

ORDINANCE NO. 100

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF GOLF, FLORIDA, ADOPTING AN AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN SECTION 163.3184, ET SEQ., FLORIDA STATUTES, PURSUANT TO A PRIVATELY INITIATED APPLICATION FROM RABORN LLC., (LCPA) WHICH PROVIDES FOR AN AMENDMENT TO THE VILLAGE LAND USE MAP DESIGNATING 15.45 ACRES, MORE OR LESS, OF REAL PROPERTY AS "RESIDENTIAL; WHICH PROPERTY IS LOCATED DIRECTLY SOUTH OF COUNTRY ROAD SOUTH AND LYING ADJACENT TO AND EAST OF ROBERT RABORN COURT, INFORMALLY KNOWN AS THE "RABORN LLC. PROPERTY"; FURTHER PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the State Legislature of the State of Florida has mandated that all municipalities draft and adopt comprehensive development plans to provide thorough and consistent planning with regard to land within their corporate limits; and

WHEREAS, all amendments to the comprehensive development plan must be adopted in accordance with detailed procedures which must be strictly followed; and

WHEREAS, the Village of Golf, Florida, has carefully prepared an amendment to its comprehensive development plan in order to adopt a map amendment concerning a proposed residential land use designation; and

WHEREAS, the Village of Golf has held all duly required public hearings; both prior to submission of the proposed amendment of the plan to the State Department of Community Affairs and after the proposed amendment of the plan was returned to the Village of Golf, in accordance with Chapter 163.3184, Florida Statutes; and

WHEREAS, the Village Council desires to adopt the amendment to the current comprehensive development plan to guide and control the future development of the Village, and to preserve, promote and protect the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF GOLF, FLORIDA, THAT:

Section 1: The Village of Golf Comprehensive Plan is hereby amended by adopting this amendment to its current Comprehensive Development Plan dated September 10, 2007. This amendment specifically provides for the land use designation of "Residential" for a parcel of property comprising a total of approximately 15.45 acres, more or less, and amending the Village's Future Land Use Map accordingly; which amendment consists of changing the existing map to the one (1) page map which is attached hereto as Exhibit AA and made a part hereof and of the current comprehensive development plan.

Section 2: A copy of the comprehensive development plan, as amended, is on file in the office of the Village Clerk, Village of Golf, Florida.

Section 3: The Village's Clerk is hereby directed to transmit within ten (10) working days after adoption one (1) paper copy and two (2) electronic PDF format copies of the amendment to the current comprehensive development plan to the State Land Planning Agency, along with one copy to any other agency or unit of local government that timely provided comments in accordance with Section 163.3184(3)(c)2, Florida Statutes.

Section 4: All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

Section 5: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 6: This plan amendment shall not become effective until 31 days after the state land planning agency notifies the Village that the plan amendment is complete. If timely challenged, this amendment does not become effective until the state land planning agency or Administration Commission enters a final order determining the adopted amendment to be in compliance in accordance with Section 163.3184(3)(c)4, Florida Statutes, whichever is applicable. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administrative Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the State Land Planning Agency.

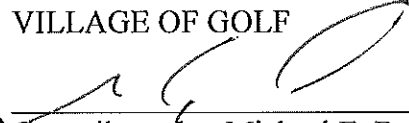
FIRST READING this 20th day of March, 2013 .

SECOND AND FINAL READING this 15th day of May, 2013.

VILLAGE OF GOLF

✓
Aye

Nay


Councilmember Michael E. Botos

Aye

Nay


Councilmember Robert C. Buchanan

✓
Aye

Nay


Councilmember J. Marshall Duane III

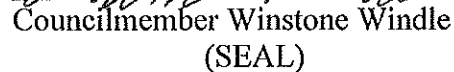
✓
Aye

Nay

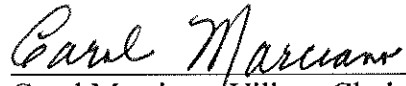

Councilmember Thomas E. Lynch

✓
Aye

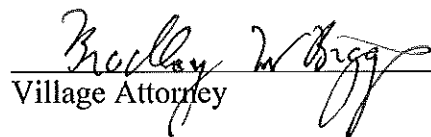
Nay


Councilmember Winstone Windle
(SEAL)

ATTEST:


Carol Marciano, Village Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY.


Village Attorney

Ord100-LSCPA-RabornProp-5-15-2013

VILLAGE OF GOLF
21 Country Road
Village of Golf, FL 33436
(561) 732-0236

DEVELOPMENT APPLICATION

All information must be printed or typed.

