

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 84-98  
TO AMEND CONDITIONS OF APPROVAL OF  
RESOLUTION NO R-89-954  
WHICH APPROVED THE SPECIAL EXCEPTION OF  
HUGH JANOW, TRUSTEE  
PETITION NO 84-98(A)

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 systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan

WHEREAS, the notice and hearing requirements as provided for in Section 402 9 of the Palm Beach County Zoning Code have been satisfied, and

WHEREAS, pursuant to Section 402 9, Status Report SR 84-98 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on May 28, 1992, and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority has reviewed Status Report SR 84-98 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies and

WHEREAS Section 402 9 of the Palm Beach County Zoning Code authorizes the Board of County Commissioners sitting as the Zoning Authority to add or modify conditions of approval, and

WHEREAS the Board of County Commissioners, sitting as the Zoning Authority, made the following findings of fact

- 1 This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations, and
- 2 The conditions listed below require this petition to develop more in conformity with current standards of development

WHEREAS Section 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 the recommendation of Status Report No SR 84-98, amending Conditions of Approval of Resolution No R-89-954, the Special Exception of Hugh Janow, Trustee, Petition No 84-98(A), which approved a Special Exception to amend the master plan for Orange Point Planned Unit Development to change the boundaries of the development by 1) deleting 94 acres from the Planned Unit Development in the northeast quadrant of Section No 26, 2) adding 112 acres to the Planned Unit Development in the northwest quadrant of Section 26, on a parcel in the southerly portion of Section 23, Township 44 South, Range 41 East, described as follows COMMENCING at the northwest corner of Section 23, thence South 00°18'37" East (state plane grid bearing datum) along the easterly line of the Acme Drainage District's Canal right of way as recorded in Official Record Book 1548, Page 388, 2,605 43 feet to the POINT OF

BEGINNING, thence South 00°18'37" East along said line 2,826.26 feet to a point 228 05 feet east of the southwest corner of Section 23 and 4 85 feet north of the south line of Section 23, thence South 88°31'54" East, 5,273 93 feet to a point on the east line of Section 23, and 11 45 feet north of the southeast corner of Section 23, thence North 00°33'33" West along the east line of said Section, 2,712 62 feet to the East 1/4 corner of Section 23; thence North 02°15'48" East along said east line, 88 08 feet, thence North 88°14'59" West, 5,266 96 feet to the POINT OF BEGINNING, containing 340 06 acres, more or less, TOGETHER WITH a parcel in Section 26, Township 44 South, Range 41 East, described as follows BEGINNING at the southwest corner of Section 26, thence South 88°28'00" East (state plan grid bearing datum) along the south line of said Section, 5,408.17 feet to a point on a line that is 37 5 feet west of and parallel with the east line of Section 26, thence North 02 39'49" East along said parallel line, 2,740 73 feet to the south line of a parcel as described in O R B 986, Page 210, thence North 88°57'19" West along the south line of said parcel 1,534 53 feet to the southeast corner thereof, thence North 02°39'49" East along the west line of said parcel, 2,674 91 feet to a point on the south line of a parcel as described in Official Record Book (O R B ) 3203 Page 1846 as parcel III, thence North 88°31'54" West along said south line, 3,694 94 feet to the west line of the Acme Drainage District's canal right of way as monumented and described in O R B 1921, Page 1331, of said public records, thence South 04 33'44" West along said east line, 5 404 86 feet to the POINT OF BEGINNING, containing 565 37 acres, more or less, TOGETHER WITH all of Section 34, Township 44 South, Range 41 East, containing 656 36 acres more or less, all of the above parcels subject to the Acme Drainage District Canal reservations as recorded in Deed Book 1037 Pages 686-692, being located on the north and south sides of the proposed Lake Worth Road extension, approximately 1 3 miles west of State Road 7(SR 441), in an RE-Residential Estate Zoning District, is approved, subject to the following conditions

