

RESOLUTION NO. R-95- 278

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 83-153.2
TO PARTIALLY REVOKE THE SPECIAL EXCEPTION
FOR PROPERTY PREVIOUSLY GRANTED A SPECIAL EXCEPTION BY
RESOLUTION NO. R-84-350
APPROVING THE PETITION OF ROBERT C. MALT
PETITION NO. 83-153

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; and

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 83-153.2 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on January 26, 1995; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 83-153.2 and considered testimony, 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 revoke Special Exceptions; and

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

1. Resolution R-84-350 which approved a Special Exception to allow a Planned Unit Development (Victoria Woods) was approved on April 13, 1984;
2. The last plat for the Victoria Woods Planned Unit Development was recorded on September 14, 1989;
3. Five years and four months have elapsed since the filing of the last plat;
4. The Unified Land Development Code states that property owners are responsible for compliance with time limits for completion of specific activities, including the recording of plats;
5. The property owner has received time extensions totalling three years to record a plat;
6. The last building permit for a single family home for the Victoria Woods Planned Unit Development was issued on October 10, 1990;
7. The developer has failed to maintain the pool facility in a manner acceptable to the Palm Beach County Health Department;
8. There are outstanding code violations for property within the Planned Unit Development which is owned by the developer;

9. The property owner has failed to pay fines imposed by the Palm Beach County Code Enforcement Board; and
10. The property owner has failed to pay fines imposed by the Palm Beach County Environmental Control Board.

WHEREAS, Section 59.3 of the 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 unplatted portion of the Special Exception of Robert C Malt, legally described in Exhibit A, Petition No. 83-153, confirmed by the adoption of Resolution R-84-350, which approved a Special Exception to allow a Planned Unit Development, being located on the south side of Summit Boulevard, approximately 0.5 of a mile east of Jog Road, in the RS-Single Family Residential Zoning District, is hereby revoked.

Commissioner Roberts moved for approval of the Resolution.

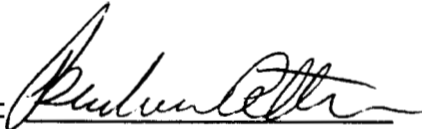
The motion was seconded by Commissioner Aaronson and, upon being put to a vote, the vote was as follows:

KEN FOSTER, CHAIR	Aye
BURT AARONSON	Aye
MAUDE FORD LEE	Aye
KAREN T. MARCUS	Aye
MARY MCCARTY	Absent
WARREN H. NEWELL	Aye
CAROL ROBERTS	Aye

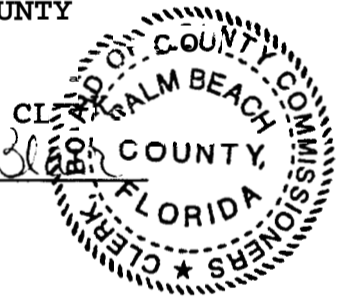
The Chair thereupon declared the resolution was duly passed and adopted this 23rd day of February, 1995.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 

DOROTHY H. WILKEN,
BY: 
DEPUTY CLERK



VICTORIA WOODS
P.U.D. DESCRIPTION

THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA BEING ALL OF TRACTS 1 THRU 8 AND 21 THRU 28 TOGETHER WITH APPURTENANT ROADS ACCORDING TO THE MODEL LAND COMPANY SUBDIVISION OF THE WEST 1/2 OF SECTION 11 AS RECORDED IN PLAT BOOK 5 AT PAGE 76 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (HEREINAFTER REFERRED TO AS PBCPR).

LESS THE EAST 40.0 FEET THEREOF ACCORDING TO DEED BOOK 118 AT PAGE 518 OF THE PBCPR.

REMAINDER LANDS UNPLATTED AND UNENCUMBERED OF THE P.U.D.

