

RESOLUTION NO. R-2003-1396

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 1983-018.8  
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-83-1041  
WHICH APPROVED THE SPECIAL EXCEPTION OF  
PETER I.B. LAVAN AND PHILLIP O' CONNELL, AS TRUSTEE  
PETITION NO. 1983-018

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 1983-018.8 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on September 17, 2003; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1983-018.8 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 83-18.8 applies only to 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. Section 5.8 of the Palm Beach County Unified Land Development Code (ULDC) requires the Board of County Commissioners to review development orders, and provides review criteria, if more than three years have elapsed without the recordation of a plat for a planned unit development.
3. The last plat recordation date which established a new deadline to record a plat for the entire Planned Unit Development was November 18, 1993.
4. The subdivision plan for Phase 2 will be affected by a settlement agreement with the South Florida Water Management District (SFWMD).
5. The Board of County Commissioners desires to approve the final subdivision plan based on any future agreements which may be reached with the SFWMD.
6. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.

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 1983-018.8, to amend Conditions of Approval of Resolution No. R-83-1041, the Special Exception of Peter I.B. Lavan and Phillip O'Connell, as Trustee, Petition No. 1983-018, which approved a Special Exception to allow a Planned Unit Development (Stonewal Estates), including an on-site sewage treatment plant, property being legally described as 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 3431, Page 762, being located on the south side of Northlake Boulevard, approx. five (5) miles west of Beeline Highway in the RE-Residential Estate Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. Prior to site plan approval for any portion of Phase 2 by the Development Review Committee, the master plan shall be amended and updated to current Unified Land Development Code requirements by the Board of County Commissioners. (DRC: ZONING)

Commissioner Koons moved for approval of the Resolution.

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

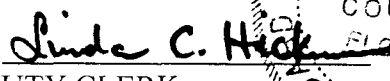
KAREN T. MARCUS, CHAIR	—	Aye
TONY MASILOTTI, VICE CHAIRMAN	—	Aye
JEFF KOONS	—	Aye
WARREN H. NEWELL	—	Absent
MARY MCCARTY	—	Aye
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye

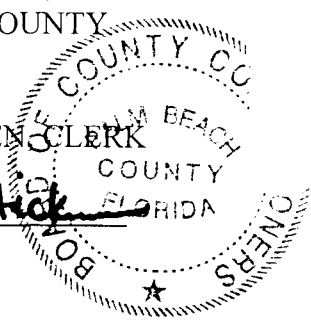
The Chair thereupon declared the resolution was duly passed and adopted this 17 day of September, 2003.

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



Filed with the Clerk of the Board of County Commissioners on the 3 day of November, 2003.