The completed application must be filed at least thirty (30) days prior to the date of the Village Council meeting at which the application is to be considered or at least ninety (90) days prior to the date of hearing for Comp Plan Map or Rezoning Amendments which require hearings before the Village Local Planning Agency.

APPLICATION NO.: _____

SUBMITTAL DATE: 19 Feb 13

| PROPERTY OWNER(S) | APPLICANT |
|---|-------------------------|
| Name: <u>RABORN LLC</u> | Name: <u>RABORN LLC</u> |
| Address: <u>c/o Robin Raborn</u> <u>525 Barbours Way</u> <u>Hillsborough CA 94010</u> | Address: <u>SAME</u> |
| Phone: <u>(415) 730-1976</u> | Phone: <u>SAME</u> |

Proof of ownership, along with agent's authorization letter if Application is being submitted by anyone other than the Owner(s), must be submitted with Application.

Two (2) copies of all plans, plats, including application forms, etc. must be submitted with Application. (Further plans, etc. may be required.)

CHECK APPLICABLE APPROVALS BEING REQUESTED:
(Fees per current Village resolution, if applicable, must be submitted with application.)

| | | | |
|------------------------------|-------------------------------------|-------------------|-------------------------------------|
| VARIANCE | | REZONING | <input checked="" type="checkbox"/> |
| ARCHITECTURAL REVIEW | | SITE PLAN REVIEW | |
| COMPREHENSIVE PLAN AMENDMENT | <input checked="" type="checkbox"/> | SPECIAL EXCEPTION | |
| | | | |
| | | | |

DO NOT WRITE BELOW THIS LINE

FOR DEPARTMENTAL USE ONLY

ACCEPTED FOR REVIEW

Village Official: [Signature]
Traffic concurrency letter included? _____

Date: _____
Yes ____ No ____

Fee Paid: _____

APPROVAL

Village Council:

Date: _____

Conditions of Approval: _____

GENERAL DATA

Project Name: RABORN LLC { 32-36 County Rd South

Project Location: (Address and property control no.) PRB County Parcel 664345031 280000030

Existing Zoning: Agricultural

Proposed Zoning: residential

Existing Comprehensive Plan Designation: Agricultural

Proposed Comprehensive Plan Designation: residential

Existing Land Use: vacant land

Proposed Land Use: residential

Total Site Area: 672,901.8 Sq. Ft. 15.4477 Acres

Legal description:
Raborn Estates A/T
Village of Golf CT3

Flood Zone Category: _____

Is site currently served by public water? Yes X No _____

Is site currently served by public sewer? Yes _____ No X

RESIDENTIAL

Total Number of Dwelling Units: NA Density (Units per acre): 1

COMMERCIAL

Total Square Footage: NA Number of Buildings: NA

Describe briefly the nature of any improvements presently located on the subject property.

16 Stall stable, 2 bay utility garage

Describe type of operation or business proposed; or the proposed construction.

residential

Estimate of construction costs.

NA

Describe in detail the phasing of the proposed development (Attach if insufficient space).

NA

State the reasons or basis for the Approval request, and explain why this request is consistent with good planning and zoning practice, will not be contrary to the Village's Comprehensive Plan, and will not be detrimental to the promotion of public appearance, comfort, convenience, general welfare, good order, health, morals, prosperity, and safety of the Village. Additionally, all standards set forth in the Village Land Development Code adopted by Ordinance No. 86, and as this ordinance may be amended, for Comprehensive Plan Amendments, Rezoning, Special Exceptions, Variances, etc. must be addressed. (Attach a separate Justification Statement if insufficient space.)

Residential Zoning of this property is consistent with the Village's Comprehensive Plan. It will allow more members of the Country Club of Florida to live at the Village of Golf. This will improve the appearance of the property and fits all the standards of the Village of Golf Development Code.

Has any previous Application been filed within the last year in connection with the subject property? (Yes) (No). If yes, briefly describe the nature of the Application.

No

Has a site plan been previously approved by the Village Council for this property? (Yes) (No). If yes, please note date of previous approval.

