

RESOLUTION NO. R- 85-12

RESOLUTION APPROVING ZONING PETITION 77-87(C), Special Exception

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. 77-87(C) was presented to the Board of, County Commissioners of Palm Beach County at its public hearing conducted on the 23rd of August 1984; 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 is consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 23rd of August 1984, that Petition No. 77-87(C) the petition of THE ENGLE GROUP, INC. AND K. HOVNANIAN OF PALM BEACH XII By Marvin Sanders, Agent, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR LAKESIDE GREEN PLANNED UNIT DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 77-87, BY CHANGING TRACT K FROM MULTIPLE FAMILY TO A CIVIC SITE, BY TRANSFERRING UNITS FROM TRACT K TO TRACTS E, F, & G AND BY CHANGING THE ACREAGES IN TRACT D, E, F, G, & K AND THE LAKE on the South 1/2 of the South 1/2 of the Northwest 1/4 and all of the Southwest 1/4 excepting therefrom the West 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 12, Township 43 South, Range 42 East.

Less land included in Lakeside Green, Plat No. 1, as recorded in Plat

Book 40, Page 20, less land included in Lakeside Green Plat, Plat No. 2, as recorded in Plat Book 46, Pages 136-137.

Less recreation parcel (unrecorded Plat No. 3) a parcel of land lying in the Southwest 1/4 of Section 12, Township 43 South, Range 42 East, said parcel of land being more particularly described as follows:

Beginning at the Northwesterly corner of the Subdivision Lakeside Green, Plat No. 1, Planned Unit Development, as recorded in Plat Book 40, Pages 20 thru 22; thence with a bearing of South 01 degrees 36'12" West, along the West line of Willow Pond Road, as recorded in the above described subdivision of Lakeside Green Plat No. 1, a distance of 85.10 feet to a point; thence with a bearing of North 88 degrees 23'48" West, a distance of 75.00 feet to a point; thence with a bearing of North 24 degrees 58'01" West, a distance of 274.00 feet to a point; thence with a bearing of North 88 degrees 23'48" West, a distance of 555.00 feet to a point; thence with a bearing of North 01 degrees 32'20" East, a distance of 330.80 feet to a point; thence with a bearing of South 88 degrees 19'45" East, a distance of 150.00 feet to a point; thence with a bearing of South 69 degrees 46'51" East, a distance of 421.97 feet to a point; thence with a bearing of South 86 degrees 31'25" East, a distance of 71.84 feet to a point; thence with a bearing of South 49 degrees 00'00" East, a distance of 219.76 feet to a point; thence with a curve to the left having a radius of 380.00 feet, a central angle of 00 degrees 12'19", and an arc length of 1.36 feet to a point; thence with a compound curve to the left having a radius of 390.00 feet, a central angle of 25 degrees 29'38", and an arc length of 173.53 feet to a point; thence with a bearing of South 01 degrees 36'12" West, a distance of 45.00 feet more or less to the Point of Beginning.

Less a parcel of land lying in Section 12, Township 43 South, Range 42 East, being more particularly described as follows:

From the Southwest corner of said Section 12, commence South 88 degrees 23'48" East, along the South line of said Section 12, and along the centerline of Roebuck Road, an 80 foot right-of-way as now laid out and in use, for a distance of 50.00 feet; thence North 1 degrees 28'52" East, parallel to and 50 feet East of, as measured at

right angles to the West line of said Section 12 for a distance of 40.00 feet to the Point of Beginning; thence continue North 1 degrees 28'52" East, along the East right-of-way line of Haverhill Road, a 100 foot right-of-way as now laid out and in use, for a distance of 625.57 feet; thence South 88 degrees 21'46" East, along the South line of the West 1/2 of the Northwest 1/4 of the Southwest 1/4 of Southwest 1/4 of said Section 12 for a distance of 291.36 feet; thence North 1 degrees 32'20" East, along the East line of the West 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of said Section 12 for a distance of 334.60 feet; thence South 88 degrees 23'48" East, parallel to and 1000 feet North of, as measured at right angles to, the South line of said Section 12, for a distance of 555.00 feet; thence South 24 degrees 58'01" East for a distance of 274.03 feet; thence South 88 degrees 23'48" East, for a distance of 75.00 feet; thence South 01 degrees 36'12" West, along the West right-of-way line of Willow Bend Road as shown on the plat of Lakeside Green Plat No. 1, as recorded in Plat Book 40, Pages 20 thru 22, for a distance of 689.91 feet; thence South 46 degrees 36'12" West, along said West right-of-way line for a distance of 35.36 feet; thence North 88 degrees 23'48" West, along the North right-of-way line of said Roebuck Road for a distance of 1017.22 feet to the point of Beginning. Said property located on the west side of Military Trail (S.R.809), approximately .3 miles north of Roebuck Road, being bounded on the West by Haverhill Road in an RS-Residential Single Family District was approved as advertised subject to the following conditions:

1. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.
2. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
3. The developer shall construct concurrent with the construction of the Civic site's access road on Haverhill Road, a left turn lane, north approach, and a right turn lane, south approach.
4. The developer shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. Presently the Fair Share Fee for this project is \$15,963.00.

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

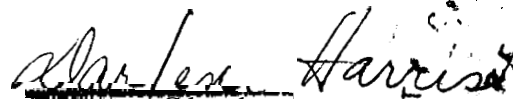
Ken Spillias, Chairman	--	AYE
Dorothy Wilkens, Vice Chairman	--	AYE
Peggy Evatt, Member	--	AYE
Dennis P. Koehler, Member	--	ABSENT
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this day of January 8, 1985, confirming action of the 23rd of August 1984.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

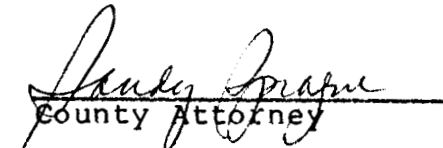
JOHN B. DUNKLE, CLERK

BY:

  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
County Attorney