

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 83-18.4
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-94-1479
WHICH AMENDED CONDITIONS OF APPROVAL
OF 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 83-18.4 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on April 24, 1997; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 83-18.4 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. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and the Unified Land Development Code;
2. Due to ongoing litigation of Phase 2, an owner of a parcel located within Phase 1 was encumbered by the condition requiring a dedication of a preserve with Phase 2;
3. This revision permits the owner of the Phase 1 parcel to move forward separate from the Phase 2 issues; and
4. The dedications for each phase will address the County requirements for each parcel.

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 83-18.4, to amend Conditions of Approval of Resolution No. R-94-1479, the amendment of conditions of approval of 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 1/2 of Section 23, Township 42 South, Range 41 East, and that part of the West 1/2 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, and plats recorded as follows: Plat book 47, Pages 12-17, Plat book 61, Pages 3-4, and Plat Book 71, Pages 133-134., being located on the south side of Northlake Boulevard, approximately one and one-half (1.5) miles west of State Road #7 (U.S. #441), 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.
2. Condition number 2 of Resolution R-94-1479 which currently states:

The property owner shall dedicate to Palm Beach County on the next plat 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 Florida Water Management District. The property owner shall also set aside an additional eight acres of upland area to meet their upland preservation requirements in Phase 2.

Is hereby amended to state:

- a. Prior to the recording of the next plat for any property outside the area commonly referred to as Phase 2 on the approved Master Plan for Stonewal PUD (with the exception of the parcels identified as future golf clubhouse and golf maintenance facility), the property owner shall dedicate to Palm Beach County, five (5) acres of upland preserve to meet the upland preservation requirements remaining in Phase 1. (PLAT: ENG ~ ERM)
- b. 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)

Commissioner Foster moved for approval of the Resolution.

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

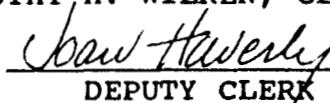
BURT AARONSON, CHAIRMAN	---	Aye
MAUDE FORD LEE, VICE CHAIR	---	Absent
KEN FOSTER	---	Aye
KAREN T. MARCUS	---	Absent
MARY MCCARTY	---	Aye
WARREN H. NEWELL	---	Aye
CAROL ROBERTS	---	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 24 day of April, 1997.

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

