

RESOLUTION NO. R-89- 705

RESOLUTION APPROVING ZONING PETITION NO. 85-62(B)
SPECIAL EXCEPTION PETITION OF
AN-SCA INVESTMENT COMPANY, INC.

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. 85-62(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on August 25, 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. 85-62 the petition of AN-SCA INVESTMENT COMPANY, INC., by David Flinchum, Agent, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR LONG LAKE VILLAS PLANNED UNIT DEVELOPMENT, TO DELETE ACREAGE on a parcel of land situated in Section 6, Township 47 South, Range 42 East and lying within Block 73 of Palm Beach Farms Company, Plat No. 3, as recorded in Plat Book 2, Pages 45 through 54, and being more particularly described as follows:

The Northernmost 66 feet of the East 12.45 feet of Tract 30 of said Block 73 being located on the west side of Lyons Road, approximately .1 mile south of Clint Moore Road in a 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 expressly modified herein.
2. Condition **No. 11** of Zoning Petition **No. 85-62** approved July, 1985 (Resolution **No. R-85-1439**), which presently states:

"**11.** The petitioner shall not intrude into the northern sixty (**60**) feet of this site with any development activity until such time that litigation to quiet title has been resolved in this petitioner's favor, or a quit claim deed **or** other release is obtained by the petitioner from the party contesting ownership."

Is hereby deleted.

3. Prior to certification, the master plan shall be amended to indicate the following:
 - a. Open space tabular breakdown;
 - b. An **80** foot right-of-way access from Lyons Road to match recorded plat; and
 - c. Graphically indicate the required twenty-five (**25**) **foot** perimeter landscape buffer.
4. Failure to comply with the conditions herein may result in the denial or revocation of **a** building permit; the issuance **of** a stop work order; the denial of a Certificate of Occupancy **on** any building or structure; or the denial or revocation **of** any permit or approval for any developer-owner, commercial-owner, lessee, or user **of** the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Violations of the conditions herein shall constitute violations **of** the Palm Beach County Zoning Code.

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

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Absent
Dorothy Wilken	--	Absent
Jim Watt	--	Aye

The foregoing resolution was declared duly passed and adopted this 25th day of April, 1989 confirming action of August 25, 1989.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

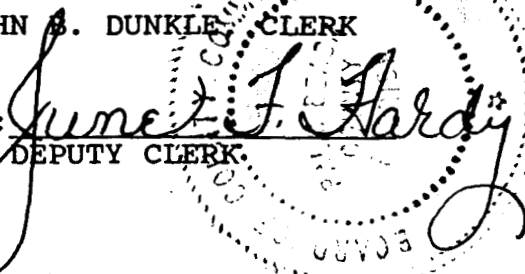
BY:


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK