

RESOLUTION NO. R- 83-251

RESOLUTION APPROVING ZONING PETITION 82-171, MODIFICATION OF
MASTER PLAN FOR VIA VERDE PUD, APPROVED AS PETITION 74-104 BY;
RESOLUTION NO. R-74-705.

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, 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. 82-171 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 30 December 1982 and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The proposal would be in harmony and compatible with the present and future development of the area concerned
2. The proposed change does not represent a substantial deviation from the previously approved DRI

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 30th day of December, 1982, that Petition No. 82-171 the petition of ARVIDA CORPORATION By Alan J. Ciklin, Attorney, for a MODIFICATION OF THE MASTER PLAN FOR VIA VERDE PLANNED UNIT DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING Petition No. 74-104 on a portion of Section 22, Township 47 South, Range 42 East, being more particularly described as follows: Commencing at the Northeast corner of the Northwest 1/4 of said Section 22; thence

South $00^{\circ} 15' 33.8''$ East, along the East line of said Northwest S/4 of Section 22, a distance of 1,055.34 feet; thence South $76^{\circ} 59' 37''$ West, along the Southerly boundary of VISTA VERDE SECTION TWO OF VIA VERDE - P.U.D., as recorded in Plat Book 38, Pages 177 and 178 a distance of 138.77 feet; thence South $28^{\circ} 45' 00''$ West, a distance of 252.00 feet; thence South $57^{\circ} 32' 30''$ East, a distance of 27.63 feet to the Point of Beginning of this description; thence continue South $57^{\circ} 32' 30''$ East a distance of 174.03 feet to a point on the East line of the said Northwest 1/4 of Section 22; thence continue South $57^{\circ} 32' 30''$ East, a distance of 306.29 feet; thence South $00^{\circ} 05' 00''$ East, a distance of 460.00 feet to a point of the arc of a circular curve to the left, whose radius point bears North $00^{\circ} 05' 00''$ West from the last described point, the last five courses being coincident with the Easterly boundary of Tract A of Via Verde Plat No. 1, as recorded in Plat Book 31, Pages 103 and j-04, thence Easterly and Northerly along the arc of said curve, having a radius of 1,691.75 feet, an arc distance of 625.3 feet; thence North $20^{\circ} 53' 54''$ East, a distance of 37.07 feet, the last two courses being coincident with the Northerly Right-of Way line of Verde Trail of Via Verde - P.U.D., as recorded in Plat Book 34, Page 161, the last described point being a point on the arc of a circular curve to the right, whose radius point bears North $63^{\circ} 03' 08''$ East, from the last described point; thence Westerly and Northerly along the arc of said curve, having a radius of 1,185.00 feet, an arc distance of 572.16 feet to the Point of Tangency; thence North $00^{\circ} 43' 00''$ East, a distance of 121.31 feet, the last two courses being coincident with the Westerly Right-of-Way line of Verde Trail North, as shown on the plats of Verde Trail of Via Verde - P.U.D., as recorded in Plat Book 34, Page 161, and the Plat of Open Door Estates of Via Verde - P.U.D., as recorded in Plat Book 33, Pages 101 and 102 thence South $83^{\circ} 23' 45''$ West, a distance of 144.84 feet; thence North $86^{\circ} 50' 07''$ West, a distance of 96.18 feet; thence North $77^{\circ} 51' 46''$ West, a distance of 95.00 feet; thence North $67^{\circ} 12' 32''$ West, a distance of 102.77 feet; thence North

77° 51' 46" West, a distance of 189.21 feet; thence South 76° 59' 37" west, a distance of 170.42 feet: thence South 38° 45' 29" West, a distance of 198.69 feet to the Point of Beginning of this description. Said property located on the Northwest corner of the intersection of Verde Trail and Verde Trail North in an RS-Residential Single Family District, was approved as advertised subject to the following conditions:

1. All conditions of this original Petition No. 74-104 shall remain in effect, approved by Resolution No. R-74-705.
2. Developer shall contribute the sum of Six Thousand Six Hundred and Sixty Dollars (\$6,660.00) toward the cost of meeting this project's direct and indentifiable traffic impact, to be paid at the rate of \$37 per bed at the time of issuance of the building permit(s).
3. Reasonable precaution shall be exercised during site development to insure that dust particles from this property do not become a nuisance to neighboring properties.
4. Reasonable measures shall be employed during site development to insure that no pollutants from this property will enter adjacent or nearby surface waters.
5. The property shall be developed according to the landscape and site plan shown to the Board of County Commissioners, labeled Exhibit No. 7.

Commissioner Wilken , moved for approval of the petition. The motion was seconded by Commissioner Koehler , and upon being put to a vote, the vote was as follows:

Peggy B. Evatt, Chairman	Aye
Ken Spillias, Vice Chairman	Aye
Dennis P. Koehler, Member	Aye
Dorothy Wilken, Member	Aye
Bill Bailey, Member	Aye

The foregoing resolution was declared duly passed and adopted this 15th day of February , 1983 , confirming action of

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____

County Attorney

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, CLERK

By: John B. Dunkle
Deputy Clerk

