



# TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

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**MEETING TYPE:** Town Commission Meeting

**MEETING DATE** January 4, 2022

**SUBMITTED BY:** Ingrid Allen, Town Planner, Building Department

**SUBJECT:** AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, REZONING THREE (3) PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 1.03 ACRES LOCATED IN THE BOCA COVE DEVELOPMENT ALONG SOUTH OCEAN BOULEVARD APPROXIMATELY 300 FEET SOUTH OF RUSSELL DRIVE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM NO ZONING DESIGNATION TO THE RESIDENTIAL MULTIPLE-FAMILY LOW DENSITY (RML) ZONING DISTRICT TO CORRECT A SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

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**SUMMARY:**

In January 2021, the Palm Beach County Property Appraiser advised Town staff that the following three (3) parcels located within the Boca Cove development do not have a zoning district designation (Attachment No. 1):

Parcel Control No. (PCN)	PARCEL ADDRESS	PROPERTY OWNER
24434704010001131	1123 Boca Cove Lane	Bonnie H and Michael K Mazor
24434704000060250	NA	Boca Cove HOA
24434704010001128	NA	Boca Cove HOA

According to the Town's Zoning Map, all the parcels located within the Boca Cove development (with the exception of the three (3) parcels noted above) are zoned RML - Residential Multiple Family Low Density. Upon review of Town Ordinance No. 594 (Attachment No. 2), which adopted the Zoning Map in 1990, it is clear that these three (3) parcels were located within the RML Zoning District; however, in error, the current Zoning Map (which is in a different mapping format than the Zoning Map adopted under Ordinance No. 594) does not provide any zoning designation for these parcels. The proposed Ordinance correctly designates RML as the applicable zoning district for the above referenced parcels. *Note that a separate Ordinance which corrects a scrivener's error to the Future Land Use Map for PCN 24-43-47-04-01-000-1128 will be reviewed and considered by the Town Commission (as a separate agenda item) at the second reading of the rezoning Ordinance currently scheduled for January 18, 2022. Pursuant to Section 163.3187(2) Florida Statutes, a small-*

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*scale amendment to the Comprehensive Plan requires only one (1) public hearing which shall be an adoption hearing.*

As a courtesy, Town staff reached out (via telephone and certified letter) to the Boca Cove property management company (Vesta Property Services, Inc.) and to the Mazor residence prior to the scheduling of public hearings to advise them of the scrivener's error as it pertains to both the Zoning and Future Land Use Maps (Attachment No. 2). Town staff did not receive any comments from Boca Cove residents or the property management company as it pertained to the courtesy letter.

The proposed Ordinance is consistent with the requirements of Section 30-43(d)(4) of the Town Code of Ordinances which includes consistency with the Town Comprehensive Plan and the Town Code.

**PLANNING BOARD ACTION:**

At the December 9, 2021 Planning Board ("Board") meeting, the Board recommended approval of the proposed rezoning of three (3) parcels, as noted above, to correct a scrivener's error (motion carried 6-0). In addition, the Board recommended approval for a corresponding small-scale amendment to the Town Comprehensive Plan which corrects a scrivener's error to the Future Land Use designation of parcel control number 24-43-47-04-01-000-1128 from no designation to Multi Family Low Density (motion carried 6-0).

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**FISCAL IMPACT:**

None.

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**ATTACHMENTS:**

Attachment No. 1 - Correspondence from Palm Beach County Property Appraiser  
Attachment No. 2 - Letter to Boca Cove property management company & Mazor Residence Ordinance (includes proposed Zoning Map changes)

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**RECOMMENDATION:**

Approval of Ordinance.