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA BEING A PORTION OF THE MODEL LAND COMPANY SUBDIVISION OF THE WEST 1/2 OF SAID SECTION 11 AS RECORDED IN PLAT BOOK 5 AT PAGE 76 OF THE PALM BEACH COUNTY PUBLIC RECORDS (HEREINAFTER REFERRED TO AS PBCPR) BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 11, THENCE S 88°39'17" E TO THE POINT OF BEGINNING. 1109.33 FEET* SAID POINT BEING THE MOST NORTHERLY NORTHEAST CORNER OF PLAT ONE OF VICTORIA WOODS AS RECORDED IN PLAT BOOK 51 AT PAGE 32 OF THE PBCPR (THE SUCCEEDING 4 COURSES TRACE THE EAST LINE OF SAID PLAT ONE); THENCE S 1°20'43" W, 284.44 FEET; THENCE S 65°20'44" W, 341.51 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 150.0 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF THE CURVE THRU A CENTRAL ANGLE OF 28°00'00", 73.30 FEET; THENCE S 52°39'17" E ALONG THE RADIUS OF THE PRECEDING CURVE AND ITS EXTENSION, 603.50 FEET (LEAVING THE EASTERLY LINE OF VICTORIA WOODS PLAT ONE) TO THE MOST NORTHERLY POINT OF PLAT TWO OF VICTORIA WOODS AS RECORDED IN PLAT BOOK 53 AT PAGE 83 OF THE PBCPR (THE NEXT TEN COURSES TRACE THE EAST AND NORTH LINES OF SAID PLAT TWO) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 286.0 FEET; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC OF THE CURVE THRU A CENTRAL ANGLE OF 54°12'26", 270.58 FEET TO THE POINT OF TANGENCY; THENCE S 1°33'09" W ALONG THE TANGENT, 135.0 FEET; THENCE S 88°26'51" E, 12.0 FEET; THENCE S 1°33'09" W, 140.0 FEET; THENCE S 88°26'51" E, 157.0 FEET; THENCE S 59°26'15" E, 58.76 FEET; THENCE S 88°26'51" E, 420.0 FEET; THENCE S 1°33'09" W, 10.0 FEET; THENCE S 88°26'51" E, 355.0 FEET; THENCE S 1°33'09" W, 335.29 FEET; THENCE S 88°29'41" E, ALONG THE NORTH LINE OF VICTORIA WOODS PLAT 4 AS RECORDED IN PLAT BOOK 63 AT PAGE 169, PBCPR TO A POINT ON A LINE 40.0 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 11, AND THE WEST LINE OF THAT PARCEL DESCRIBED IN DEED BOOK 118 AT PAGE 518 OF THE PBCPR 293.85 FEET, THENCE N 1°30'09" E ALONG SAID WEST LINE TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 11, 1661.41 FEET; THENCE N 88°39'17" W ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. 1533.63 FEET.


SUBJECT TO AN EASEMENT OVER THE NORTH 70 FEET (OFFICIAL RECORD BOOKS 4451/550, 7144/1500, 2ND 7144/1505 PBCPR) THEREOF AND OVER THE EAST 60 FEET THEREOF (OFFICIAL RECORD BOOK 4451, PAGE 550 PBCPR) IN FAVOR OF PALM BEACH COUNTY AND LAKE WORTH DRAINAGE DISTRICT, RESPECTIVELY.

PARCEL CONTAINS 48.088 ACRES MORE OR LESS.

I HEREBY CERTIFY THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO 472.027, FLORIDA STATUTES.

John A. Murrain
JOHN A. MURRAIN, P.E.S.
FLORIDA CERTIFICATE #4733
STATE OF FLORIDA

2-13-95
DATE

Sheet 1 OF 2 Project No. 95020	Project VICTORIA WOODS REMAINDER LAND	Scale 1" = 300' Approved J.A.M. Drawn E.A.O. Checked Date 2/6/95 Field Book No.	No.	Revisions	By	Date
	Drawing No. S-1-95-839		<div style="text-align: right;">  PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES P.O. BOX 11229, WEST PALM BEACH, FL </div>			