No

EXACT LEGAL DESCRIPTION OF PROPERTY:

(Attach if insufficient space)

Give the name, address and telephone number for the following persons or firms involved in this development:

| AGENT [if different from Owner(s)]: | DEVELOPER: |
|-------------------------------------|---------------|
| Name: NA | Name: NA |
| Company Name: | Company Name: |
| Address: | Address: |
| Phone: | Phone: |

| PLANNER: | ARCHITECT: |
|---------------|---------------------------|
| Name: NA | Name: NA |
| Company Name: | Company Name: |
| Address: | Address: |
| Phone: | Phone: |
| | Florida Registration No.: |

| ENGINEER: | LANDSCAPE ARCHITECT: |
|---------------------------|---------------------------|
| Name: NA | Name: NA |
| Company Name: | Company Name: |
| Address: | Address: |
| Phone: | Phone: |
| Florida Registration No.: | Florida Registration No.: |

| SURVEYOR: | ATTORNEY: |
|-----------------|-----------------|
| Name: <u>NA</u> | Name: <u>NA</u> |
| Company Name: | Company Name: |
| Address: | Address: |
| Phone: | Phone: |

| CURRENT OCCUPANT: | ALL CORRESPONDENCE WILL BE MAILED TO APPLICANT ONLY UNLESS A SUBSTITUTE ADDRESS IS SPECIFIED BELOW: |
|-------------------|--|
| Name: <u>NONE</u> | |
| Address: | Address: |
| Phone: | Phone: |

APPLICANT'S CERTIFICATION

(I) (We) affirm and certify that (I) (We) understand and will comply with all provisions and regulations of the Village of Golf, Florida. (I) (We) understand that if this Petition is approved by the Village, the aforementioned real property described herein will be considered, in every respect, to be a part of the Village of Golf and will be subjected to all applicable laws, regulations, taxes and police powers of the Village including the Comprehensive Plan and Land Development Code. (I) (We) further certify that all statements and diagrams submitted herewith are true and accurate to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this Application and attachments become part of the Official Records of the Village of Golf, Florida, and are not returnable.

[Signature]
Witness

Carol Marciano
Witness

Applicant is:

- ☒ Owner
☐ Optionee
☐ Lessee
☐ Agent
☐ Contract Purchaser

[Signature]
Signature of Applicant

Richard Robson
Printed Name of Applicant

Address: 2800 S. Seacrest Blvd #180
Hillsborough
Baywater Rd FL 33435
 Telephone Number: 561 369 1101
 Fax Number: 561 369 5066

Laura J Hannah

From: Larry Schone <lschone@lawdelray.com>
Sent: Wednesday, March 06, 2013 10:48 AM
To: Bradley W. Biggs Esq. ; Lhannah@villageofgolf.org
Cc: Robin Raborn
Subject: Raborn Farm

Dear Brad and Laura,

The deed to Raborn, LLC was recorded yesterday. The recording reference is Official Record Book 25843, Page 908. Once it is posted online, which I assume will be before I receive the original back from the Clerk's office, I will get you both a copy. If there is any additional information you need before the meeting on the 20th, please let us know. Thank you.

Regards,

Larry T. Schone, Esq.
151 NW First Avenue
Delray Beach, FL 33444
Phone: (561) 276-2900
Facsimile: (561) 276-2769
E-mail: lschone@lawdelray.com

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CIRCULAR 230 DISCLAIMER: The IRS now requires written advice (including electronic communications) regarding one or more Federal (i.e., United States) tax issues to meet certain standards. Those standards involve a detailed and careful analysis of the facts and applicable law which we expect would be time consuming and costly. We have not made and have not been asked to make that type of analysis in connection with any advice given in this e-mail. As a result, we are required to advise you that any Federal tax advice rendered in this e-mail is not intended or written to be used and cannot be used for the purpose of avoiding penalties that may be imposed by the IRS.

In the event you would like us to perform the type of analysis that is necessary for us to provide an opinion that does not require the above disclaimer, as always, please feel free to contact us directly.

No virus found in this message.

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Version: 2013.0.2899 / Virus Database: 2641/6137 - Release Date: 02/27/13

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM ____

From: Staff

Date: May 17, 2013 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendment to the Village of Golf Comprehensive Plan
Amendment No. 13-1ESR

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the Treasure Coast Regional Planning Council (TCRPC) review local government comprehensive plan amendments prior to their adoption. TCRPC comments are limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any local government within the Region. TCRPC must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the State Land Planning Agency.

The amendment package from the Village of Golf includes one amendment to the Future Land Use Map (FLUM) of the comprehensive plan. This report includes a summary of the proposed amendment and TCRPC comments.

