

RESOLUTION NO. R- 83-603

RESOLUTION APPROVING ZONING PETITION 82-174, Modification of
Master Plan for Zoning Petition No. 74-54

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. 82-174 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24th February 1983; 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 proposed incremental increase of 60 multi-family units reflects a changing market and building conditions and represents a net decrease in density from the original Master Plan approval of May 20, 1974.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of February, 1983, that Petition No. 82-174 The petition of STURT CREEK, N.V., By Francisco Montiel, President, for the MODIFICATION OF THE MASTER PLAN FOR WEST BOCA ESTATES PLANNED UNIT DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 74-54 on a parcel of land in Tracts 71 thru 77, and Tracts 84 thru 89, Palm Beach Farm; Company, Plat No. 3, as recorded in Plat Book 2, Pages 46-51.; said parcel of land being more particularly described as follows: in Section 18, Township 47 South, Range 42 East, commencing at the Southwest corner of Section 18, Township 47 South, Range 42 East; thence, bear North 0° 29' 12" West, along the West line of said Section 18, a distance of 1271.05 feet, more or less, to the intersection with the centerline of State Road 808 (Boca Raton West Road); thence, East, along said centerline, a distance

of 1360.54 feet; thence, North 0° 00' 23" East, a distance of 53.0 feet to a point on the North Right-of-Way line of said State Road 808; according to Road Book 4, Pages 5-14; said point being the Point of Beginning; thence, continue North 0° 0' 23" East, a distance of 1257.00 feet; thence, South 89° 59' 58" East, along a line 25 feet Southerly of, as measured at right angles to, the North line of said Tracts 71 thru 77, a distance of 2079.83 feet, to the East line of said Tract 71; thence, South 0° 00' 23" West, along said East line, a distance of 634.73 feet to the Southeast corner of said Tract 71; thence, North 89° 59' 58" west, along the South line of said Tract 71, a distance of 330.17 feet to the Northeast corner of said Tract 71; thence, South 0° 00' 23" West, along the East line of said Tract 71, a distance of 622.25 feet to a point on said North Right-of-Way line of State Road 808; thence, West along said Right-of-Way line, a distance of 1749.66 feet to the Point of Beginning. Said property located on the Northside of Boca Raton West Road (S.R.808), approximately .2 mile East of State Road No. 7 in an KS-Residential Single Family District, was approved as advertised subject to the following conditions:

1. The petitioner, property owner and/or developer shall comply with all conditions previously imposed upon the approval of Petition No. 74-54.
2. The developer shall pay \$300 per single family unit and \$200 per multi-family unit, at the time of issuance of building permits, toward meeting the cost of the direct and identifiable traffic impact of this project.
3. The developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from the project do not become a nuisance to neighboring properties.
4. The developer shall take necessary measures during the development of this property to prevent pollutant run-off to neighboring and nearby surface waters.
5. The development of phase 5 shall be limited to 120 units and the overall development of 235 units.

Commissioner Bailey, 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 E. Evatt, Chairman	- Aye
Ken Spillias, Vice Chairman	- Aye
Dennis P. Koehler, Member	- Aye
Dorothy Wilken, Member	- Nay
Bill Bailey, Member	- Aye

The foregoing resolution was declared duly passed and adopted
this 24th day of MAY, 1983, confirming action of
24th February 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Keith Ann Allen*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Robert
County Attorney