MODEL LAND COMPANY SUBDIVISION
OF THE WEST ONE-HALF OF SECTION 11
PLAT BOOK 5, PAGE 76

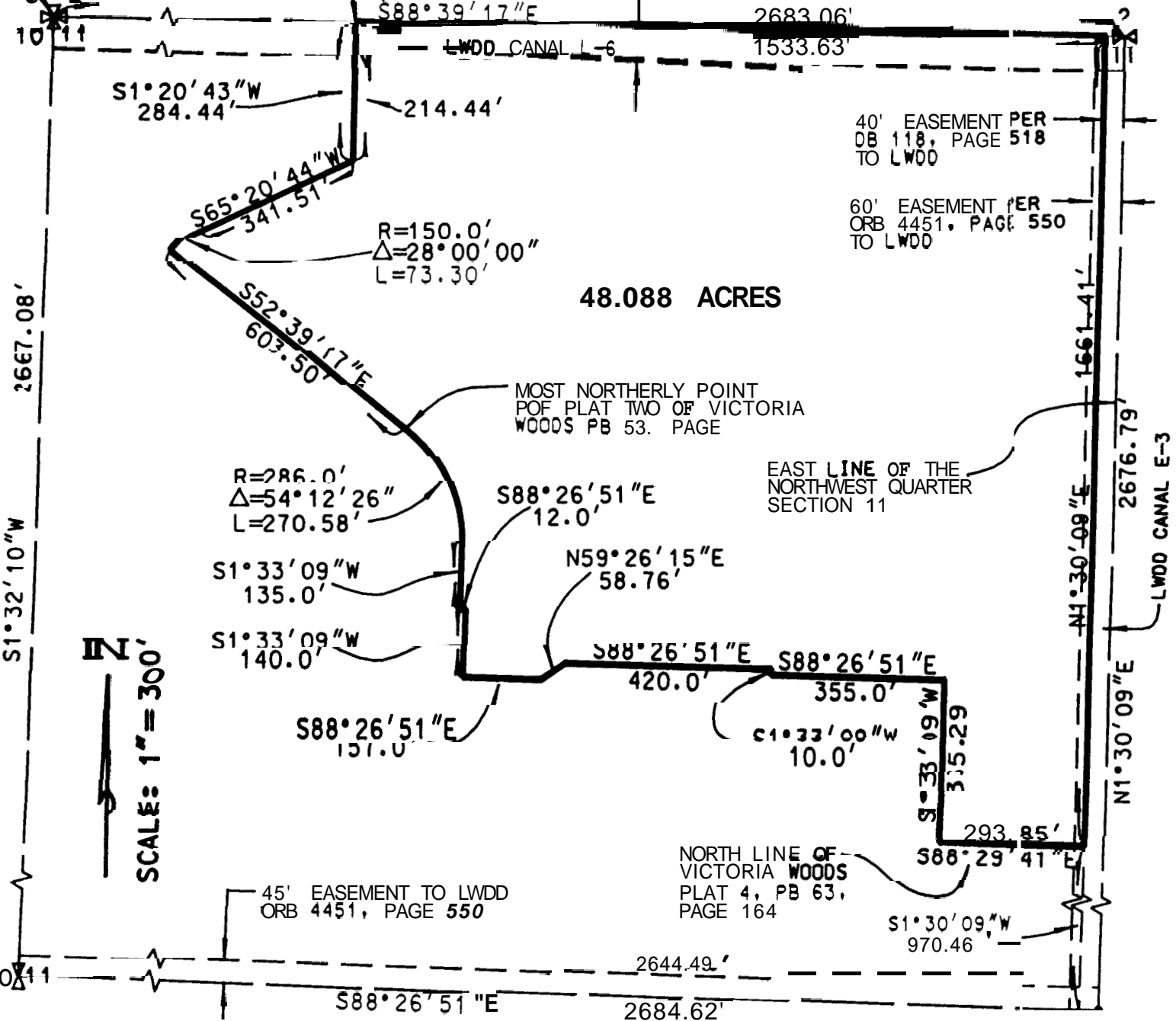
POINT OF COMMENCEMENT
NORTHWEST CORNER OF THE
NORTHWEST QUARTER OF
SECTION 11, TOWNSHIP 44
SOUTH, RANGE 42 EAST

POINT OF BEGINNING
MOST NORTHERLY
NORTHEAST CORNER
OF PLAT ONE OF
VICTORIA WOODS
PB 51, PAGE 32

70' EASEMENT TO LWDD ORB 4451, PAGE
550, QUIT CLAIMED BY LWDD TO PBCO
ORB 7144, PAGE 1500; EASEMENT GRANTED
BY PBCO TO LWDD ORB 7144, PAGE 1505

BASIS OF BEARINGS

SUMMIT
BOULEVARD



48.088 ACRES

SCALE: 1" = 300'

LEGEND

- LWDD = LAKE WORTH DRAINAGE DISTRICT
- PUD = PLANNED UNIT DEVELOPEMENT
- ORB = OFFICIAL RECORD BOOK
- PB = PLAT BOOK
- OB = DEED BOOK

THIS IS NOT A SURVEY