

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 85-149  
TO AMEND CONDITIONS OF APPROVAL OF  
RESOLUTION NO. R-86-132  
WHICH APPROVED THE SPECIAL EXCEPTION OF Floriberto Laguna  
PETITION NO. 85-149

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 85-149 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on October 29, 1992; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, has reviewed Status Report SR 85-149 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 85-149, amending Conditions of Approval of Resolution No. R-86-132, the Special Exception of Floriberto Laguna, Petition No. 85-149, confirmed by the adoption of Resolution R-86-132, which granted a Special Exception to allow a Planned Unit Development (Little River Glen), on a parcel of land commencing at a point in the West line of Section 12, Township 45 South, Range 42 East, 904.25 feet North of the Southwest corner of Section 12; thence go in an Easterly direction at an angle of 90 degrees, a distance of approximately 653.00 feet, to a point; thence in a Southerly direction that intersects to a point on the South line of said Section 12, which is a distance of 653.16 feet East of the Southwest corner of said Section 12, to a point; thence Westerly along the South line of said Section, to the Point of Beginning. Said description being the South 904 feet to the premises that were conveyed by Flor-Eyan, Inc. to Nelson A. Morton and Helen I. Morton, his wife, by deed dated June 27, 1963 in

Official Record Book 911, Page 13. Less the West 40 feet thereof for Haverhill Road Right-of-way and less the South 35 feet thereof for Lake Worth Drainage District No. 20 Canal Right-of-way, being located on the east side of Haverhill Road, approximately 0.8 of a mile south of Hypoluxo Road, in an RS-Single Family Residential 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 7 of Resolution R-86-132 which currently states:

The property owner shall provide Palm Beach County a road drainage easement within the project's internal lake system for legal positive outfall to accommodate the runoff of Haverhill Road along the property frontage and for a minimum 400 foot distance each side of the property boundary lines along Haverhill Road. The drainage system within the project shall have sufficient retention/detention capacity to accommodate the ultimate Thoroughfare Plan Section road drainage runoff and be subject to all governmental agency requirements.

Is hereby amended to state:

Prior to June 6, 1993, the property owner shall provide Palm Beach County a road drainage easement within the project's internal lake system for legal positive outfall to accommodate the runoff of Haverhill Road along the property frontage and for a minimum 400 foot distance each side of the property boundary lines along Haverhill Road. The drainage system within the project shall have sufficient retention/detention capacity to accommodate the ultimate Thoroughfare Plan Section road drainage runoff and be subject to all governmental agency requirements.

Commissioner Roberts moved for approval of the Resolution.


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

Mary McCarty, Chair	--	Aye
Ken Foster, Vice Chair	--	Aye
Burt Aaronson	--	Aye
Maude Ford Lee	--	Aye
Karen T. Marcus	--	Aye
Warren Newell	--	Aye
Carol A. Roberts	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 26th day of January, 1993.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY: 

DOROTHY H. WILKEN, CLERK

BY:   
Deputy Clerk