POINT ON THE EAST LINE OF THE EAST 310 FEET OF THE WEST 935 FEET OF THE WEST HALF OF THE SOUTHWEST ONE-QUARTER (1/4) OF SAID SECTION 36; THENCE LEAVING SAID C-51 CANAL RIGHT OF WAY LINE RUN S01°30'19"W ALONG A LINE BEING PARALLEL WITH THE WEST LINE OF SAID SECTION 36, A DISTANCE OF 555.99 FEET; THENCE S88°59'05"E A DISTANCE OF 348.57 FEET; THENCE S04°44'26"W ALONG THAT CERTAIN SPECIFICALLY DESCRIBED LINE MENTIONED IN OFFICIAL RECORDS BOOK 10159, PAGE 1304, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 550.90 FEET MORE OR LESS; THENCE N88°59'05"W ALONG A LINE PARALLEL WITH AND LYING 142.27 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 36, A DISTANCE OF 1252.51 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID HEREIN DESCRIBED PARCEL CONTAINING 28.572 ACRES MORE OR LESS.

PARCEL 2:

A PARCEL OF LAND BEING A PORTION OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; RUN THENCE ALONG THE WEST LINE OF SAID SECTION 36, N01°30'19"E A DISTANCE OF 142.27 FEET, THENCE N01°30'19"E, A DISTANCE OF 1177.35 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51) SAID LINE BASED ON A LETTER FROM BLAIR LITTLEJOHN (COUNSEL TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT), TO JERALD CANTON ESQ. DATED NOVEMBER 29, 2000 (VERIFIED BY MEETING WITH SFWMD MARCH 2007); THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE, S83°44'24"E A DISTANCE OF 627.16 FEET; THENCE, CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, S01°30'19"W A DISTANCE OF 10.19 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51), SAID LINE AS SHOWN ON THE C-51 CANAL RIGHT-OF-WAY MAP CONTRACT NO. CN044901-2003; THENCE S88°52'41"E A DISTANCE OF 110.68 FEET TO A FOUND RIGHT-OF-WAY MONUMENT; THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY LINE S87°52'10"E A DISTANCE OF 199.33 FEET TO A POINT ON THE EAST LINE OF THE EAST 310 FEET OF THE WEST 935 FEET OF THE WEST HALF OF THE SOUTHWEST ONE-QUARTER (1/4) OF SAID SECTION 36 AND TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND.

THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY LINE S87°52'10"E A DISTANCE OF 674.07 FEET; THENCE LEAVING SAID C-51 RIGHT-OF-WAY LINE RUN S01°30'19"W ALONG A LINE BEING PARALLEL WITH THE WEST LINE OF SAID SECTION 36, A DISTANCE OF 85.00 FEET TO A POINT ON A LINE 85.00 FEET SOUTH OF AND PARALLEL TO THE C-51 RIGHT-OF-WAY LINE, THENCE

ALONG SAID PARALLEL LINE RUN N87°52'10"W A DISTANCE OF 674.07 FEET TO A POINT ON A LINE BEING PARALLEL WITH THE WEST LINE OF SAID SECTION 36, THENCE ALONG SAID LINE RUN N01°30'19"E A DISTANCE OF 85.00 FEET MORE OR LESS TO THE POINT OF BEGINNING. SAID HEREIN DESCRIBED PARCEL CONTAINING 1.315 ACRES MORE OR LESS

**Exhibit B**  
**Conditions of Approval**  
**Southern Boulevard Properties (Tuttle Royale) POD 3**  
**Application No. 22-138 (EXT)**  
**Res. No. 22-42**

1. The extension of approval shall be for a period of six (6) months and shall expire on March 2, 2023.
2. One (1) additional six (6) month extension may be granted should the applicant apply prior to March 2, 2023.
3. All other conditions of approval for Resolution No. 19-16 shall remain in full force and effect.