

RESOLUTION NO. R-88-1638

RESOLUTION APPROVING ZONING PETITION NO. 86-15(A)  
MODIFICATION OF COMMISSION REQUIREMENTS  
PETITION OF ORIOLE HOMES CORPORATION

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. 86-15(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on September 30, 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that Petition No. 86-15(A), the petition of ORIOLE HOMES CORPORATION, for a MODIFICATION OF COMMISSION REQUIREMENTS TO AMEND/DELETE CERTAIN CONDITION(S) PLACED ON ZONING PETITION NO. 86-15, on a parcel of land lying in Tracts 49, 50, 59 & 60, Subdivision of Section 26, (Less Road Right-of-Way) Township 45 South, Range 42 East, according to the Plat thereof recorded in Plat Book 6, Page 26, and the Northwest 1/4 of the Northwest 1/4 of Section 26, Township 45 South, Range 42 East, said land being more particularly described as follows:

Commencing at the Northeast corner of Section 8, Township 45 South, Range 42 East; thence with a bearing of South 0 degrees

20' 36" East, a distance of 40.89 feet; thence North 89 degrees 44' 38 seconds East, a distance of 20.00 feet to the Point of Beginning; thence continue with a bearing of North 89 degrees 44' 38" East, a distance of 1301.89 feet; thence South 0 degrees 55' 23" West, a distance of 2615.52 feet; thence with a bearing of South 89 degrees 29' 43" West, a distance of 1259.59 feet; thence with a bearing of North 0 degrees 20' 36" East, along a line lying 20.00 feet East of and Parallel to the West line of Section 26, Township 45 South, Range 42 East, (said line also being the West Right-of-Way line of El Clair Ranch Road) a distance of 2620.65 feet more or less to the Point of Beginning, located on the southeast corner of the intersection of Boynton Beach Boulevard and El Clair Ranch Road, in a RS-Residential Single Family Zoning District, was approved as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.
2. The Finding of Fact of Zoning Resolution No. R-87-101 which reads as follows:

"This proposal is consistent with the requirements of the Comprehensive Plan and Zoning Code.

The School Board of Palm Beach County has demonstrated that the schools serving the petition 86-15, Lake St. Clair P.U.D., are operating at or above capacity and that plans exist for additional facilities to alleviate overcrowding of additional students generated by new residential growth. The petitioner has voluntarily agreed to participate in the School Board's Site Acquisition Program by contributing \$250.00 for each dwelling unit within the subject development. Funds will be used by the School Board for the acquisition of sites and/or the construction of facilities serving subject petition."

is hereby amended to read as follows:

"This proposal is consistent with the requirements of the Comprehensive Plan and Zoning Code."

3. Condition No. 11 of Resolution No. R-87-101 which presently reads as follows:

"In order to comply with the mandatory traffic performance standards the property owner shall be restricted to the following phasing schedule:

No more than 208 building permits shall be issued until the contract has been let for Boynton Beach Boulevard as a four (4) lane section from Military Trail to El

Clair Ranch Road, plus the appropriate paved tapers. The project shall be limited to multiple family dwelling unit types."

is hereby amended to read as follows:

"In order to comply with mandatory traffic performance standards the property owner shall be restricted to the following phasing schedule:

No more than 208 building permits shall be issued until March 31, 1989 or until the contract has been let for Boynton Beach Boulevard as a four (4) lane section from Military Trail to El Clair Ranch Road plus the appropriate paved tapers, whichever shall occur first. The project shall be limited to multiple family dwelling unit types."


Commissioner Elmquist, 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
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Nay
Kenneth M. Adams	--	Absent

The foregoing resolution was declared duly passed and adopted this 4th day of October, 1988 confirming action of September 30, 1987.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

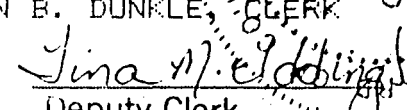
BY:

  
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

  
Deputy Clerk

