

RESOLUTION NO. R- 85-722

RESOLUTION APPROVING ZONING PETITION 85-21, 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. 85-21 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 28th February 1985; 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. This 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 28th of February 1985, that Petition No. 85-21 the petition of RAY W. GEESEY AND SCOTT GEESEY, By Thomas Hayes, Agent for a SPECIAL EXCEPTION TO **ALLOW** RECREATIONAL FACILITIES INCLUDING A PRIVATE GOLF COURSE AND COUNTRY CLUB on a parcel of land in the Northwest 1/4 of Section 35, Township 43 South, Range 42 East, being more particularly described as follows:

Beginning at the Northeast corner of Lot 9, Block "A", Wooded Acres, as same is recorded in Plat Book 36 at Page 140, run thence South 00 degree 02'51" West along the east line of said Block "A" 587.02 feet; thence South 23 degrees 36'00" West along the Easterly line of Block "A" 591.01 feet; thence South along the East line of Block "A" 381.38 feet; thence North 89 degrees 17'47" East along the North line of

Lots 37 through 49, Block "A", a distance of 1035.93 feet to a point in the West line of 4th Addition to Plat of Lake Belvedere Estates as recorded in Plat Book 27 at Page 9, thence North 00 degree 02'51" East along the West line of said 4th Addition and along the West line of the 3rd Addition and 1st Addition to Plat of Lake Belvedere Estates as recorded in Plat Book 26, Pages 185 and 67, respectively, 1562.89 feet to a point in a line 20.0 feet (as measured at right angles) Southerly from and parallel to the North line of aforesaid Section 35, said line also being the South Right-of-way line of a 20.0 foot platted road Right-of-Way as shown on Model Land Company Plat of Subdivision of said Section 35, as recorded in Plat Book 5 at Page 77, Public Records of Palm Beach County; thence South 89 degrees 05'40" West along said Right-of-way line 800.11 feet to a point in the Northerly prolongation of the East line of Block "A" of Wooded Acres; thence South 00 degree 02'51" East 53.0 feet to the Point of Beginning. Said property located on the south side of Belvedere Road, approximately .1 mile east of Cypress Avenue in an AR-Agricultural Residential District

was approved as advertised subject to the following conditions:

1. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall be taken to protect these preservation areas during site clearing.
2. Prior to site plan certification, the site plan tabular data block shall be revised to indicate required and proposed interior parking area landscape requirements.
3. All outdoor lighting shall be directed away from abutting residential properties.
4. The petitioner shall convey to the Lake Worth Drainage District the North 53 feet of the subject property for the required right-of-way for Lateral Canal No. 3, by quit claim deed or an easement deed in the form provided by said district, within ninety (90) days of adoption of the resolution by the Board of County Commissioners.
5. 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.
6. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
7. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division.

8. 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 \$2,713.00.

9. The Developer shall incorporate the proposed drainage design with the adjacent residential development to the west and south.

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

Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	ABSENT
Dorothy Wilken, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this ~~day~~ **MAY -07** 1985 confirming action of the 28th February 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia Weaver
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Cooper
County Attorney