Summary of Proposed Amendment

The proposed amendment is to change the future land use designation from Agricultural to Residential on 15.45 acres. The proposed change in land use will allow one dwelling unit per acre. The subject property is located on the south side of Country Road South. An existing road, Park Place, loops through the property. There is currently a vacant barn and other residential structures on the property. The adjacent properties to the north, east, and west are currently designated Residential by the Village. The south side of the property is bordered by a canal, which separates it from golf course and residential uses in the Hunters Run Golf and Racquet Club in the City of Boynton Beach.

The proposed amendment was circulated by the Palm Beach County Intergovernmental Plan Amendment Review Committee Clearinghouse Coordinator on April 1, 2013. TCRPC requested comments from adjacent local governments regarding any conflicts with the proposed

amendment. As of the date of the preparation of this report, no objections to the proposed amendment have been received from other local governments or agencies. No extrajurisdictional impacts have been identified. No adverse effects on significant regional resources and facilities have been identified.

Conclusion

The proposed amendment is consistent with the SRPP.

Recommendation

Council should approve this report and authorize its transmittal to the Village of Golf and the Florida Department of Economic Opportunity.

Attachments

List of Exhibits

Exhibit

- 1 General Location Map
- 2 Future Land Use Map
- 3 Aerial Photo

Exhibit 1 General Location Map

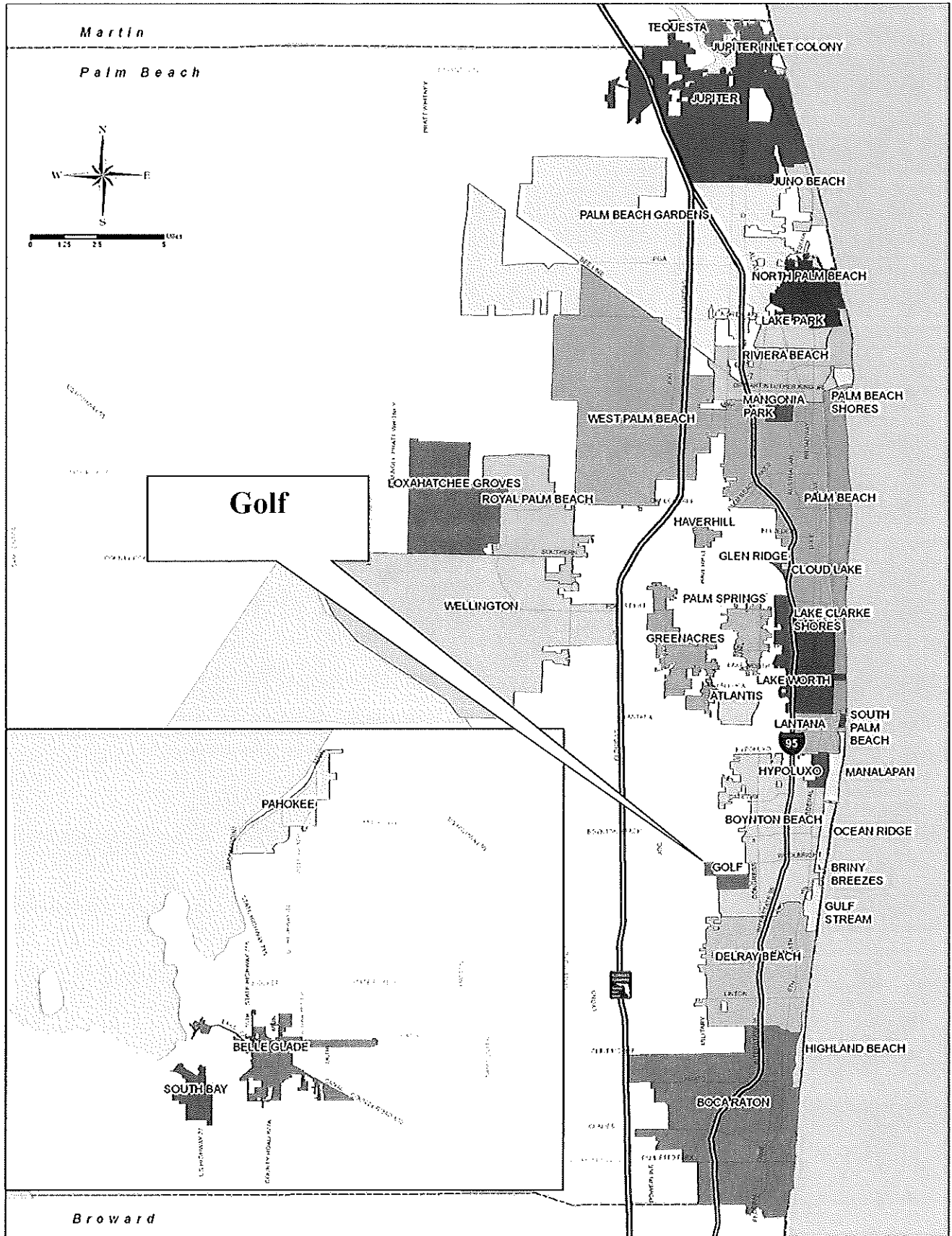


Exhibit 2
Future Land Use Map

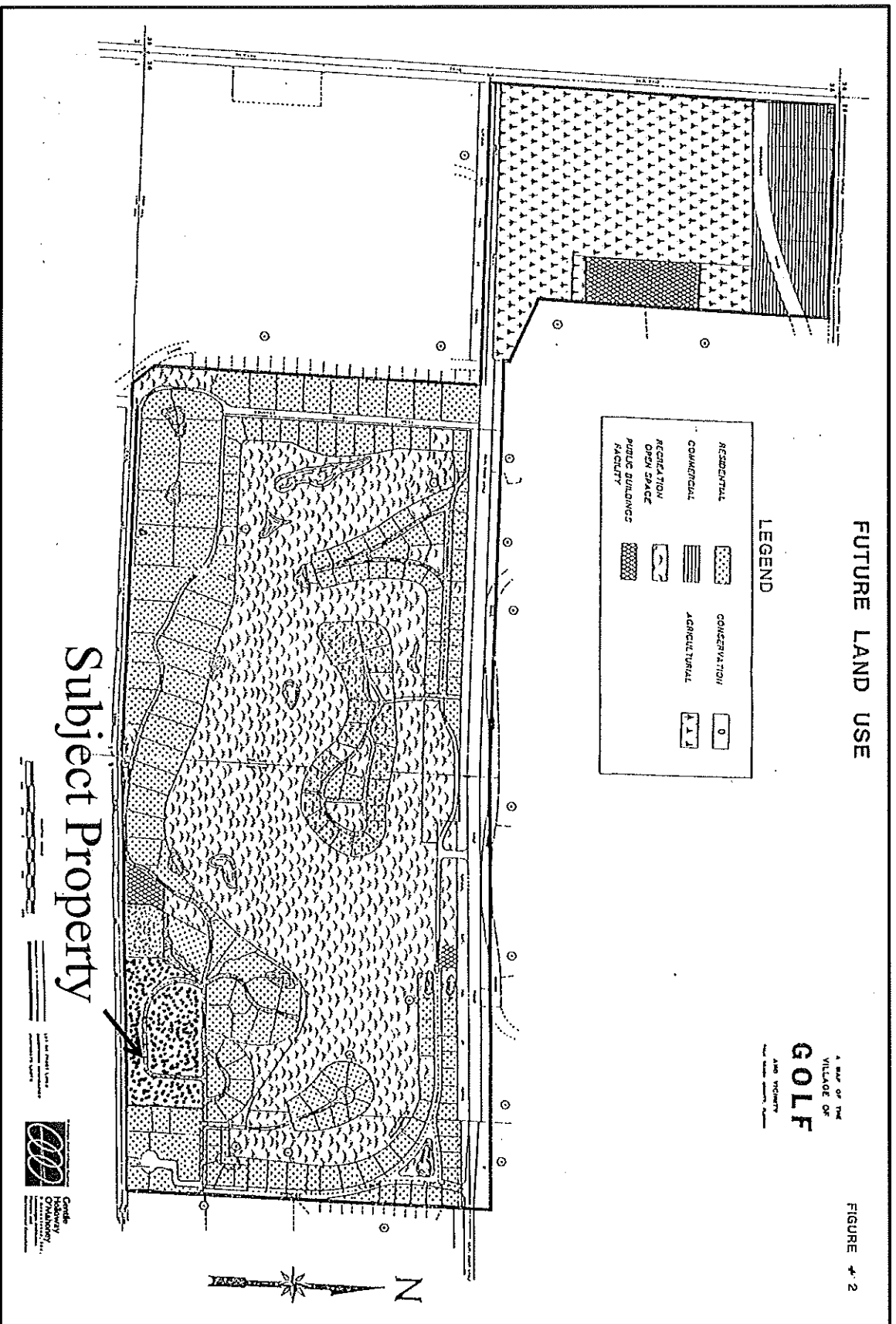


Exhibit 3 Aerial Photo

