

ORIGINAL

RESOLUTION NO. R-92-603

RESOLUTION DENYING ZONING PETITION NO. 80-73(G)
PETITION TO AMEND MASTER PLAN
ST. ANDREWS PROPERTY OWNERS ASSOCIATION

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, have been satisfied; and

WHEREAS, Petition No. 80-73(G) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its Public Hearing conducted on January 30, 1992; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, pursuant to the Zoning Code of Palm Beach County, Florida, 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, sitting as the Zoning Authority, made the following findings of fact:

1. On February 22, 1990, the Board of County Commissioners approved an amendment to the St. Andrews Country Club PUD in Petition 80-73(F), Resolution 90-1299.
2. The February 22, 1990 approval provided for and limited the access point for Old Clint Moore Road in Resolution No. R-90-1299 as follows:

"Condition 10. The construction access to PODS "O" and "P" shall be permitted on Old Clint More Road for a maximum period of three (3) years from the time of the issuance of the Land Development Permits."
3. There are no changed circumstances which require an additional access point be provided to the PUD at this time.
4. The Board of County Commissioners, when approving Petition No. 80-73 (F), Resolution R-90-1299, made a commitment that additional permanent access to Old Clint More Road would not be granted.
5. The neighboring property owners relied on this previous commitment by the Board of County Commissioners.
6. The proposed modification would be detrimental to the neighboring property owners.
7. The proposed modification is not consistent with the present and future development in the area.

8. The requested change is not for an additional use, but is for modification of a condition of a previously granted special exception.

WHEREAS, Chapter 402.5 of the Zoning Code, requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 80-73 (G), the petition of ST. ANDREWS PROPERTY OWNERS ASSOCIATION., BY DAVID L. CARPENTER, AGENT, TO AMEND THE MASTER PLAN TO ALLOW A SECONDARY ACCESS POINT (ST. ANDREWS COUNTRY CLUB PUD) lying within a portion of Tract "L", Lake Estates, Plat No. 16, St. Andrews Country Club (PUD), Plat Book 66, Page 156 through 158; BEGINNING at the southeast corner of said Plat; thence North 00°50'30" West, along the East line of said plat, (the East line of said Plat is assumed to bear North 00°50'30" West and all other bearings are relative thereto) a distance of 118.01 feet to a point; thence South 89°19'43" West, departing from said East line, a distance of 43.88 feet to the beginning of a non-tangent curve concave to the Northwest, being the Easterly Right-of-way line of Lake Estates Drive, having a radius of 194.50 feet, a central angle of 45°08'56", and a radial bearing at this point of North 59°13'00" West; thence Southwesterly along the arc of said curve a distance of 153.27 feet to the terminus of said curve; thence departing said Right-of-way line, South 00°50'30" East, along a non-tangent line, 30.29 feet to the Southerly line of said Plat; thence North 89°19'43" East, along said Southerly line, a distance of 165.00 feet to said Southeast corner of said plat and the POINT OF BEGINNING, in Section 36, Township 46 South, Range 42 East, and being located ON THE N SIDE OF CLINT MOORE RD., APPROX. 1.3 MILES W OF MILITARY TR., IN THE RT DISTRICT, was denied on January 30, 1992, with prejudice.

Commissioner Roberts moved for approval of the Resolution.

The motion was seconded by Commissioner Foster and, upon being put to a vote, the vote was as follows:

Karen T. Marcus, Chair	--	Aye
Carole Phillips	--	Aye
Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Mary McCarty	--	Aye
Ken Foster	--	Aye
Maude Ford Lee	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 28th day of April, 1992.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY:

