

RESOLUTION NO. R-73- 570

RESOLUTION APPROVING ZONING PETITION

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and Chapter 70-863, Laws of Florida, Special Acts of 1970, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 73-123 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 August 1973.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 23rd day of August, 1973, that petition No. 73-123, the petition of CLYDE GILL AND EDMUND C. BYRNE for a SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on the following described parcel of land: being the Northwest 1/4 of Section 23, Township 46 South, Range 42 East, less the North 60 feet for L.W.D.D. Canal L-34, and less the East 70 feet for L.W.D.D. Canal E-3, and less the South 10 feet for L.W.D.D. Canal L-35, also less a parcel of land commencing at the Northwest corner of said Section 23; thence run South 00° 15' 37" East, a distance of 60.02 feet to the Point of Beginning; thence running South 88° 58' 11" East, a distance of 328.45 feet, thence running South 31° 58' 11" East, a distance of 114.97 feet; thence running Southeasterly along the arc of a curve concave to the Northeast, having a central angle of 35° 00' 00", a radius of 447.47 feet, a distance of 273.34 feet; thence running South 66° 58' 11" East, a distance of 264.46 feet; thence running North 23° 01' 49"

East, a distance of 96.23 feet; thence running Northeasterly, along the arc of a curve, concave to the Southeast, having a central angle of  $19^{\circ} 12' 53''$ , a radius of 175.00 feet, a distance of 58.69 feet; thence running South  $66^{\circ} 58' 11''$  East, a distance of 183.18 feet; thence running Southeasterly, along the arc of a curve, concave to the Southwest, having a central angle of  $64^{\circ} 00' 00''$ , a radius of 657.46 feet, a distance of 734.40 feet; thence running South  $02^{\circ} 58' 11''$  East, a distance of 256.65 feet; thence running South  $87^{\circ} 01' 49''$  West, a distance of 360.00 feet; thence running North  $02^{\circ} 58' 11''$  West, a distance of 256.65 feet; thence running Northwesterly, along the arc of a curve, concave to the Southwest, having a central angle of  $64^{\circ} 00' 00''$ , a radius of 297.46 feet, a distance of 332.27 feet; thence running North  $66^{\circ} 58' 11''$  West, a distance of 191.65 feet; thence running South  $23^{\circ} 01' 49''$  West, a distance of 36.58 feet; thence running Southwesterly, along the arc of a curve, concave to the Northwest, having a central angle of  $68^{\circ} 00' 00''$ , a radius of 225.00 feet, a distance of 267.04 feet; thence running North  $88^{\circ} 58' 11''$  West, a distance of 343.50 feet; thence running North  $01^{\circ} 01' 49''$  East, a distance of 50.00 feet; thence running North  $88^{\circ} 58' 11''$  West, a distance of 183.99 feet; thence running North  $0^{\circ} 15' 37''$  West, a distance of 686.18 feet to the Point of Beginning. Said property located on the south side of L.W.D.D. Lateral Canal No. 34 approximately .5 mile west of Military Trail (S.R. 809) in an RH-Residential Multiple Family District (High Density), was approved as amended to a rezoning from RH-Residential Multiple Family District (High Density) to RM-Residential Multiple Family District (Medium Density) with a Special Exception for a Planned Unit Development subject to the following conditions:

- (1) Density shall not exceed ten (10) dwelling units per gross acre;
- (2) Signalization of the project entrance road into Atlantic Avenue shall be provided, at the developer's expense, in conjunction with platting;

(3) In the event Sims Road has not been constructed to Delray West Road (S.R. 806), at the time plats are proposed which require the outlet to accommodate the traffic (as determined by the County Engineer), Sims Road shall be constructed by the developer and the right-of-way acquired at the developer's cost.

The foregoing resolution was offered by Commissioner Warren, who moved its adoption. The motion was seconded by Commissioner Culpepper, and upon being put to a vote, the vote was as follows:

Lake Lytal	aye
E. W. Weaver	aye
Robert C. Johnson	aye
George V. Warren	aye
Robert F. Culpepper	aye

The Chairman thereupon declared the resolution duly passed and adopted this 2nd day of October, 1973.

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

  
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COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By:   
\_\_\_\_\_  
Deputy Clerk