

RESOLUTION NO. R-89- 595

RESOLUTION APPROVING ZONING PETITION NO. 87-141  
REZONING PETITION OF HONEY ACRE FARMS, INC.  
SUBJECT TO VOLUNTARY COMMITMENT CONDITIONS

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. 87-141 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 4, 1988 ; 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 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. 87-141, the petition of HONEY ACRE FARMS, INC., for a REZONING RS-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, IN PART, AND AR-AGRICULTURAL RESIDENTIAL ZONING DISTRICT, IN PART, ENTIRELY TO RS-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT on a parcel of land lying on the West 3/4 of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 35, Township 41 South, Range 42 East, Less right-of-way for Interstate 95 (S.R. 9) as shown on Florida Department of Transportation Right-of-way Map Section No. 93220-2474 and LESS that portion lying North of the South Limited Access Right-of-way line for Hood Road as shown on said right-of-way map. LESS THE FOLLOWING DESCRIBED PARCEL OF LAND:

Commencing at the Northeast corner of Section 35, Township 41 South, Range 42 East; thence South 00 degrees 48' 03" West

along the East line of said Section 35 (the East line of said Section 35 is assumed to bear South 00 degrees 48' 03" West and all other bearings are relative thereto) a distance of 1413.12 feet to a point on the centerline of Hood Road as described in Deed Book 1139, Page 281; thence North 88 degrees 06' 58" West along said centerline a distance of 1646.55 feet to a point on the East line of the West 3/4 of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of said Section 35; thence South 00 degrees 49' 19" West along the aforementioned line a distance of 617.99 feet to a point on the Southwesterly right of way line of Interstate 95 as shown on Florida Department of Transportation Map Section Number 93220-2474, said point being the POINT OF BEGINNING of the hereinafter described parcel: Thence continue South 00 degrees 49' 19" West a distance of 48.21 feet to a point on the South line of the West 3/4 of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of said Section 35; thence North 88 degrees 18' 22" West along said line a distance of 456.57 feet; thence North 00 degrees 50' 10" East a distance of 81.03 feet; thence North 44 degrees 09' 50" West a distance of 386.57 feet; thence North 88 degrees 18' 22" West a distance of 258.06 feet to a point on the North-South 1/4 section line of said Section 35; thence North 00 degrees 50' 10" East a distance of 204.65 feet to a point on the South right-of-way line of Hood Road as shown on said Department of Transportation Right-of-way Map; thence South 78 degrees 23' 03" East a distance of 209.95 feet; thence South 88 degrees 06' 58" East a distance of 521.50 feet to the point of intersection with the Southwesterly right of way line of Interstate 95; thence South 27 degrees 59' 44" East along said right-of-way line a distance of 539.61 feet to the POINT OF BEGINNING, located on the east side of an unnamed access road, approximately 150 feet south of Hood Road, and approximately .9 mile east of Military Trail (SR 809), was approved as advertised, subject to the following voluntary commitments:

1. Prior to Subdivision Review Committee, the petitioner shall file a Unity of Title on the subject parcel as described on Exhibit No. 2 (Survey)
2. The developer shall meet the stormwater retention requirements in effect at the time of the permit application for the applicable drainage district. 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.
3. Paved access to the site via a local street shall have a minimum of two ten (10) foot travel lanes.
4. Compliance with Palm Beach County's Subdivision Code

will be required concurrent with onsite paving and drainage improvements.

5. 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. The Fair Share Fee for this project presently is **\$804** per single family dwelling unit under **2,000** square feet and **\$1,045.00** per single family dwelling unit over **2,000** square feet.

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

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 4th day of April, 1989 confirming action of January 4, 1988.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK

