

RESOLUTION NO. R-2001- 0607

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 83-18.7
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-83- 104 1
WHICH APPROVED THE SPECIAL EXCEPTION OF
PETER I.B. LAVAN AND PHILLIP O' CONNELL, AS TRUSTEE
PETITION NO. 83- 18

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 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report SR 83-18.7 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on April 26, 2001; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 83-18.7 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to add or modify conditions of approval; and

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

- 1 Status Report SR 83-18.7 reviewed only the area of the Stonewal Planned Unit Development identified as Phase 2 on Exhibit # 32, the master plan of the Stonewal Planned Unit Development.
- 2 The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.
3. The Planned Unit Development has not been fully platted since it was approved seventeen and a half years ago.
4. The last plat recorded by the property owner was recorded on January 4, 1996.
5. The property owner proposed the amendment of conditions of approval.
6. The amendment of conditions of approval provides Palm Beach County with an option which may resolve some traffic issues in the area.

WHEREAS, Section 5.3 of the Palm Beach County Land Development Code requires that the action of the Board of County Commissioners 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 83- 18.7, to amend Conditions of Approval of Resolution No. R-83- 104 1, the Special Exception of Peter I.B. Lavan and Phillip O' Connell, as Trustee, Petition No. 83- 18, which granted a Special Exception to allow a Planned Unit Development (Stonewal Estates), including an on-site sewage treatment plant on the West ½ of Section 23, Township 42 South, Range 41 East, and that part of the West ½ of Section 14, Township 42 South, Range 41 East lying South of the right-of-way of Lake Park West Road. Together with all of Section 26, Township 42 South, Range 41 East. Less and excepting that certain 60 foot wide strip of land in said Section 26, as described and recorded in Official Records Book 343 1, Page 762, being located on the south side of Northlake Boulevard, approximately five (5) miles west of Beeline Highway, is approved, as amended, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. Condition number 2.b. of Resolution No. R-97-528 which currently states:

Prior to the recording of the first plat of any portion of the area referred to as Phase 2 on the approved Master Plan for Stonewal PUD, the property owner shall dedicate to Palm Beach County the 200 acre conservation area. This parcel shall remain the perpetual maintenance obligation of the Homeowners Association pursuant to the preserve area management plan as approved by the South Water Management District. In addition, Phase 2 shall preserve an additional three (3) acres of upland preserve area. (PLAT: ENG - ERM)

Is hereby amended to state:

1. The property owner of the area commonly referred to as Phase 2 of the approved Master Plan for Stonewal PUD shall work with Palm Beach County and the South Florida Water Management District to consider providing off-site mitigation, which shall be in accordance with the terms of the Settlement Agreement between the Phase 2 property owners and South Florida Water Management District, as amended. In addition, Phase 2 shall preserve an additional three (3) acres of upland preserve area. (PLAT: ENG - ERM)
2. The property owner of Phase 2 shall cooperate with Palm Beach County in aligning an extension of Royal Palm Beach Boulevard to Northlake Boulevard. (ONGOING: ENG)
3. Upon resolution of the foregoing, Phase 2 property owners shall amend the Preliminary Development Plan to conform to these agreements. In the event the alignment is not established prior to November 11, 2001, the Phase 2 property owners shall be relieved of any obligation relative to the extension of Royal Palm Beach Boulevard. Any areas to be mitigated on-site shall be dedicated to the Property owners Association and a conservation easement granted to South Florida Water Management District. (ONGOING-ENG)
4. Phase 2 property owners shall adhere to all ULDC development standards. (DRC: ZONING)

Commissioner Masilotti moved for approval of the Resolution.

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

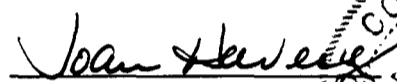
WARREN H. NEWELL, CHAIRMAN	—	Aye
CAROL A. ROBERTS, VICE CHAIR	—	Absent
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye
KAREN T. MARCUS	—	Aye
TONY MASILOTTI	—	Aye
MARY MCCARTY	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 26 day of April, 2001.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK
BY: 
DEPUTY CLERK

