

RESOLUTION NO. R-87-893

RESOLUTION APPROVING ZONING PETITION 80-214(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. 80-214(A) was presented to the Board of County Commissioners of Palm beach County, sitting as the Zoning Authority, at its public hearing conducted on January 5, 1987; 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. With required master plan modifications, this proposal will be consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that .Petition No. 80-214(A), the petition of YALE PROPERTIES - BOCA GROVE, INC., By F. Martin Perry, Attorney, for 'a SPECIAL EXCEPTION TO REVISION AND EXPAND THE SITE PLAN FOR REFINISHED UNIT DEVELOPMENT, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 80-214 AND 82-143, TO INCREASE THE LAND AREA BY 19.62 ACRES on all of the Plat of Boca Grove Plantation Planned Unit Development as recorded in Plat Book 48, pages 179 thru 183. And also a portion of the Southeast 1/4 of the Northeast 1/4 of Section 21, Township 47 South, Range 42 East, said portion being more particularly described as follows: Commence at

the East 1/4 corner of said Section 21, the following two (2) courses being along the East line of said Section 21; (1) thence North 00 degrees 14' 52" West for 503.15 feet to a Point of Beginning as described on the Warranty Deed dated December 30, 1985 from Frances O. Frank to Yale Property -- Boca Grove; (2) thence continue North 00 degrees 14'52" West for 854.32 feet to a point on the North line of the Southeast 1/4 of the Northeast 1/4 of said Section 21; thence South 89 degrees 07'35" West along said North line of the Southeast 1/4 of the Northeast 1/4, also being the Southerly line of Sunstream Boulevard and said Plat of Boca Grove Plantation Planned Unit Development for 1000.06 feet; thence South 00 degrees 14'52" East along the Easterly line of said Plat of Boca Grove Plantation Planned Unit Development said line being parallel with and 1000 feet West of the East line of said Section 21 for 854.69 feet; thence North 89 degrees 06'22" East for 1000.06 feet to the Point Of Beginning. Said property located on the southwest corner of the intersection of Glades Road and Powerline Road in an RS-Single Family Residential Zoning District was approved as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless modified herein.
2. Prior to master plan certification, the master plan shall be amended to reflect the following:
 - a) Required number of trees.
 - b) The required buffer strip along the east and south property lines of the addition.
 - c) The housing types within each pod for the entire Boca Grove Planned Unit Development.
 - d) Prior to Master Plan Certification, the developer shall modify the Master Plan to relocate the proposed entrance approximately 150 feet west subject to approval by the County Engineer.
3. The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However at a minimum, this development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer this matter will be reviewed by the Code Enforcement Board for enforcement.

4. Prior to master plan certification, the minimum two (2) acre civic site shall be dedicated to Palm beach County for use as a fire station.
5. The Special Exception and all rights and obligations pertaining thereto for a Planned Unit Development approved under Zoning Petition No. 82-143 are hereby extinquished. Prior to Master Plan Certification, all records associated with this petition shall be clearly marked as void and incorporated into the record for Zoning Petition No. 80-214(A)"
6. In addition to the existing twenty-five (25) foot landscape buffer along the eastern property line of Boca Grove PUD adjacent tu the proposed addition, the developer shall provide a twenty-five (25) foot landscape buffer consisting of a six (6) foot berm and plantings along the western property line of the added parcel.

Commissioner Owens , 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:

Carol A. Roberts	--	Absent
Jerry L. Owens	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Absent

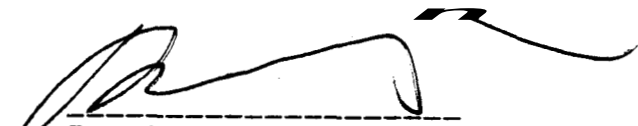
The foregoing resolution was declared duly passed and adopted this 23rd day of June , 1987 confirming action of January 5, 1987.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jina M. Eldering
 Deputy Clerk

APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY



 County Attorney