

Agenda Item # ÜÄH

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

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION 20-14 (PP) AN APPLICATION BY EVANS LAND CONSULTING AND ADOPTION OF RESOLUTION 20-12 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING PRELIMINARY PLAT APPROVAL FOR FOUR PARCELS OF LAND TOTALING 33.748± ACRES; LOCATED ON THE SOUTH SIDE OF ACME ROAD AND WEST OF STATE ROAD 7 (U.S. 441). REPRESENTED BY: JEFF EVANS, EVANS LAND CONSULTING.

Issue:

This is an application for Preliminary Plat approval for four parcels of land totaling 33.748± acres located on the south side of Acme Road and West of State Road 7. The site has a Land Use Designation of Single Family (SF) and a Zoning Designation of Single Family Residential (RS-3). Village Council granted Site Plan Approval for Pod 4 in July 2019 through the approval of Resolution No. 19-17. The proposed Preliminary Plat is consistent with the approved Site Plan.

Furthermore, the plat conforms to the platting requirements of Village Code, more specifically:

- *Sec. 22-22 Preliminary Plat – Requirements Generally.:* the plat contains all of the information required;
- The platted property meets all dimensional requirements of the zoning districts that are within the platted area.

The Planning and Zoning Commission considered the application on June 23, 2020 and recommended Approval by a vote of 4-0.

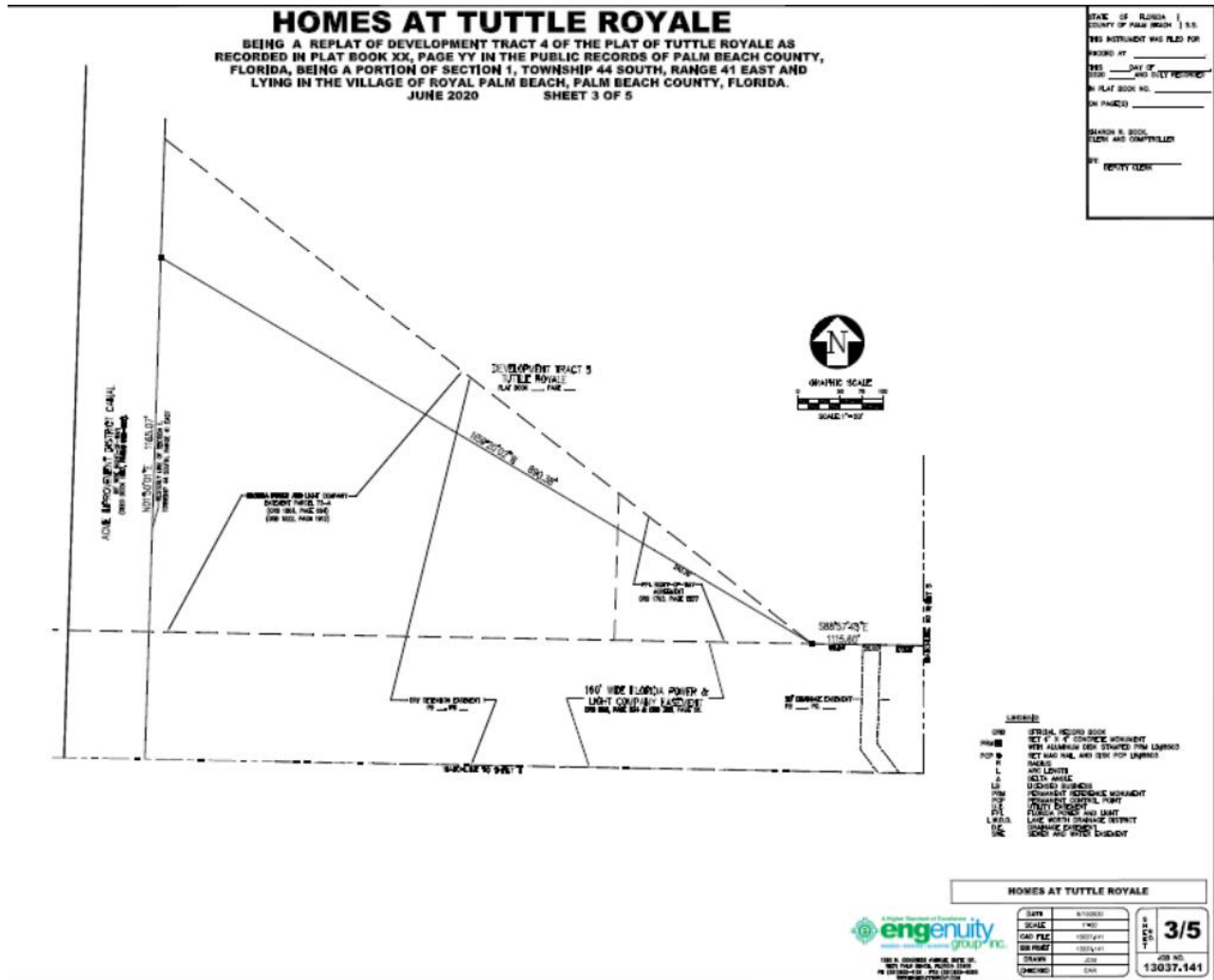
Recommended Action:

Village Staff is recommending Approval of Application 20-14 (PP) and adoption of Resolution 20-12.

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|----------------|-----------------|-------------|-----------------|
| Initiator: | Village Manager | Agenda Date | Village Council |
| P & Z Director | Approval | 7-16-2020 | Action |

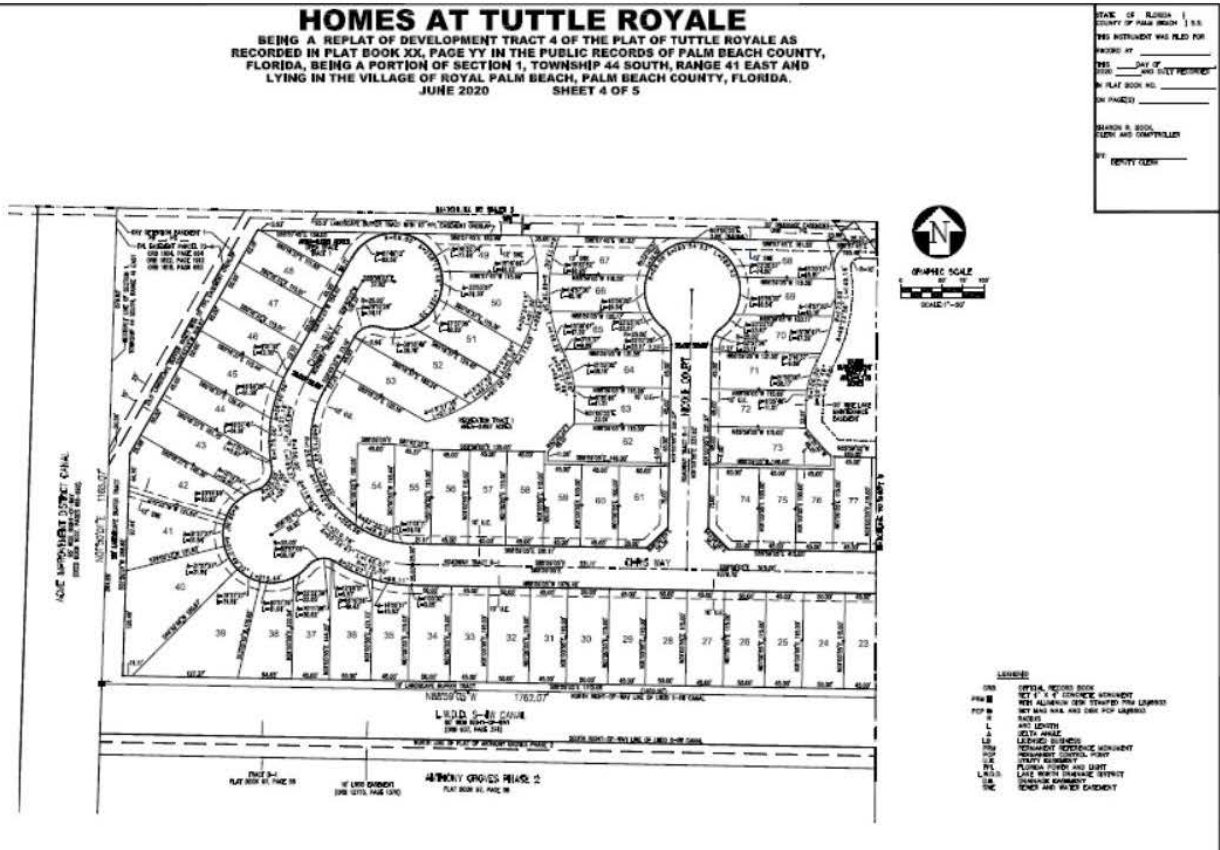
**Attachment A
Preliminary Plat
20-14 (PP) Pod 4
Res. 20-12**