- 1 The petitioner shall comply with all previous conditions of approval unless expressly modified herein
- 2 Condition number B1b of Resolution R-92-362 (P-84-98(B)) which currently states

Developer shall construct Lake Worth Road from State Road 7 west to the project's west property line Two lanes shall be constructed compatible with an ultimate six lane section as approved by the County Engineer This petitioner shall be responsible for any acquisition of right-of-way necessary for the construction of Lake Worth Road The alignment of this right-of-way shall be approved by the County Engineer This construction shall be constructed concurrent with the first plat adjacent to Lake Worth Road If Palm Beach County chooses to construct a portion of Lake Worth Road prior to the time required by this condition, to provide timely access to the Elementary School "K", then the Developer shall reimburse Palm Beach County for this construction in the amount to be approved by the County Engineer This reimbursement shall be made prior to plats for more than 20 units being filed or prior to the issuance of a building permit, whichever shall first occur However, this Lake Worth Road construction shall be constructed upon notification by the County Engineer that it is required to provide paved continuity to Lake Worth Road west of the orange Point Estates, PUD (Condition No B 1 of Zoning

is hereby amended as follows

- a The property owner shall fund the construction of Lake Worth Road from State Road 7 west to the project's west property line. Two lanes shall be constructed compatible with an ultimate six lane section as approved by the County Engineer. This petitioner shall be responsible for any acquisition of right-of-way necessary for the construction of Lake Worth Road. The alignment of this right-of-way shall be approved by the County Engineer. Funding for this construction shall be completed prior to June 1, 1994. Palm Beach County will then construct Lake Worth Road from the present paved terminus west of State Road 7, west to the project's west property line with the funds provided by the property owner.
  - b ~~This property owner shall also fund that portion of Lake Worth Road previously constructed by Palm Beach County to provide access to the Elementary School "K", in an amount approved by the County Engineer. The reimbursement for this section of Lake Worth Road shall be made prior to plats for more than 20 units being filed or prior to the issuance of a building permit, whichever shall first occur.~~
  - c The property owner shall also post acceptable surety with the Land Development Division for the Lake Worth Road construction as referenced in Conditions 1a and 1b above. This surety, in the amount of 110 percent of a certified cost estimate from the Developers Engineer shall be posted prior to May 28, 1993. Palm Beach County may use the surety at anytime between May 28, 1993 and the time the property owner deposits the monies for the Lake Worth Road construction. This shall occur if the surety is required for construction by Palm Beach County to provide for paved continuity of Lake Worth Road.
- 3 Prior to January 15, 1993, the property owner shall convey from the subject property additional right-of-way for Lake Worth Road, free of all encumbrances and encroachments, required for a right turn lane, west approach at each of the project's entrance roads. Said additional right-of-way for each required turn lane shall be twelve (12) feet in width and one hundred fifty (150) feet in length, with an additional taper length of one hundred eighty (180) feet, and shall include the County standard twenty five (25) foot safe sight corner at intersecting right-of-way lines.
- 4 The developer shall construct the following turn lanes on Lake Worth Road at each of the project's entrance roads:
- a) right turn lane, east approach,
  - b) right turn lane, west approach,
  - c) left turn lane, east approach,
  - d) left turn lane, west approach

Said turn lanes shall be constructed concurrently with construction of the project entrance road served by the respective turn lanes.

Commissioner Elmquist  
Resolution

moved for approval of the


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

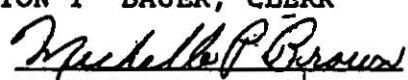
KAREN T MARCUS, CHAIR	--	AYE
CAROL J ELMQUIST	--	AYE
CAROL ROBERTS	--	AYE
CAROLE PHILLIPS	--	ABSENT
MARY MCCARTY	--	ABSENT
KEN FOSTER	--	AYE
MAUDE FORD LEE	--	AYE

The Chair thereupon declared the resolution was duly passed  
and adopted this 7th day of July, 1992

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY 

MILTON T BAUER, CLERK  
BY   
DEPUTY CLERK