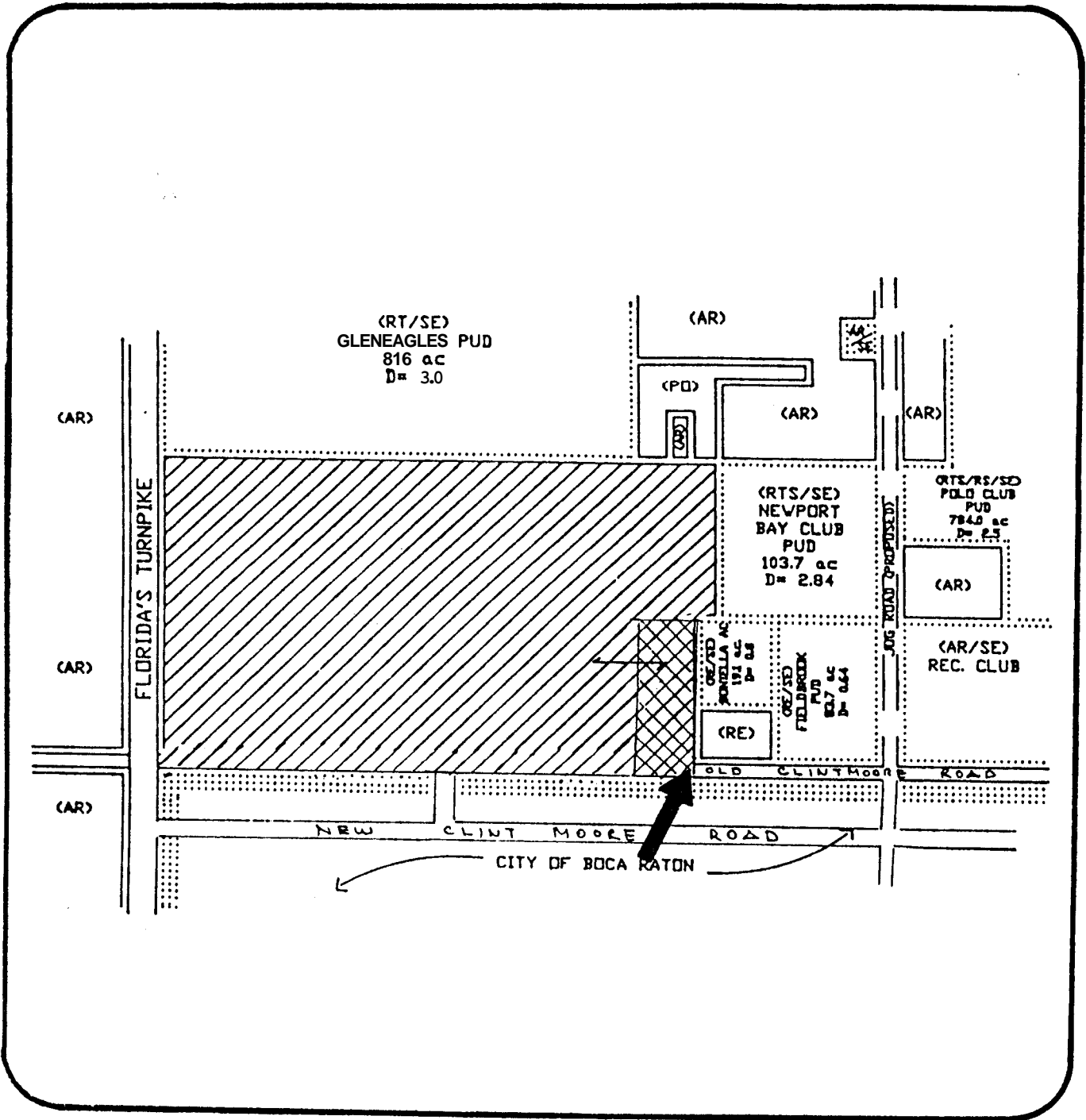
[Signature]
COUNTY ATTORNEY

BY:

[Signature]
DEPUTY CLERK

Sec. 35+34 Twp. 46 Rng. 43
Quadrant Sheet: 37+52
Aerial Page: 346

Vicinity Sketch



Request:

A SPECIAL EXCEPTION to amend the Master Plan to allow a secondary access point (St. Andrews C.C. PUD).

PETITION NO: 80-73 (6)

BCC DISTRICT: 5