Directly below is an illustration of the first page of the Preliminary Plat



**Attachment A
Preliminary Plat
20-14 (PP) Pod 4
Res. 20-12**

Directly below is an illustration of the second page of the Preliminary Plat



RESOLUTION NO. 20-12

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 20-14 (PP) – THE APPLICATION OF EVANS LAND CONSULTING – PERTAINING TO PRELIMINARY PLAT APPROVAL FOR FOUR PARCELS OF LAND TOTALING 33.748± ACRES LOCATED ON SOUTH SIDE OF ACME ROAD AND WEST OF STATE ROAD 7 (U.S. 441), 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. 20-12 (PP) was presented to the Village Council at its public hearing conducted on July 16, 2020; 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. 20-14 (PP), THE APPLICATION OF EVANS LAND CONSULTING, ON FOUR PARCELS 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 16th day of July, 2020.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
Southern Boulevard Properties Pod 4
20-14(PP)
Res. No. 20-12

LEGAL DESCRIPTION:

Directly below is an illustration of the Legal Description:

LEGAL DESCRIPTION— POD 4:

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 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 1762.07 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 33.748 ACRES MORE OR LESS.

Exhibit B
Conditions of Approval
Southern Boulevard Properties Pod 4
20-14(PP)
Res. No. 20-12

1. Site Specific Conditions of Approval:

- A. No Engineering permit applications shall be accepted prior to the Preliminary Plat approval by Village Council. No Building Permit applications shall be accepted prior to Final Plat approval of Tuttle Royale (Application 20-15) and Pod 4. After building permit applications are accepted, the residential developer may seek conditional building permits per Sec. 22-24 of Village Code. Additionally, no Certificate of Occupancy shall be issued until the public park is deeded and accepted by the Village of Royal Palm Beach, unless a different time frame for the deed and acceptance is agreed to by the Village in the Construction Agreement for Required Improvements, and no Certificate of Occupancy shall be issued until all Tier 1 public improvements supporting the POD 4 Plat, and the Tuttle Royale Master Plat, have been completed and accepted in accordance with Chapter 22 of Village Code including, but not limited to, the completion of Erica Blvd. from State Road 7 to Tuttle Blvd. and Lulfs Road to the proposed public park site.
- B. The Homeowners Association shall be created and registered with the State of Florida, and the Homeowners Association governing documents (i.e., Declaration of Covenants and Restrictions) shall be recorded, prior to Final Plat Approval. The governing documents shall be approved by the Village Attorney prior to recording.
- C. The parcels of land that constitute POD 4 contain previously recorded mineral rights. The right of entry associated with these mineral rights shall be released, and such releases shall be recorded in the public records, prior to Final Plat approval by the Village Council.