

RESOLUTION NO. R- 86-95

RESOLUTION APPROVING ZONING PETITION 79-293(A), 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. 79-293(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 31st October 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 31st of October 1985, that Petition No. 79-293(A) the petition of DDK INVESTMENT, INC. AND BOYNTON SUNNY SOUTH PARTNERS By David Pressly, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A MOBILE HOME PARK PREVIOUSLY APPROVED UNDER ZONING PETITIONS 79-290 AND 79-293, TO ALLOW THE DELETION OF 52.43 ACRES on the South 1/4 of the Northwest 1/4 of the Northwest 1/4 of the Southwest 1/4, less the West 40.00 feet thereof; the Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4 less the West 40.00 feet and less the South 54.00 feet thereof; the East 1/2 of the Northwest 1/4 of the Southwest 1/4, less the North 495.00 feet and less the South 54.00 feet thereof; the West 1/4 of the Northeast 1/4 of the Southwest 1/4, less the North 495.00 feet of the West 132.00 feet and

less the South 54.00 feet thereof; the East 3/4 of the Northeast 1/4 of the Southwest 1/4, less the South 54.00 feet thereof; the South 1/2 of the Southeast 1/4 of the Northwest 1/4; the Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4; the Southeast 1/4 of the Northeast 1/4 of the Northwest 1/4; all being in Section 18, Township 45 South, Range 43 East.

Together with the following described parcel:

Beginning at the center of said Section 18; thence South 02 degrees 33'14" West, along the North-South 1/4 line of said Section 18, a distance of 1268.98 feet to the Northerly right-of-way line of Northwest 22nd. Avenue as recorded in Official Record Book 3283, Pages 1107 and 1108 and in Road Plat Book 4, Pages 249 and 250, thence North 88 degrees 59'56" East, along said Northerly right-of-way line, a distance of 148.61 feet; thence North 21 degrees 00'05" West, a distance of 109.52 feet; thence North 88 degrees 59'55" East, a distance of 7.87 feet; thence North 01 degree 44'21" East, a distance of 135.23 feet; thence North 88 degrees 59'55" East, a distance of 19.45 feet; thence North 01 degree 44'21" East, a distance of 735.24 feet; thence North 20 degrees 54'51" West, a distance of 113.45 feet; thence North 01 degree 44'21" East, a distance of 19.91 feet; thence North 20 degrees 54'51" West, a distance of 178.25 feet to an intersection with the East-West 1/4 line of said Section 18; thence South 89 degrees 05'09" West, along said East-West 1/4 line, a distance of 3.00 feet to the said center of Section 18 and the Point of Beginning.

Subject to easements, 10 feet in width, in favor of Florida Power and Light Company as recorded in Official Record Book 3717, Pages 538 and 539 for Electric Utility Facilities.

Subject to easements, 10 feet in width, in favor of the City of Boynton Beach as recorded in Official Record Book 3947, Pages 1628 through 1634 for Sanitary Sewer and Water Distribution Facilities.

Said property located on the northeast corner of the intersection of Lawrence Road and Northwest 22nd. Avenue in an RS-Residential Single Family District was approved as advertised subject to the following conditions:

1. The Developer shall be bound by all previous conditions placed upon Petition 79-290, unless applicable to the southern portion on Sunny South Estates or modified herein.
2. Prior to site plan certification the plan shall be amended to reflect the corrected site acreage consistent with survey.
3. The Property Owner shall retain a Drainage easement for this subject property for the use of remaining property which is presently being used as a Mobile Home Park.
4. This drainage easement shall be per the County Engineers approval and shall ultimately terminate into legal positive outfall.
5. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

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

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

The foregoing resolution was declared duly passed and adopted this day of FEB 11 1986 confirming action of the 31st October 1985.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

[Signature]
 Deputy Clerk

APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY

[Signature]
 County Attorney